



ANNO DECIMO OCTAVO & DECIMO NONO

VICTORIÆ REGINÆ.

Cap. cxxxii.

An Act for the Improvement of the Town of *Leek* in the County of *Stafford*, for purchasing the Market Tolls, and for providing more commodious Markets and Cemeteries, and for better supplying the Inhabitants with Water; and for other Purposes. [16th *July* 1855.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His Majesty King *George* the Fourth, Chapter Seventy-one, intituled *An Act for lighting, watching, cleansing, and improving the Town of Leek in the County of Stafford*: And whereas the Commissioners appointed under the recited Act have proceeded to carry the Provisions thereof into execution within the Town of *Leek*, as defined in such Act, and have provided Gasworks, and are indebted upon Mortgage of the Rates and Rents by that Act authorized to be levied and received the Sum of Five thousand Pounds, and also the additional Sum of One thousand Five hundred Pounds due upon Mortgage upon the Gasworks at the Time of the Purchase thereof by the Commissioners: And whereas the Powers of the Commissioners under the recited Act are defective and insufficient, and it is expedient that the Limits of the said Town as prescribed in

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c. xxxvii.

such Act be extended, and that further Provision be made for the Election of Commissioners, the paving and repairing of Streets, and for the Sewerage, Drainage, and general Improvement of the Town, and the Supply of the Inhabitants with Gas and Water: And whereas the Right Honourable *Thomas Augustus Wolstenholme* Earl of *Macclesfield*, by virtue of an Act passed in the Seventh and Eighth Years of His Majesty King *George* the Fourth, Chapter Thirty-seven, intituled *An Act for better regulating the Supply of Water in the Town of Leek in the County of Stafford*, supplies the Inhabitants of the Town with Water, and by virtue of such Act, and as Lord of the Manors of *Leek* and *Frith*, and otherwise, claims to be possessed of certain Reservoirs, Springs, Streams of Water, Pipes, Easements, Aqueducts, Powers, Privileges, and Advantages, and it is expedient that the Supply of Water to the Inhabitants of the Town should be transferred to the Commissioners under this Act, and that such Commissioners should be empowered to purchase the Waterworks from the said Earl, together with all the Reservoirs, Aqueducts, Springs, Streams of Water, Pipes, Easements, Powers, Privileges, and Advantages of the said Earl, with reference to a Supply of Water to the said Town: And whereas the Establishment of a Cattle Market with Approaches thereto, and the Erection of a Town Hall and of a Market House for a general Market within the Town, would be of public Advantage; and it is expedient that the Commissioners appointed under this Act be empowered to purchase certain Market Tolls and Stallages now payable in the Markets held in the Town in manner herein-after mentioned: And whereas the Establishment of a Cemetery for the Burial of the Dead, and the widening and Improvement of certain Roads and Streets, would also be beneficial to the Inhabitants of the said Town: And whereas, in order to avoid Inconveniences resulting from several Local and Personal Acts being in force at the same Time, it is expedient that the first-recited Act be repealed, and that some of the Provisions thereof be re-enacted and amended, and the Rates by such Act authorized to be levied be altered, and the Powers of raising Money on the Security thereof be enlarged: And whereas the several Purposes aforesaid 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,)

Short Title.

I. That this Act may be cited for any Purpose as "*The Leek Improvement Act, 1855.*"

Commence-
ment of Act.

II. That this Act shall commence and have effect on and from the Third *Tuesday* next after the passing thereof.

III. That

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III. That this Act shall, for all Purposes not by this Act otherwise expressly provided for, be put in force within the following Limits; (that is to say,) within a Circle of which the Radius is Fifteen hundred Yards measured from the Gas Lamp Post in the Centre of the existing Market Place in the Town of *Leek*: Provided always, that if that Gas Lamp Post, or any Pillar or Stone hereafter put by the Commissioners in the same Place, be at any Time removed, displaced, or broken, the Commissioners shall forthwith put a suitable Pillar or Stone in the same Place, and the Pillar or Stone from Time to Time so put shall be the Pillar or Stone whence the said Radius shall be measured.

Act to be put in force within the Limits herein mentioned.

IV. That with respect to the Supply of Water, this Act shall be put in force within the Town, and also within any Lands to be purchased by the Commissioners, or in or over which they may, under the Provisions of this Act, acquire any Right, Privilege, or Easement.

As to Supply of Water.

V. That the several Words and Expressions to which, by the Acts wholly or partially incorporated with this Act, Meanings are assigned, shall have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction: Provided always, that any Proceedings that may under those Acts be taken in the "Superior Courts" may be taken in any Court of competent Jurisdiction.

Same Meanings to Words, &c. in incorporated Acts and this Act.

VI. That in this and all other Sections of this Act the following Words and Expressions shall have the following Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction; (that is to say,)

Interpretation of Terms.

The Words "House" and "Dwelling House" respectively shall include all Messuages, inhabited Tenements, and Warehouses, Manufactories, Twisting Sheds or Shades, and also any other Buildings in which more than Twenty Persons are employed at One Time:

The Word "Drain" shall mean and include any Drain of and used for the Drainage of One Building only, or Premises within the same Curtilage, and made merely for the Purpose of communicating therefrom with a Cesspool or other like Receptacle for Drainage, or with a Sewer into which the Drainage of Two or more Buildings or Premises occupied by different Persons is conveyed:

The Word "Sewer" shall mean and include Sewers and Drains of every Description, except Drains to which the Word "Drain," interpreted as aforesaid, applies:

The Word "Town" shall mean the Town of *Leek* and the Environs thereof, within the Limits of this Act as herein-before defined, for the general Purposes of this Act:

The

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The Expression "the first-recited Act" shall mean the Act of the Sixth Year of the Reign of His Majesty King *George* the Fourth, Chapter Seventy-one; and the Expression "the secondly-recited Act" shall mean the recited Act of the Seventh and Eighth Years of the Reign of His said Majesty, Chapter Thirty-seven :

The Words "the Commissioners" shall mean the Commissioners acting in the Execution of this Act, and the Words "existing Commissioners" shall mean the Commissioners acting in the Execution of the first-recited Act :

The Word "Owner," for all the Purposes of this Act, whereby an Owner is to do anything under this Act, or to be rated, or to pay any Rate or Sum, shall mean the Person receiving the Rents of any Property from the Occupier thereof, on his own Account, or as Trustee or Agent for any other Person, or who, if the Property were let to a Tenant at Rackrent, would so receive the Rackrent thereof :

The Word "Court" shall mean any Place either wholly or partially surrounded with Two or more Houses, and which is not a Thoroughfare.

First-recited
Act repealed.

VII. That on and from the Commencement of this Act the first-recited Act shall be and is hereby repealed.

Leek Im-
provement
Commission-
ers to execute
the Act.

VIII. That the Commissioners for executing this Act shall be called "The *Leek* Improvement Commissioners," and by that Name shall be One Body Corporate, with perpetual Succession and a Common Seal, and with Power to purchase, take, hold, and dispose of Lands and other Property for the Purposes but subject to the Restrictions of this Act, and to put this Act in all respects into execution.

8 & 9 Vict.
c. 16. incor-
porated.

IX. That "The Commissioners Clauses Act, 1847," except Section Forty-three thereof, shall be incorporated with this Act.

First Com-
missioners.

X. That the Persons who at the Time of the Commencement of this Act are the existing Commissioners shall be Commissioners for executing this Act until the last *Tuesday* in the Second Month after the passing of this Act, on which Day they shall retire from Office, and Twenty-four Commissioners shall be elected, the retiring Commissioners being, if qualified, re-eligible: Provided always, that the Commissioners so continued shall not, previous to the said First Election of Commissioners under this Act, exercise the Powers of this Act for the Purchase or Lease of any Lands, Waterworks, or Tolls; or enter into any Contract for any such Purposes.

XI. That

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XI. That the Commissioners shall hold their First Meeting at the Town Hall or Commissioners Office in the Town on the First *Tuesday* after the Commencement of this Act.

First Meeting of Commissioners.

XII. That (except as by this Act otherwise provided) the Qualification for a Commissioner shall be his being of full Age and the Owner or Occupier of any Tenement within the Town which was rated in the last Rate under the first-recited Act or a Rate for general Purposes under this Act on a net yearly Value of Twenty Pounds or upwards, or possessed of Personal Property to the Amount or Value of One thousand Pounds: Provided always, that in case both Owner and Occupier of the same Tenement be elected Commissioners at the same Election, that Tenement shall for that Election qualify only the Owner.

Qualification of Commissioners.

XIII. That a Person shall not be incapable of acting as a Justice of the Peace in the Execution of this Act with reference to any of the Purposes thereof by reason of his being a Commissioner or being liable to any Rate or Charge under this Act.

Commissioner not incapable of acting as a Justice.

XIV. That on the last *Tuesday* in the Month of *April* One thousand eight hundred and fifty-six, and on the last *Tuesday* in the Month of *April* in every subsequent Year, One Third of the Commissioners shall go out of Office; and the Commissioners to go out of Office in the Years One thousand eight hundred and fifty-six and One thousand eight hundred and fifty-seven respectively shall be determined by Ballot, and the Commissioners who shall go out of Office in every subsequent Year shall be those who have been then longest in Office, and the Rotation List shall be made accordingly, and in every Instance the Places of the retiring Commissioners shall be supplied by the Election of Commissioners as by this Act provided.

Retirement of Commissioners in rotation.

XV. That the Election of Commissioners shall take place on the last *Tuesday* in the Second Month after the passing of this Act, and on the last *Tuesday* in the Month of *April* in every subsequent Year.

Election of Commissioners.

XVI. That the Qualification for a Returning Officer shall be his being qualified to vote at the Election of Commissioners.

Qualification of Returning Officer.

XVII. That within One Month after the Commencement of this Act, and in the Month of *November* in every subsequent Year, the Commissioners shall appoint Two Persons, being respectively qualified to vote at the Election of Commissioners, to be Scrutineers at every such Election during their respective Year of Office, and in every Case of the Death, Disqualification, or Failure to act of any Scrutineer, the Commissioners shall forthwith meet and appoint a fit

Scrutineers to be appointed.

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qualified Person to be the Scrutineer in his Stead during the then current Year of Office.

As to Persons disqualified for Commissioners, Returning Officers, and Scrutineers.

XVIII. Provided always, That a Person disqualified by Interest for being a Commissioner shall not be a Returning Officer or a Scrutineer; provided also, that a Person being a Returning Officer or a Scrutineer shall not be nominated for or elected a Commissioner for that Year.

Nomination of Commissioners.

XIX. That any Person qualified to vote at the Election of Commissioners may at any Time not later than Ten of the Clock in the Morning on the *Monday* next preceding the Day of Election, deliver to the Returning Officer and to the Clerk to the Commissioners Duplicate Nomination Papers of himself or any Person or Persons for the Office of Commissioner, being respectively qualified, and not exceeding the Number of Commissioners to be elected; and every such Nomination Paper shall contain the Names of the Persons nominated, with their respective Places of Abode, and shall be signed by the Person nominating, with his Place of Abode, and every such Duplicate Nomination Paper delivered to the Clerk may be inspected without Fee at all reasonable Times by any Person qualified to vote, and Copies thereof may be had on Payment of Sixpence for every One hundred Words, and the Clerk shall be liable to a Penalty of Ten Pounds for every Refusal by him to permit such Inspection or to furnish any such Copy.

Examination of Nomination Papers.

XX. That at Eight of the Clock on the Morning of the Day for Election the Returning Officer and Scrutineers shall meet at the Town Hall or at the principal Office of the Commissioners, and shall there examine the Nomination Papers delivered to him, and if the Number of qualified Persons so proposed do not exceed the Number of Commissioners to be then elected, he shall declare such Persons duly elected; but if the Number of qualified Persons so nominated exceed the Number of Commissioners to be then elected, such Election shall be decided by Vote, and the voting shall begin at Nine of the Clock in the Forenoon and close at Four of the Clock in the Afternoon of such Day.

Qualification of Electors.

XXI. That every Male Person of full Age, rated under the first-recited Act, or to the Rates for general Purposes under this Act, in respect of any Tenement within the Town, and who on or before the Twentieth Day before the Day of Election paid all such Rates as under the first-recited Act and this Act or either of them were payable by him at any Time before the Commencement of the Third Month before such Day of Election, shall be entitled to vote in the Election of Commissioners.

Examination of Votes.

XXII. That after the closing of the voting, the Returning Officer and Scrutineers, in the Presence of such of the Electors as choose to be

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be present, shall ascertain and put down in Writing the Number of Votes for every Person, and the Persons who have the greatest Number of Votes shall, to the Extent of the Number of Commissioners to be then elected, be Commissioners; and in the Case of an Equality of Votes for any Two or more such Persons, the Returning Officer shall, if necessary to prevent an Excess in the Number of Commissioners, decide by Lot among the Persons having the Equality of Votes which of them are to be elected.

XXIII. That if at any Election any Person not qualified to vote shall have voted thereat, the Returning Officer and Scrutineers shall reject the Vote of such Person.

Votes by
Persons not
qualified.

XXIV. That where Two or more Persons claim Votes as joint Ratepayers in respect of One Tenement, the rateable Value of the Tenement shall be divided by the Number of such Persons, and the Quotient shall, with respect to every such Person, be deemed the rateable Value of the Tenement, and he shall be entitled to a Vote or Votes in respect thereof accordingly.

Scale of
voting for
joint Rate-
payers.

XXV. That the Annual General Meetings of the Commissioners shall be held on the First *Tuesday* in the Month of *May* in every Year.

Annual
Meetings
of Commis-
sioners.

XXVI. That where any Business other than ordinary Business is intended to be transacted, and where any new Rule or Regulation is intended to be adopted at any Monthly Meeting of the Commissioners, due Notice thereof shall be given at a prior Meeting, or previous Notice in Writing thereof shall be given by the Clerk by sending the same to every Commissioner in the Manner required for Special Meetings.

Notice of ex-
traordinary
Business at
monthly
Meetings.

XXVII. That any Person, being the Owner or Occupier of any Tenement within or adjoining or within Fifty Yards of any Street proposed to be declared under this Act a Highway, or being the Owner of any chief or other Rent issuing out of any such Tenement, shall not vote at any Meeting of the Commissioners touching the declaring of such Street to be a Highway, or touching the first paving, repairing, or sewerage of the same, or any Part thereof.

Commission-
ers in certain
Cases not to
vote.

XXVIII. That all Moneys from Time to Time raised and collected by Order of the Commissioners or borrowed on Mortgage or otherwise payable to the Commissioners under this Act, shall be paid to their Treasurer, and the Treasurer shall not make any Payment on Account of the Commissioners without a general or special Order of the Commissioners in Writing, signed by the Chairman of the Meeting

All Monies
to be paid to
Treasurer.

at

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at which the Order was made, or without a special Order of a Committee of the Commissioners in Writing, signed by the Chairman at the Meeting of the Committee at which the Order was made.

Commissioners to remain entitled to their Property.

XXIX. That, notwithstanding the Repeal of the first-recited Act, but subject to the Provisions of this Act, the Commissioners shall, on and from the Commencement of this Act, be seised and possessed of and entitled to all the Gasworks, Gasometers, Retorts, Mains, Pipes, Works, and Conveniences, Lands, Buildings, Estates, Rights, Interests, Moneys, Property, Effects, Chattels, Choses in Action, Claims and Demands whatsoever, of or to which the existing Commissioners, under or by virtue of the first-recited Act or otherwise howsoever, were immediately before the Commencement of this Act seised, possessed, or in any way entitled at Law or in Equity, or otherwise howsoever, with the Appurtenances, as if this Act were not passed.

Commissioners to continue entitled to Powers under other Acts.

XXX. That, notwithstanding the Repeal of the first-recited Act, but subject to the Provisions of this Act, the several Clauses and Provisions whatsoever relating to the existing Commissioners contained in any Act or Acts other than the first-recited Act, and which immediately before the Commencement of this Act are in force, shall on and from the Commencement of this Act apply to the Commissioners, and shall for the Purposes of this Act continue and be in force accordingly; and the Commissioners, by themselves, their Officers, and Servants, may and shall accordingly, and for the Purposes of this Act, be entitled to, and have, exercise, and enjoy, and be subject to, under or by virtue of those Clauses and Provisions respectively, all such Rights, Interests, Powers, Authorities, Privileges, Liabilities, and Obligations whatsoever, as in case this Act were not passed the existing Commissioners, by themselves, their Officers and Servants, under or by virtue of the same, might be entitled to, or might have, exercise, or enjoy, or be subject to.

Conveyances, &c. to remain.

XXXI. That, notwithstanding the Repeal of the first-recited Act, all Conveyances, Leases, Deeds, Appointments, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities, made or entered into before the Commencement of this Act, to, with, in favour of, or by, for, or on behalf of the existing Commissioners or any Person on their Behalf, shall be and remain as good, valid, and effectual in favour of, against, and with reference to the Commissioners, and may be proceeded on and enforced, in like Manner to all Intents and Purposes as if this Act were not passed.

Actions, &c. not to abate.

XXXII. That, notwithstanding the Repeal of the first-recited Act, any Action, Suit, Prosecution, or other Proceeding whatsoever, commenced either by or against the existing Commissioners before the
Com-

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Commencement of this Act, shall not abate or be discontinued or prejudicially affected by this Act, but on the contrary, shall continue to take effect, both in favour of and against the Commissioners, in like Manner to all Intents and Purposes as if this Act were not passed.

XXXIII. That, notwithstanding the Repeal of the first-recited Act, all Gas Rents and other Rates which immediately before the Commencement of this Act are due and payable or accruing due and payable to the existing Commissioners, shall from and after the Commencement of this Act be payable to and may be collected and recovered by the Commissioners in like Manner as any Gas Rents and Rates under this Act may be collected and recovered by the Commissioners.

Rates due at Commencement of Act to be recoverable.

XXXIV. That, notwithstanding the Repeal of the first-recited Act, all Persons who immediately before the Commencement of this Act owe any Sum of Money to the existing Commissioners or to any Person on their Behalf, shall pay the same, with all Interest (if any) due or to accrue due for the same, to the Commissioners; and all Debts and Moneys which immediately before the Commencement of this Act are due or owing by or recoverable from the existing Commissioners, or for the Payment whereof the existing Commissioners are or but for this Act would be liable, shall be paid, with all Interest (if any) due or to accrue due thereon, by or be recoverable from the Commissioners.

Debts due to and by the existing Commissioners to be paid to and by the Commissioners.

XXXV. That, notwithstanding the Repeal of the first-recited Act, and except only as is by this Act otherwise expressly provided, everything before the passing of this Act done or suffered under the first-recited Act shall be as valid as if the first-recited Act were not repealed; and the Repeal thereof and this Act respectively shall accordingly be subject and without Prejudice to everything so done or suffered, and to all Rights, Liabilities, Claims, and Demands, both present and future, which, if the first-recited Act were not repealed and this Act were not passed, would be incident to or consequent on any and every thing so done or suffered; and with respect to all such Rights, Liabilities, Claims, and Demands, the Commissioners shall, to all Intents and Purposes, except as expressly altered by this Act, represent the existing Commissioners: Provided always, that the Generality of the preceding Provision shall not be restricted by any of the other Clauses or Provisions of this Act.

Continuance of Liabilities of Commissioners under repealed Acts.

XXXVI. That, notwithstanding the Repeal of the first-recited Act, all Rules, Regulations, Byelaws, and Orders made under that Act and in force on the Commencement of this Act, shall continue in full force

Byelaws, &c. to remain in force.

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for Six Months after the Commencement of this Act, unless the same be sooner repealed, altered, or varied under this Act ; and such Regulations, Rules, Byelaws, and Orders, and all Penalties and Forfeitures thereby respectively imposed, and all Penalties and Forfeitures incurred under the first-recited Act, may and shall be enforced, recovered, and applied in like Manner in all respects as the same respectively might be enforced, recovered, and applied in case the same had been made and imposed respectively by or under this Act.

Officers to
continue.

XXXVII. That, notwithstanding the Repeal of the first-recited Act, every Officer and Servant appointed by virtue of or acting under that Act shall hold and enjoy his Office and Employment with the Salary thereunto annexed, and be deemed an Officer and Servant of the Commissioners, until he be removed from such Office and Employment ; and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Byelaws, Terms, and Penalties, in all respects whatsoever as if he were appointed under this Act.

Books to be
Evidence.

XXXVIII. That, notwithstanding the Repeal of the first-recited Act, all Books and other Documents by that Act directed or authorized to be kept, and which if that Act were not repealed would be receivable in Evidence, shall be admitted as Evidence in all Courts of Law and Equity and elsewhere accordingly.

Power to
take and use
Lands delineated on
deposited
Plans.

XXXIX. And whereas Plans showing the Situation of the Lands required for the Cemetery, for the Cattle Market, the general Market and Town Hall, the Lines of the Approaches thereof, and of the intended Widenings and Improvements of Streets within the Town, and also a Book of Reference containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and of the Occupiers of such Lands, have been deposited at the Office of the Clerk of the Peace for the County of *Stafford* : Therefore, subject to the Provisions of this Act, the Commissioners may, for the Purposes of such Cemetery, Cattle Market, general Market, Town Hall, Approaches, Widenings, and Improvements, enter upon, take, and use such of the Lands and Houses delineated on those Plans and referred to in that Book of Reference as they think necessary.

8 & 9 Vict.
c. 18. incorporated.

XL. That " The Lands Clauses Consolidation Act, 1845," shall be incorporated with this Act.

Errors and
Omissions in
Plans, &c.
may be corrected by

XLI. That if any Omission, Mis-statement, or wrong Description have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands described on those Plans or in that Book of Reference, the Commissioners, after giving Ten Days Notice to the Owners, Lessees,

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Lessees, and Occupiers of the Lands affected by the proposed Correction, may apply to Two Justices for the Correction thereof, and if it appear to such Justices that such Omission, Mis-statement, or wrong Description arose from Mistake, they shall certify the same accordingly, and shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate shall be deposited with the Clerk of the Peace for the County of *Stafford*, and be kept by such Clerk of the Peace with the other Documents to which it relates, and thereupon such Plans or Book of Reference shall be deemed to be corrected according to such Certificate, and the Plans or Book of Reference so corrected shall thenceforth be deemed the Plans or Book of Reference deposited for the Purposes of this Act.

Justices, who shall certify the same.

Certificate to be deposited.

XLII. That the Powers of the Commissioners for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the First Day of *January* One thousand eight hundred and fifty-nine.

Powers for compulsory Purchases limited.

XLIII. That the Commissioners from Time to Time may by Agreement purchase or take on a perpetual Lease for any of the Purposes of this Act other than the Purposes of the Cemetery any Lands within the Town, and for the Purposes of the Manufacture of Gas any Lands immediately adjoining the Site of the existing Gasworks, and for the Purposes of the Waterworks any Lands within the Parish of *Leek*: Provided always, that the Quantity of Land at any Time held by the Commissioners for the Purposes of the Gasworks shall not exceed Two Acres, or for the Purposes of the Cemetery Seven Acres, or for the Purposes of the Waterworks Twenty Acres.

Purchase of Lands by Agreement.

XLIV. That the said Earl of *Macclesfield*, his Heirs or Assigns, may make, and the Commissioners may accept, a Transfer of, and may purchase all or any Part of the Waterworks rightfully belonging to the said Earl, his Heirs or Assigns, for the Supply of the Inhabitants of the Town of *Leek* with Water, and of the Reservoirs, Pipe Tracts, Aqueducts, Springs, Streams, Pipes, Works, Lands, Powers, Rights, Privileges, Easements, and Advantages possessed, held, or enjoyed by such Earl, his Heirs or Assigns, and which he is entitled to use, hold, and enjoy for the Purpose of supplying Water to the Inhabitants of the said Town, whether as Lord of the Manors of *Leek* and *Frith* or under or by virtue of the secondly-recited Act, or of any other Act or otherwise howsoever, for the Purposes of such Waterworks, in consideration of such Sum or Sums of Money as may be agreed upon: Provided always, that such Waterworks shall be purchased under and subject to the Provisions of "The Lands Clauses Consolidation Act, 1845;" and in case of Dispute as to the Price to be paid

Power to purchase Waterworks.

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paid for such Waterworks and Premises, the same shall be settled by Arbitration in manner provided for in such last-mentioned Act.

Upon Transfer, Works to vest in Commissioners.

XLV. That upon such Transfer, the Waterworks and Premises so agreed to be transferred or which may be purchased or taken by the Commissioners under the Powers of this Act shall by such Transfer be vested according to the Provisions of this Act in the Commissioners, and the Commissioners may have and hold those Premises, and use, exercise, and enjoy all such Rights, Powers, Privileges and Advantages for obtaining and supplying Water or otherwise in connexion with the Premises so transferred, as the said Earl, his Heirs or Assigns, could or might have used, exercised, and enjoyed if such Transfer had not been made, and as if the Name of the Commissioners had been inserted in the secondly-recited Act instead of the said Earl.

Evidence of Transfer.

XLVI. That such Transfer shall be evidenced sufficiently and conclusively by a Deed of Transfer under the Seal of the Commissioners and the Hand and Seal or Hands and Seals of the said Earl, his Heirs or Assigns, which Deed shall be duly stamped, and in which Deed the full Consideration for the Transfer shall be fully and truly set forth.

Watering Places to be maintained in Inclosures.

XLVII. That if the said Waterworks be purchased under the Powers of this Act, nothing in this Act contained shall extend or be construed to extend to empower the Commissioners or any other Person or Persons to deprive the Owner or Occupier of any Close or Inclosure through which the Water from the Springs or Drains or any of them now runs of their usual Benefit of such Water for watering of Cattle, but in case the Commissioners shall make any covered Drain through any such Close or Inclosure, then they shall and are hereby required to make and continue such Watering Places in each and every such Close or Inclosure as may be necessary for supplying the Cattle or Stock therein with the usual Quantity of Water.

Rights of Millowners not to be prejudiced.

XLVIII. That the Powers given by this Act to purchase the Waterworks shall not prejudicially affect any Rights of Water or Easements which the Owners and Occupiers of Mills and other Works upon the Rivers *Churnett* and *Dove* would have been entitled to use or enjoy if this Act had not passed.

10 & 11 Vict. c. 17. incorporated. Commissioners not to

XLIX. That "The Waterworks Clauses Act, 1847," shall be incorporated with this Act: Provided always, that the Commissioners shall not supply Water to the Inhabitants of the Town until they have purchased the Waterworks of the Earl of *Macclesfield*, his Heirs or

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or Assigns: Provided also, that the Water to be supplied by the Commissioners need not be constantly laid on under Pressure.

supply till
Waterworks
are pur-
chased, &c.

L. That by means of the Waterworks by this Act authorized to be purchased, the Commissioners may, subject to the Provisions of this Act, supply Water within the Limits in that Behalf of this Act.

Power to
supply
Water ;

LI. That the Commissioners may maintain any Pipes which may have been laid down by the said Earl along or upon any Turnpike Road within the Parish of *Leek*, in the same Manner as if such Pipes had been laid down in any Street within the Town.

and main-
tain present
Pipes.

LII. That if upon the Report of the Surveyor it appear to the Commissioners that any House is without a proper Supply of Water, and that such a Supply of Water can be furnished thereto at a Rate not exceeding Twopence *per* Week, the Commissioners shall give Notice in Writing to the Occupier, requiring him, within a Time to be specified therein, to obtain such Supply and to do all such Works as may be necessary for that Purpose; and if such Notice be not complied with the Commissioners may, if they shall think fit, do such Works and obtain such Supply accordingly, and make and levy Water Rates upon the Premises, not exceeding in the whole the Rate of Twopence *per* Week, in manner herein-after provided, as if the Owner or Occupier of the Premises had demanded a Supply of Water and were willing to pay Water Rates for the same; and the Expenses incurred by them in doing such Works as last aforesaid shall be Private Improvement Expenses, and be recoverable as such in the Manner herein-after provided.

Commission-
ers may re-
quire Houses
to be pro-
vided with
Water in cer-
tain Cases.

LIII. That in lieu of the Rates or Rents authorized to be taken by the secondly-recited Act, the Commissioners, after such Transfer, may demand and take for a Supply of Water for domestic Purposes, including Waterclosets, the following Rates, according to the yearly Value of every Dwelling House or Part of a Dwelling House so supplied;

Power to
levy Water
Rates after
Transfer of
Works.

If there be not a Bath in the Dwelling House or Part of a Dwelling House, at the following Rates:

Where the yearly Value thereof does not exceed Four Pounds, at a yearly Rate not exceeding Four Shillings and Fourpence:

Where such Value exceeds Four Pounds but does not exceed Five Pounds, at a yearly Rate not exceeding Six Shillings:

Where such Value exceeds Five Pounds and does not exceed Ten Pounds, at a yearly Rate not exceeding Ten Shillings:

Where such Value exceeds Ten Pounds and does not exceed Fifteen Pounds, at a yearly Rate not exceeding Fifteen Shillings:

[*Local.*]

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Where

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Where such Value exceeds Fifteen Pounds and does not exceed Twenty Pounds, at a yearly Rate not exceeding Twenty Shillings :

Where such Value exceeds Twenty Pounds and does not exceed Thirty-five Pounds, at a yearly Rate not exceeding Thirty-five Shillings :

Where such Value exceeds Thirty-five Pounds and does not exceed Fifty Pounds, at a yearly Rate not exceeding Two Pounds and Ten Shillings :

Where such Value exceeds Fifty Pounds and does not exceed Seventy-five Pounds, at a yearly Rate not exceeding Three Pounds and Ten Shillings :

Where such Value exceeds Seventy-five Pounds and does not exceed One hundred Pounds, at a yearly Rate not exceeding Four Pounds and Ten Shillings :

And where such Value exceeds One hundred Pounds, at a yearly Rate not exceeding Five Pounds and Ten Shillings.

If there be any Bath in the Dwelling House or Part of a Dwelling House supplied, then, in addition to those Rates, the following Rates for every Bath therein :

Where the yearly Value thereof does not exceed Five Pounds, not exceeding Two Shillings and Sixpence :

Where such Value exceeds Five Pounds but shall not exceed Twelve Pounds, for One Bath not exceeding Four Shillings, and for every additional Bath not exceeding Two Shillings and Sixpence :

Where such yearly Value exceeds Twelve Pounds but does not exceed Twenty Pounds, for One Bath not exceeding Five Shillings, and for every additional Bath not exceeding Two Shillings and Sixpence :

Where such yearly Value exceeds Twenty Pounds, for One Bath not exceeding Seven Shillings and Sixpence, and for every additional Bath not exceeding Two Shillings and Sixpence :

Provided always, that if there be any Watercloset or Bath in any Manufactory or Place of Business in which more than Twenty Persons are employed, the Commissioners may charge such Sum as they deem reasonable for Supply of Water thereto.

Water may
be supplied
by Agree-
ment.

LIV. That the Commissioners may supply any Person with Water for other than domestic Purposes for such Remuneration and upon such Terms and Conditions as are agreed on between the Commissioners and the Persons desirous of having the Supply.

What is not
a Supply for
domestic
Purposes.

LV. That a Supply of Water for domestic Purposes shall not include a Supply of Water for Cattle or for Horses or washing Carriages, where such Horses and Carriages are kept for Hire or by Common

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Common Carriers, or a Supply for any Trade, Manufacture, or Business whatsoever, or for watering Gardens, or for Fountains, or for any ornamental Purposes whatsoever.

LVI. That the 72d Section of "The Waterworks Clauses Act, 1847," shall for the Purposes of this Act be read as if the Words Four Pounds had been inserted therein instead of the Words Ten Pounds.

As to Value of Houses when Water Rate payable by Landlord.

LVII. Provided always, That the Commissioners shall not be compelled to supply with Water any Watercloset or private Bath, or the Apparatus or Pipes connected therewith, unless the same be made to the Satisfaction of the Commissioners, and used so as to prevent the Waste or undue Consumption of the Water of the Commissioners, and the Return of foul Air and other noisome or impure Matter into the Mains or Pipes belonging to or connected with the Mains or Pipes of the Commissioners, or any private Bath so constructed as to contain, when filled for Use, more than Sixty Gallons of Water.

For preventing fouling of Water.

LVIII. That every Person using for any other than domestic Purposes any Water supplied by the Commissioners, and not having previously agreed with the Commissioners for a Supply for such other Purposes, and every Person having agreed with the Commissioners for a Supply of Water for any other than domestic Purposes and using for any Purposes other than the Purposes so agreed on the Water so supplied by the Commissioners, shall respectively for every such Offence forfeit to the Commissioners a Sum not exceeding Five Pounds.

Penalty for using Water for other than domestic Purposes without Agreement.

LIX. That if any Person supplied with Water by the Commissioners wilfully do or cause or knowingly permit to be done anything in contravention of the Provisions of this Act with respect to Water Supply, or wilfully neglect to do anything which under those Provisions ought to be done for the Prevention of the Waste, Misuse, undue Consumption, or Contamination of the Water of the Commissioners, the Commissioners may turn off the Water supplied by them to such Person, and cease to supply such Person with Water until the Provisions of this Act be complied with, or proper Measures be taken, by and at the Expense of such Person, for the Prevention of such Waste, Misuse, undue Consumption, or Contamination of Water, and also may recover from such Person, in any Court of competent Jurisdiction, the Amount of any Damage which the Commissioners sustain by reason of any such wilful Act or Neglect.

Power to turn off Water and cease to supply in certain Cases.

LX. That "The Gasworks Clauses Act, 1847," except the Clauses or Sections thereof "with respect to the Amount of Profit to be received

10 & 11 Vict. c. 15. incorporated.

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received by the Undertakers when the Gasworks are carried on for their Benefit," shall be incorporated with this Act, and the Expression "Undertakers" in that Act shall mean, for the Purposes of this Act, "the Commissioners."

Power to
maintain
Gasworks
and supply
Gas, &c.

LXI. That, subject to the Provisions of this Act, the Commissioners from Time to Time may maintain the present Gasworks, situate at or near the *North Staffordshire* Railway Station in the Township of *Leek* and *Lowe*, upon Lands abutting on the Turnpike Road from *Leek* to *Newcastle-under-Lyme*, and may alter and discontinue such Gasworks, and may make, lay down, maintain, alter, and discontinue Retorts, Gasometers, Gas Meters, Mains, Pipes, Apparatus, Works, and Conveniences; and may, upon any Lands from Time to Time vested in them for the Purposes of the Gasworks, make such Buildings and Works, and may do all such other Things, as they from Time to Time think proper for making and storing Gas and for supplying Gas within the Limits in that Behalf of this Act, and may make and store and supply Gas accordingly, and may sell the Gas and the Coke and other Products of the Manufacture of Gas as they from Time to Time think fit: Provided always, that the Commissioners shall not erect any Works for the Manufacture of Gas on any Lands except those contracted for or acquired previous to the Commencement of this Act for that Purpose, or which immediately adjoin the present Gasworks, and not exceeding in the whole the Quantity of Two Acres herein-before allowed.

Exception as
to Erection of
new Works.

Commission-
ers may cause
Streets, &c.
to be lighted.

LXII. That the Commissioners from Time to Time shall light with Gas such of the Streets and Public Buildings within the Town, and at such Times and in such Manner as they think fit; and may provide, lay, and affix such Lamps, Lamp Posts, Lamp Irons, Pipes, and other Works and Conveniences as they think requisite for that Purpose.

Service
Pipes to be
kept fully
charged with
Gas.

LXIII. That every Branch or Service Pipe at any Time used for lighting with Gas the Streets within the Town shall be kept fully charged with Gas, and the Stopcocks shall be so turned as not to impede any such Branch or Service Pipe being filled with Gas during the Time the same is lighted.

Commission-
ers may sup-
ply Gas to
Dwelling
Houses and
Shops.

LXIV. That from and after the Commencement of this Act the Commissioners shall, at the Request of the Owner or Occupier of any Dwelling House or Part of a Dwelling House or Shop in any Street within the Town in which any Gas Main of the Commissioners is from Time to Time laid within Fifty Yards of such Dwelling House or Shop, furnish to such Owner or Occupier a sufficient Supply of Gas: Provided always, that the Commissioners shall not be required to provide

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provide the Branch Pipe from the Mains of the Commissioners, nor the Apparatus, Fittings, or Meters in any such Dwelling House or Shop.

LXV. That if any Person fraudulently use, injure, alter, or destroy any Meter, Stopcock, or Pipe used for regulating the Supply or for ascertaining the Quantity of Gas supplied and consumed, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds. Penalty for injuring Meters, &c.

LXVI. That if any Person becoming the Occupier of any Building or Place previously supplied by the Commissioners with Gas for any former Occupier, or for any other Person, consume any Gas supplied by the Commissioners before he have given Notice in Writing to the Clerk of the Commissioners of his Intention so to do, every Person so offending shall for every such Offence forfeit and pay to the Commissioners any Sum not exceeding Forty Shillings, and also the Value of the Gas so consumed, such Value, Rent, or Sum to be ascertained by any Justice. Penalty for consuming Gas without Notice.

LXVII. That it shall not be lawful for the Commissioners to demand or receive from any Person who shall use or burn Gas manufactured and supplied by the Commissioners and used by the Meter, a Sum exceeding the Rate of Six Shillings *per* One thousand Cubic Feet of such Gas. Limiting the Price of Gas.

LXVIII. That a Table of the Price or Prices at which Gas is supplied by the Commissioners shall be affixed in some conspicuous Part of the Town Hall or at the Office of the Commissioners, and the same shall be Evidence of the Price at which the Commissioners agree to supply any Person with Gas during the current Year, and it shall not be necessary to prove any special Contract with any such Person. Mode of proving Price at which Gas is supplied to Consumers.

LXIX. That "The Cemeteries Clauses Act, 1847," except Sections Twenty-seven and Twenty-eight and Thirty and Thirty-one and Thirty-four and Fifty-two and Fifty-seven thereof, shall be incorporated with this Act; and the Expression "the Company" in that Act shall mean, for the Purposes of this Act, the Commissioners. 10 & 11 Vict. c. 65. incorporated.

LXX. That, subject to the Provisions of this Act, the Commissioners may make and maintain a Cemetery for the Burial of the Dead, with proper Approaches, Works, and Conveniences, in the Lands which they are by this Act authorized to purchase for the Purposes of the Cemetery. Power to make and maintain Cemetery.

[*Local.*]

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LXXI. That

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Chapels for
consecrated
and uncon-
secrated
Part.

LXXI. That a Chapel shall be provided for the unconsecrated as well as the consecrated Part of the Cemetery.

Cemetery not
to be within
300 Yards of
Houses of
certain
Values.

LXXII. Provided always, That no Part of the Cemetery used for the Interment of the Dead shall be made within Three hundred Yards of any House of the yearly Value of Fifty Pounds or upwards, or having a Plantation or ornamental Garden or Pleasure Ground occupied therewith, except with the Consent in Writing of the Owner, Lessee, and Occupier thereof.

A sufficient
Portion of
Land to be
set apart and
inclosed for
Burial Pur-
poses.

LXXIII. And whereas it may not be deemed expedient by the Commissioners that the whole of the Lands taken for the Purposes of the Cemetery should at once be absolutely set apart and appropriated solely for the Burial of the Dead and for the Uses of a Cemetery: Therefore, the Commissioners from Time to Time may set apart and inclose a Portion of the Lands of such Extent as they from Time to Time deem sufficient to be appropriated for the Purposes of a Cemetery, including, nevertheless, within such appropriated Portions from Time to Time a convenient and adequate Space to be set apart and consecrated for the Burial of Persons according to the Rites of the Established Church, and for the Erection of a Chapel for the Performance of the Burial Service according to the Rites of that Church; and also a convenient and adequate Space to be set apart for the Burial of Persons not being Members of that Church, with another Chapel therein; and may let such Portions of the Lands as from Time to Time remain unappropriated for such Purposes, for any Term not exceeding Three Years, to any Person, at such Rent and on such Terms as the Commissioners think proper; provided always, that Buildings shall not be erected on the Lands so let.

Unappro-
priated Land
may be let,
but not for
Buildings.

Height of
Cemetery
Walls.

LXXIV. That the Cemetery shall be inclosed by Walls or other sufficient Fences of the Height of Seven Feet at the least.

As to Per-
formance of
Burial Ser-
vice in the
consecrated
Part.

LXXV. That each of the several Incumbents of the Parishes or Ecclesiastical Districts situate wholly or partly within the Town shall, on convenient Notice being given to him, perform or cause to be performed by some Clergyman of the Established Church whom he may appoint, not being prohibited by the Bishop nor under Ecclesiastical Censure, on the Day specified in the Notice, at an Hour to be fixed by him, not being earlier than Nine in the Forenoon and not later than Six in the Afternoon, from the First Day of *April* to the Thirteenth Day of *September* both Days inclusive, nor later than Five in the Afternoon during the other Months in the Year, the Burial Service according to the Rites of that Church, over every deceased Person brought for Interment within the consecrated Part of the Cemetery, over whom the same may lawfully be performed; and for every such Interment.

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Interment such Incumbent shall be entitled to the respective Fees or Sums following; (that is to say,)

If the deceased Person shall have died within the Town (and shall not be interred at the Expense of any Parish or Union), the Sum of Two Shillings:

If the deceased Person shall have died beyond the Town (and shall not be interred at the Expense of any Parish or Union), the Sum of Six Shillings: And

If the deceased Person shall be interred at the Expense of any Parish or Union, the Sum of One Shilling and Sixpence:

And where in the Cemeteries Clauses Act any Duties are required to be performed or Consent may be given by the Chaplain of the Cemetery, such Duties shall be performed and such Consent may be given by one or other of such Incumbents as the Case may be.

LXXVI. That the Commissioners may, in addition to such Fees for the Incumbent, charge such reasonable Sums as the Commissioners think fit for the digging of any Grave, not exceeding the Sums following, and also such reasonable Sums as the Commissioners think fit for the making of any Vault or Catacomb:

Fees for digging Graves and making Vaults.

Fees for digging Graves:—If the Grave does not exceed Six Feet in Depth, any Sum not exceeding Five Shillings; and for every extra Foot in Depth, any Sum not exceeding One Shilling.

LXXVII. That all Burials in the consecrated Part of the Cemetery shall, in addition to any other Registration by this Act required, be registered in the Register Books of the Parishes or several Ecclesiastical Districts within which the deceased Persons respectively died, by the Ministers of such Parishes or Districts, according to the Laws in force by which Registers are required to be kept by the Rectors, Vicars, or Curates of Parishes or Ecclesiastical Districts in *England*, in the same Manner as if such Persons had been buried within such Parishes or Ecclesiastical Districts.

How Burials in consecrated Part of the Cemetery to be registered.

LXXVIII. That an Entry or Memorial of the Letters of Administration of the Goods, Chattels, and Credits of every Person entitled to an exclusive Right of Burial within the Cemetery and dying intestate, shall, within Six Months after the Grant of such Letters of Administration, be made in the Register in like Manner as that of the original Grant; and until such Entry, any Right of exclusive Burial shall not be acquired under such Intestacy; and for every such Entry or Memorial the Clerk of the Commissioners shall be entitled to such Sum as the Commissioners think fit, not exceeding Two Shillings and Sixpence.

Letters of Administration to be registered.

LXXIX. That

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Repair of
Gravestones,
&c.

LXXIX. That if any Gravestone, Monument, Tablet, or monumental Inscription be at any Time from Want of Repair ruinous or unsafe, the Commissioners may give Notice to the Person appearing by the Register entitled to the exclusive Right of Burial connected therewith, or if such Person be unknown to the Commissioners or cannot be found may give Notice by Advertisement in One of the *London Daily Morning Newspapers*, or One of the local Papers of the County in which such Person is described in such Register as being resident, requiring him to do the necessary Repairs; and if he fail to do the Repairs within One Month after such Notice, the Commissioners may repair or take down or remove such Gravestone, Monument, Tablet, or monumental Inscription, and may recover the Expense incurred by them in that Behalf from such Person in any Court of competent Jurisdiction: Provided always, that no such Gravestone, Monument, Tablet, or monumental Inscription shall be taken down in the consecrated Part of the Cemetery without the Consent in Writing of the Bishop of the Diocese.

Penalty for
disturbing
Corpses.

LXXX. That if any Person having the Preparation of any Grave within the Town, not being a Vault or Catacomb, in the course of the Preparation thereof knowingly or wilfully displace or disturb any undecomposed or only partly decomposed Corpse or Part of a Corpse or any undecomposed or only partly decomposed Coffin or Part of a Coffin, every such Person shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Power to
purchase pre-
sent Market
Tolls.

LXXXI. That it shall be lawful for the Commissioners to treat and agree with the Owners and Lessees and Parties interested in the present Market Tolls, Stallages, or Market Dues, and for such Owners, Lessees, and Persons, and they are hereby required, to treat and agree with the Commissioners, for the absolute Purchase by the Commissioners of the present Market and Fair Tolls, Stallages, or Market Dues which can be levied by such Owners, Lessees, and Persons within the Town; and in case any Dispute or Difference shall arise as to the Sum of Money to be paid for the Purchase of such Market Tolls, Stallages, or Market Dues, such Purchase Money shall be settled and determined in manner provided by "The Lands Clauses Consolidation Act, 1845," and upon Payment of the Purchase Money agreed or awarded to be paid in respect of the same Market Tolls, Stallages, and Market Dues, and upon the Execution by the said Owners, Lessees, or Persons of a Deed of Conveyance under their Hands and Seals, and duly stamped (in which Deed the Consideration for the same shall be fully and truly stated and set forth), or upon Payment of the Purchase Money in manner provided by "The Lands Clauses Consolidation Act, 1845," the Rights and Privileges of the said Owners,

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Owners, Lessees, or Persons with reference thereto shall vest in and belong to the Commissioners.

LXXXII. That "The Markets and Fairs Clauses Act, 1847," shall be incorporated with this Act; and the Expression "the Undertakers" in such Act shall mean, for the Purposes of this Act, the Commissioners: Provided always, that the Provisions of such Act shall not, except as otherwise specially provided, have effect or operation until the Purchase of the existing Market Tolls, Stallages, and Market Dues. 10 & 11 Vict. c. 14. incorporated.

LXXXIII. That the Commissioners may, when they shall have purchased the existing Market and Fair Tolls, Stallages, and Dues, and subject to the Provisions contained in this and the said incorporated Acts, upon the Land delineated on the said Plans as intended to be taken for the Purposes of Markets, or on any Part thereof, or on any other Land on which Tolls, Stallages, or Dues are now received, or which may by Agreement with the Owners, Lessees, and Occupiers thereof be obtained by Purchase or on Lease by the Commissioners for that Purpose, construct Markets, Market Houses, and Market Places, with all necessary Buildings and Works, for the Sale of Butchers Meat, Poultry, Butter, Cheese, Vegetables, Fruits, and other Provisions, Corn and Hay, Grain, Seeds, and any other marketable Commodities, and may also erect and provide a Town Hall, either in connexion with and as Part of the Market House or separate therefrom, and also a Market Place for the Sale of Cattle on the Land provided for that Purpose. Power to Commissioners to construct Markets.

LXXXIV. That it shall be lawful for the Commissioners to hold within the Market House or Places so provided or mentioned an open Market for the Sale of Butchers Meat, Poultry, Butter, Cheese, Vegetables, Fruit, and other Provisions, Corn and Hay, Grain, Seeds, and of any other marketable Commodities, on *Wednesday* and *Saturday* in every Week, and on such other Days as the Commissioners think proper; and after the whole of the said Market and Fair Tolls, Stallages and Dues, shall have been purchased, and the said Market House or Market Place shall have been completed and opened for public Use, all Markets within the Town for the Sale of Provisions and marketable Commodities, whether held by Prescription, Charter, or otherwise, shall wholly or partially, as the Commissioners may direct, be held in the said Market House or Market Places. Power to hold Markets in Market Houses.

LXXXV. That it shall be lawful for the Commissioners to let any of the Stalls, Standing Places, or other Conveniences in the said Market Houses, Market Places, or Town Hall, or any Rooms, Offices, Shops, Buildings, Cellars or Grounds belonging thereto, to any Person or Persons for any Term not exceeding Three Years. Power to lease Stands, &c. in Market.

[*Local.*]

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LXXXVI. That

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Lessee not to
assign Lease
without Con-
sent.

LXXXVI. That it shall not be lawful for the Lessee of any such Stall, Standing Place, Rooms, Offices, Shops, Cellars, or Buildings, or other Conveniences, his Executors or Administrators, to assign the same without the Consent of the Commissioners first had and obtained.

Removal of
Cattle Mar-
kets.

LXXXVII. That it shall be lawful for the said Commissioners, when and so soon as they shall have provided a Cattle Market under the Powers of this Act, to remove, either wholly or partially, the present Cattle, Sheep, and Pig Market from the Place or Places where they are now held to such Place or Places so provided.

Tolls to be
taken for the
Markets and
Fairs.

LXXXVIII. That it shall be lawful for the Commissioners from Time to Time, immediately after the Purchase by them of the present Market and Fair Tolls, Stallages and Dues, to demand and take from any Person occupying or using any Stall, Stand, Shamble, Pen, or Place in any existing or future Market or Place for holding any Market or Fair, or in any Building or Ground connected therewith, or in the open Space to the East of *Derby Street* now used as a Cattle Market, or bringing into any such Market or Fair any Cattle or Animals or any marketable Commodities specified or mentioned in the Schedule (A.) to this Act annexed, such Stallages, Rents, Payments, and Tolls as the Commissioners shall from Time to Time appoint, not exceeding the several Stallages, Rents, Payments, and Tolls specified in the said Schedule: Provided always, that no Toll shall be demanded in respect of any Article not subject to Market Tolls previous to the passing of this Act until the Erection of the Market House by this Act authorized to be provided.

Power to
provide
Slaughter-
houses.

LXXXIX. That the Commissioners may from Time to Time, if they shall think fit, provide Premises for the Purpose of being used as Slaughter-houses.

Tolls for
Slaughter-
houses;

XC. That it shall be lawful for the Commissioners to demand from any Person slaughtering Cattle in any Slaughter-house belonging to them such Tolls as are specified in the Schedule (A.) to this Act annexed.

for weigh-
ing and
measuring;

XCI. That it shall be lawful for the Persons for the Time being appointed to attend the Weighing Houses or Places for weighing or measuring any Article sold in the Market Place or Place for a Fair by Weight or Measure, from Time to Time to demand such Tolls as the Commissioners shall appoint, not exceeding in any Case the Amount set forth in the Schedule (A.) to this Act annexed.

and for
weighing
Carts, as in
Sched. (A.)

XCII. That it shall be lawful for the Person for the Time being appointed by the Commissioners to attend the Machines for weighing
Carts

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Carts within the Town, to demand 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 for that Purpose in the Schedule (A.) 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.

XCIII. That a Licensed Hawker shall not be exempt from the Penalty imposed by the Thirteenth Section of "The Markets and Fairs Clauses Act, 1847," except in respect of the Sale or exposing for Sale of Articles within the Town, for the Sale of which by him, as a Hawker, a Hawker's Licence is by Law required.

As to Exemption of a Licensed Hawker.

XCIV. That any Person who shall spoil, deface, or injure any Part of any such Market House, or the Buildings, Fences, Stalls, or Standings thereof, or shall in any such Market House cause any Obstruction, or commit any Damage, Injury, or Nuisance, shall forfeit for every such Offence any Sum not exceeding Five Pounds, and shall also pay such Sum of Money as the Justice before whom the Conviction shall take place shall think a reasonable Satisfaction for the Injury done by such Person.

Penalty for damaging Market House.

XCV. That after sufficient Slaughter-houses are provided by the Commissioners and are ready for public Use, the Commissioners shall give Notice that such Slaughter-houses are ready for public Use, and every such Notice shall be published by printed Handbills posted and circulated within the Town.

When sufficient Slaughter-houses provided, Notice to be given.

XCVI. That after the Expiration of Twenty-one Days from such Publication of such Notice, any Cattle, Beast, or Swine shall not be slaughtered or dressed for Sale in any Place within the Town other than One of those Slaughter-houses; and if any Person after such Time, and so long as the Commissioners provide sufficient Slaughter-houses, slaughter or dress for Sale any such Cattle, Beast, or Swine in any Place within the Town other than One of such Slaughter-houses, every Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty for slaughtering elsewhere after Notice.

XCVII. That whenever any Question arises whether a sufficient Number of Slaughter-houses be provided by the Commissioners, such Question shall be determined by the Justices before whom such Penalty is sued for.

Justices to decide whether sufficient Slaughter-houses.

XCVIII. That if any Butcher, Provision Dealer, or other Person exposes or offers for Sale in his Shop, Stall, Warehouse, or any Part of his Premises, or otherwise within the Town, any unsound or unwholesome

Penalty for exposing for Sale unsound Meat, &c.

some

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some Meat, Fish, or other Provisions unfit for the Food of Man, every Person so offending shall for each Offence forfeit a Sum not exceeding Five Pounds; and such Meat, Fish, or other Provisions may be seized, carried away, and dealt with by any Officer of the Commissioners in like Manner as by this Act is provided touching the seizing and disposal of unsound Meat.

Power for
Officers to
order Exa-
mination of
bad Meat.

XCIX. Provided always, That it shall not be obligatory on any Officer of the Commissioners who finds any Cattle or the Carcase or Part of the Carcase of any Beast which appears unfit for the Food of Man to seize and carry the same before any Justice in order to the further Inspection or Examination thereof by competent Persons, but any such Officer may of his own Authority seize such Cattle or such Carcase or such Part of a Carcase, and order such Inspection and Examination by competent Persons, and any Justice may thereupon make such Order in the Premises in the same Way and Manner as if such Inspection and Examination had been made under his Order.

10 & 11 Vict
c. 34. incor-
porated.

C. That "The Towns Improvement Clauses Act, 1847," except Sections Thirty-five, Thirty-six, Thirty-eight, Thirty-nine, and Forty, and One hundred and three thereof, shall be incorporated with this Act.

Improve-
ments, &c. to
be made as
shown on
deposited
Plans.

CI. That the Commissioners may make the Widenings and Improvements of Roads and Approaches shown by the Plans and Sections deposited with the Clerk of the Peace for the County of *Stafford* in the Line and on the Levels shown by those Plans and Sections and on the Lands shown by these Plans and described in the Book of Reference thereto therewith deposited.

Period for
Completion
of Works.

CII. That if the Widenings and Improvements authorized to be made by this Act shall not be completed within Five Years from the passing of this Act, then on the Expiration of such Period the Powers by this Act granted to the Commissioners for executing the same shall cease to be exercised, except as to so much of the same as shall then be completed.

Section 31. of
10 & 11 Vict.
c. 34. ex-
tended to this
Act.

CIII. That the Provisions of Section Thirty-one of "The Towns Improvement Clauses Act, 1847," shall extend to all Vaults, Arches, and Cellars hereafter to be made, whether made under the Carriageway or under the Footway of any Street.

All Sewers,
&c. to be pro-
vided with
Traps, &c.

CIV. That all Sewers and Drains, whether public or private, shall be provided by the Commissioners, or other Persons to whom they respectively belong, with proper Traps, or other Coverings or Means
of

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of Ventilation, so as to prevent Stench; and if the Owner of any private Drain fail for Fourteen Days after Notice from the Commissioners so to provide against Stench therefrom, the Commissioners may do the requisite Works; and the Expense thereof, as certified by their Surveyor, shall be Private Improvement Expenses, and recoverable accordingly.

CV. That no Person shall begin the making of any Vault, Arch, Cellar, Sewer, or Drain in or under any Street, so as to interfere or communicate with any Sewer or Drain under the Control of the Commissioners, without the Consent in Writing of the Commissioners or their Surveyor obtained after giving Three Days previous Notice thereof in Writing, describing the Place and Situation thereof, to the Commissioners or their Surveyor.

Sewer not to be interfered with without Notice.

CVI. That it shall be lawful for the Commissioners, from Time to Time as they may think fit, to construct or provide upon any Land belonging to or hereafter acquired by them, in such a Situation as not to be a Nuisance to the Inhabitants, 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 Town, and also such Apparatus and Machinery as they may think requisite or necessary for disinfecting 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 Commissioners, or for Sale or otherwise to any Person who may from Time to Time agree with the Commissioners to take the same either within or beyond the Limits of this Act.

Power to provide Receptacles for Sewage Water, &c.

CVII. That it shall be lawful for the Commissioners 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 Commissioners 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 the said Sewage or the disinfecting the same, and to grant such Lease of any Land purchased by the Commissioners under the

Commissioners may contract for Sale of Sewage.

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Powers of this Act, or other Matters relating thereto, as any such Person and the Commissioners may mutually agree: 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 Commissioners from being indicted or from being liable to Actions for having created a Nuisance.

No new
House to be
built without
Drains, &c.,
or old House
continued
without pro-
per Drain-
age.

CVIII. That it shall not be lawful newly to erect any House or to rebuild any House which may have been pulled down to or below the Floor commonly called the Ground Floor, or to occupy any House so newly erected or rebuilt, unless and until a covered Drain or Drains be constructed, of such Size and Materials, and of such Level, and with such Fall, as upon the Report of the Surveyor to the Commissioners shall appear to be necessary and sufficient for the proper and effectual Drainage of the same and its Appurtenances; and if a Sewer of the Commissioners, or a Sewer which they are entitled to use, be within One hundred Feet of any Part of the Site of the House to be built or rebuilt, the Drain or Drains so to be constructed shall lead from and communicate with such One of those Means of Drainage as the said Commissioners shall direct, or if no such Means of Drainage be within that Distance, then the last-mentioned Drain or Drains shall communicate with and be emptied into such covered Cesspool or other Place, not being under any House, and not being within such Distance from any House as the Commissioners shall direct; and whosoever erects or rebuilds any House or constructs any Drain contrary to this Enactment shall be liable for every such Offence to a Penalty not exceeding Fifty Pounds, which may be recovered by the Commissioners, with full Costs of Suit, by Action of Debt; and if at any Time, upon the Report of the Surveyor, it appear to the Commissioners that any House, whether built before or after the Commencement of this Act, is without any Drain, or without such a Drain or Drains communicating with a Sewer, as is or are sufficient for the proper and effectual Drainage of the same and its Appurtenances, and if a Sewer of the Commissioners, or a Sewer which they are entitled to use, be within One hundred Feet of any Part of such House, they shall cause Notice in Writing to be given to the Owner or Occupier of such House, requiring him forthwith, or within such reasonable Time as shall be specified therein, to construct and lay down, in connexion with such House and one of those Means of Drainage, one or more covered Drain or Drains, of such Materials and Size, at such Level and with such Fall as upon the last-mentioned Report shall appear to be necessary; and if such Notice be not complied with, the Commissioners may, if they shall think fit, do the Works mentioned or referred to therein, and the Expenses incurred by them in so doing shall be recoverable by them from the Owner in
a summary

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a summary Manner, or, by Order of the Commissioners, shall be declared to be Private Improvement Expenses, and be recoverable as such in manner herein-after provided.

CIX. That Fourteen Days at the least before beginning to dig or lay out the Foundations of or for any new House, or to rebuild any House pulled down to the Extent aforesaid, the Person intending so to build or rebuild shall give to the Commissioners written Notice thereof, together with the Level or intended Level of the Cellars or lowest Floor, and the Situation and Construction of the Privies and Cesspools to be built, constructed, or used in connexion with such House, and it shall not be lawful to begin to build or rebuild any such House, or to build or construct any such Privy or Cesspool, until the Particulars so required to be stated have been approved by the said Commissioners; and in default of such Notice, or if any such House, Privy, or Cesspool be built, rebuilt, or constructed as aforesaid without such Approval, or in any respect contrary to the Provisions of this Act, the Offender shall be liable to a Penalty not exceeding Fifty Pounds, and the Commissioners may, if they shall think fit, cause such House, Privy, or Cesspool to be altered, pulled down, or otherwise dealt with as the Case may require; and the Expenses incurred by them in so doing shall be repaid by the Offender, and be recoverable from him in the summary Manner herein-after provided: Provided always, that if the said Commissioners fail to signify their Approval or Disapproval of the said Particulars for the Space of Fourteen Days after receiving such Notice, it shall be lawful to proceed according to such Notice if the same be otherwise in accordance with the Provisions of this Act.

Notice to be given of building and rebuilding, with respect to Levels of Houses, Situation of Privies, &c.

CX. That so soon as Provision shall be made for the Drainage of any House within the Town by means of a covered Drain communicating with a Sewer, it shall be lawful for the Commissioners, if they think fit, to require the Owner of such House, by Notice under the Hand of their Clerk or Surveyor, to cause any Cesspool theretofore used as a Receptacle for the whole or any Part of the Drainage of such House to be filled up, and any Drain communicating therewith to be effectually destroyed; and in case such Owner shall refuse or neglect to fill up every such Cesspool, or to destroy any Drain communicating therewith, within the Time specified in such Notice, such Owner shall for every such Refusal or Neglect forfeit and pay a Sum not exceeding Forty Shillings, and a further Sum not exceeding Ten Shillings for every Day during which such Neglect shall continue; and it shall be lawful for the Commissioners to cause such Cesspool to be filled up, and every such Drain to be destroyed, and to recover the Costs and Expenses of any such Work from such Owner in a summary Way.

When House Drainage effected, the Commissioners may require Cesspools to be closed.

CXI. That

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No Room
over any
Privy to be
let or occu-
pied as a
Dwelling
House.

CXI. That it shall not be lawful to let separately, except as a Warehouse or Storehouse, or suffer to be occupied as a Dwelling House, any Room or Building which, or any Part of which, is or shall be directly over any Privy or Cesspool, unless the same Privy or Cesspool shall have fitted up in connexion with it a Watercloset with an adequate and constant Supply of Water, to the Satisfaction of the Commissioners; and every Person who shall let separately (except as aforesaid), or who shall knowingly suffer to be occupied as a Dwelling House, any Room or Building within the Town contrary to this Provision, shall be liable to a Penalty not exceeding Forty Shillings, and a further Penalty not exceeding Ten Shillings for every Day during which such House shall continue contrary to this Provision, or such Room or Building shall be so occupied after Conviction of the First Offence.

Under-
ground
Drains to be
formed.

CXII. That the Owner of any House or Building in any Street within the Town shall cause the Water to be conveyed from that House or Building, either by a Drain or Tunnel below the Surface of the Pavement or Footpath, or by an Iron Drain Gutter fixed in the Pavement or Footpath, and for that Purpose such Owner may take up so much of the Pavement or Footpath as may be necessary, and lay down or fix such Drain or Tunnel or Iron Drain Gutter, under the Direction of the Commissioners or their Surveyor, and all Damage which may thereby be occasioned shall be made good by such Owner.

Power to en-
force Con-
version of
Privies into
Water-
closets, and
to require
Drains to be
trapped.

CXIII. That when and so often as it shall be certified to the Commissioners under the Hand of their Surveyor or under the Hands of Two Medical Men, that any Privy, Drain, or Cesspool is in a Condition, State, or Situation injurious, dangerous, or prejudicial to the Health of any of the Inhabitants of the Town, it shall be lawful for the Commissioners, if they think fit, to require the Owner thereof, by Notice in Writing for that Purpose signed by their Clerk, forthwith or within such reasonable Time as shall be specified in such Notice, to convert such Privy into a Watercloset, and to cause such Drain to be properly trapped, and such Cesspool to be dispensed with, removed, or properly cleansed and repaired, to the Satisfaction of the Commissioners or of their Surveyor: Provided, that if such Owner shall satisfy the Commissioners that such Privy can be so altered as to prevent the same being injurious, dangerous, or prejudicial to Health by other Means than by converting the same into a Watercloset, then such Alteration, if made to their Satisfaction or to the Satisfaction of their Surveyor, shall be deemed a Compliance with this Provision.

CXIV. That

The Leek Improvement Act, 1855.

CXIV. That the Commissioners from Time to Time may turn, tunnel, cover, or otherwise alter, as they think fit, any Gutter or Channel in any Street within the Town. Alteration of Gutters.

CXV. That the Occupier of any House or Tenement within the Town shall not, except where the Commissioners fail duly to remove the same, remove any Soil, Ashes, or Rubbish made on his own Premises. Occupiers not to remove Ashes, &c.

CXVI. That the Cost of executing Works which, under the Provisions of this Act or the Towns Improvement Clauses Act might be defrayed by Drainage Rates, shall, if not forthwith repaid by the Owners or Occupiers to the Commissioners, be recoverable as Private Improvement Expenses. Recovery of the Cost of making House Drains, Privies, &c.

CXVII. That the Commissioners, from Time to Time as they think proper, may cleanse and scour the *Ball Haye Brook* within the Town, and may remove any Impediments to the free Flow of the Water in such Brook, and the Expenses attending the same shall be deemed Expenses of making Sewers. Power to cleanse Ball Haye Brook.

CXVIII. That when and so soon as in the Judgment of the Commissioners a sufficient intercepting Sewer shall have been provided, it shall be lawful for the Commissioners to prevent the Discharge of the Drains from Houses and Buildings within the Town into the said Stream and its Tributaries, and to cause such Drains to communicate with Sewers provided by the Commissioners, and if the Owner or Occupier of any House or Building within the Town or any other Person shall thereafter cause any Drain therefrom to communicate with the said Stream or its Tributaries, or cause or permit any Sewage to flow from his Premises into the said Stream or any of its Tributaries without the Consent of the Commissioners, such Owner, Occupier, or Person shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds, and the further Sum not exceeding Twenty Shillings for every Day such Drain shall be suffered to communicate with or such Sewage to be discharged into the said Stream or its Tributaries. Penalty on diverting Sewage into Stream when intercepting Sewer provided.

CXIX. Provided always, That nothing herein contained shall be construed so as to defeat or prejudice the Rights to which any Proprietors are legally entitled of irrigating, by means of the said Brook or the several Watercourses within the Limits of the Town, their Meadows and Lands adjoining such Brook or Watercourses; and when any intercepting Sewer shall be made which may diminish the Flow of Water in such Brook or Watercourses or any of them, then the Proprietors of the Meadows or Lands who shall be injuriously Nothing to prevent Proprietors from irrigating their Meadows, &c. from the Brook or Watercourses.

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affected thereby shall have the Privilege of irrigating the same by means as well of the Watercourses as of the intercepting Sewer: Provided that such Irrigation by means of any intercepting Sewer do not impede the free Flow of the Sewage therein, and be not used in any way so as to be a Nuisance to the Inhabitants of the Town, and any Works constructed for the Purpose of using the Sewage for Irrigation be executed at the Expense of the Proprietors or Occupiers respectively requiring the same, under the Superintendence and to the reasonable Satisfaction of the Surveyor to the Commissioners; and if any Dispute or Difference arise between the Commissioners and any such Proprietor or Occupier with reference to the Mode of using the Sewage from such intercepting Sewer, or as to whether such Mode or Usage be a Nuisance or not, it shall be lawful for the Commissioners to summon such Proprietor or Occupier before Two Justices of the Peace, or before the Judge of the County Court, as a Dispute or Difference agreed to be referred to the Arbitration of such Judge under the Provisions of the Acts relating to County Courts; and such Justices or Judge, as the Case may be, shall have Power to determine whether the Water used in such Irrigation be a Nuisance, or to regulate how such Water from such Sewer shall be used; and if such Proprietor or Occupier shall afterwards use such Water contrary to the Decision of such Justices or Judge, he shall be liable to a Penalty not exceeding Forty Shillings for every Day such Water shall be used contrary to such Decision.

Disputes to be settled by Justices, or referred to Judge of County Court.

Penalty on acting contrary to Decision of such Justices or Judge.

Commissioners may throw Land into Streets.

CXX. That the Commissioners may order any Land vested in them to be laid into any Street, for the widening and rendering more commodious the same, or to be otherwise disposed of for making or improving any Street, as they think proper.

Power to exchange Land for improving Streets.

CXXI. That the Commissioners may, by Agreement with the Owners of adjoining Lands, for the Purpose of improving the Line of any Street, exchange any Part of the Street vested in them for a proper equivalent Value in Land, or in Land and Money, and may sell any other Land from Time to Time vested in them and not required for any of the Purposes of this Act.

Houses not to be built in close Courts.

CXXII. That no House shall be built in any Court within the Town, the Passage or Entry into which is not Four Feet wide at the least, and open for the Space of Fifteen Feet at the least in Height from the Ground upwards throughout the whole Length of such Passage.

Level of the Ground Floor.

CXXIII. That the Level of the Ground Floor of every House hereafter built within the Town shall be at least Four Inches above the Level of the Edge of the Footway or Road adjoining such House, whether there be a Cellar to such House or not.

CXXIV. That

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CXXIV. That every Court and Passage within the Town shall be well and sufficiently flagged and channelled to the Satisfaction of the Commissioners by the Owners of the Houses, Buildings, and Lands abutting thereon and having the Right to the Use thereof; and if any such Court or Passage be not so well and sufficiently flagged and channelled and kept in good Repair to the like Satisfaction, the Commissioners may cause the same to be flagged, channelled, or repaired to their Satisfaction, and the Expenses attending the same shall be repaid to the Commissioners by the Owners of the Houses, Buildings, and Lands abutting on such Court or Passage and having the Use thereof, in such fair Proportions as the Commissioners determine.

Courts and
Passages to
flagged and
channelled.

CXXV. That if any Person take up or alter any Part of any Pavement, Carriageway, or Footway within the Town, and do not forthwith, after Notice in Writing from the Commissioners or their Surveyor, properly relay and reinstate the same with the same or similar Materials, and in as nearly as may be the same Manner as before the taking up or altering of the same, the Commissioners may relay and reinstate the same, and the Expense thereof shall be repaid to them by the Person who took up or altered such Pavement, Carriageway, or Footway: Provided always, that nothing in this Enactment contained shall prevent or hinder the Earl of *Macclesfield*, his Agents or Servants, from using or exercising all such Powers to break up the Pavement, Flags, or other Materials of any Street to which they are entitled under the secondly-recited Act until the Purchase of his Waterworks by the Commissioners.

Commission-
ers may alter
Pavement,
&c. in case of
Neglect.

CXXVI. That in ascertaining the Proportion of Expenses of sewerage, levelling, paving, flagging, draining, or channelling any Street, or any Part thereof, to be paid by any Owner or Occupier, the Value and Efficiency of any such Work theretofore done by such Owner or Occupier or by any preceding Owner or any Occupier, and the Condition at the Time of the Work so done by the Commissioners of the Street or Part thereof by them sewered, levelled, paved, flagged, or channelled shall be taken into consideration, and such Allowance as the Commissioners, with the Approval of their Surveyor, think just shall accordingly be made to such Owner or Occupier, and in case of Difference the Amount of such Allowance shall be determined by Two Justices.

Value of
existing
Sewers and
Streets to be
allowed for.

CXXVII. That the Commissioners from Time to Time may make, alter, and remove, in such Places within the Town as they think fit, any public Privies, Waterclosets, and Urinals, and may maintain and cleanse the same, and make such Regulations for the Use thereof and the orderly Conduct of Persons resorting thereto, as the Commis-
sioners

Public
Water-
closets.

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sioners think fit; and if any Person offend against such Regulation, every Person so offending shall for every such Offence forfeit any Sum not exceeding Forty Shillings.

As to Removal and Construction of public Urinals.

CXXVIII. That the Commissioners may from Time to Time order the Owner or Occupier of any Inn, Public House, Wine and Spirit Vault, Beer Shop, Building, or Place within the Town, to remove any Urinal now or hereafter adjoining such Inn, Public House, Wine and Spirit Vault, Beer Shop, Building, or Place, and may from Time to Time order the Owner or Occupier of any Inn, Public House, Wine and Spirit Vault, Beer Shop, Building, or Place to construct or place adjoining such Inn, Public House, Wine and Spirit Vault, Beer Shop, Building, or Place, an Urinal, in such Position and according to such Plan as the Commissioners or their Surveyor may approve; and if any such Owner or Occupier fail, for Fourteen Days after the Time allowed by the Commissioners for the Removal or the Construction or placing of any such Urinal, to remove or construct or place the same according to such Order, every Person so offending shall for every such Offence forfeit and pay a Sum not exceeding Five Shillings for every Day after the Expiration of Fourteen Days during which such Order is not complied with.

Penalty on discharging Smoke or Steam into Streets.

CXXIX. That if any Person discharge the Smoke of any Furnace or Fireplace or any Steam from any Building (otherwise than from the Top of the same) into any Street within the Town, every Person so offending shall for every such Offence forfeit any Sum not exceeding Forty Shillings.

10 & 11 Vict. c. 89. incorporated.

CXXX. That "The Town Police Clauses Act, 1847," shall be incorporated with this Act.

Penalty for Commission of certain Offences.

CXXXI. That any Person who within the Limits of this Act commits any of the following Offences shall for every such Offence be liable to a Penalty not exceeding Forty Shillings, or, in the Discretion of the Justice before whom he is convicted, may be committed to Prison, there to remain for not exceeding Fourteen Days; and any Constable or other Officer appointed by virtue of this Act shall take into Custody, without Warrant, and forthwith convey before a Justice, any Person who within his View commits any such Offence; (that is to say,)

Every Person writing or drawing any indecent or immoral Word or Figure on any Wall, Door Post, Pavement, or public Place:

Every Person drunk in any Street, or who makes any unnecessary Noise or Disturbance by fighting, shouting, or other Means, or who wilfully and unnecessarily annoys or disturbs any Resident or Passenger:

Every

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Every Person who in any Street plays at Football, Marbles, Hoop, Top, Tip-cat, or any other Game, on *Sunday, Christmas Day, or Good Friday.*

CXXXII. That any Constable may destroy any Dog or other Animal within the Town reasonably suspected to be in a rabid State, or to have been bitten by any Dog or other Animal reasonably suspected to be in a rabid State. Dogs suspected to be mad may be destroyed.

CXXXIII. That the Commissioners from Time to Time may borrow on Mortgage, on the Security of the Lands from Time to Time vested in them under this Act, and the Tolls and Rates granted by this Act, and their Gas Rents and other Property and Effects, any Sums (in addition to the Sum of Six thousand five hundred Pounds due and owing on Mortgage under the first-recited Act) not exceeding in the whole Forty thousand Pounds; and after having paid off (otherwise than by the Sinking Fund) any Money so borrowed or due and owing they may reborrow the Amount so paid off, and so *toties quoties*. Power to borrow on Mortgage.

CXXXIV. That the Mortgagees under this Act may enforce the Payment of the Arrears of Principal and Interest due to them by the Appointment of a Receiver, and the Amount in arrear to authorize a Requisition for a Receiver shall be Five thousand Pounds, or One Fourth Part of the total Mortgage Debt for the Time being, whichever shall be the smaller Amount. Arrears may be enforced by Appointment of Receiver.

CXXXV. That such of the Creditors of the existing Commissioners as immediately before the Commencement of this Act are Mortgagees under the first-recited Act, including the Mortgagee for the recited Sum of One thousand and five hundred Pounds now due upon Mortgage of the Gasworks, shall, after the Commencement of this Act, be entitled by virtue of their respective Mortgages and this Act, and according to their respective Priority under the first-recited Act, to the like Security, Rights, and Remedies as if their respective Mortgages had been granted under this Act, and their respective Mortgages shall have Priority over all Mortgages actually granted under this Act; and such Mortgagees, as between each other, shall have the same Priorities as belonged to them at the Time of the passing of this Act. Rights and Priority of existing Mortgagees.

CXXXVI. That for the Purpose of providing a Sinking Fund for paying off the Principal Monies borrowed under the Powers of this Act, the Commissioners shall every Year after the Expiration of Five Years next after the passing of this Act, or sooner if they shall think fit, pay off and discharge such Sum as they shall think proper, not Sinking Fund to be provided.

[*Local.*]

23 T

being

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being less than Three Pounds *per Centum* of the Amount which shall have been borrowed as aforesaid, or otherwise appropriate and set apart such Sum as a Sinking Fund for that Purpose, in manner prescribed by Section Eighty-four of "The Commissioners Clauses Act, 1847."

Money borrowed to be debited to several Accounts for which it is raised.

CXXXVII. That the Commissioners from Time to Time shall determine for which of the several Purposes of this Act any Money so borrowed is raised, and shall accordingly debit their several Accounts under this Act with such Portions of the Money borrowed as they think chargeable thereto.

Private Improvement Rates.

CXXXVIII. That for the Payment of any Expenses by this Act declared to be, or to be recoverable, as Private Improvement Expenses, or otherwise payable by any Owner, the Commissioners from Time to Time, if they think fit, may make and levy upon the Owners of the Property in respect of which the Expenses are incurred, in addition to all other Rates under this Act, a Rate or Rates, to be called Private Improvement Rates, of such Amount or of such aggregate Amount as will, in the Judgment of the Commissioners, be sufficient to discharge the Amount of such Expenses, with Interest at Five Pounds *per Centum per Annum* thereon from the Time of the incurring thereof, and either in One Sum or by Instalments, within the Period of Thirty Years, as the Commissioners in every Case determine; and the Commissioners shall have all such Rights and Remedies for the Recovery of such Private Improvement Rates as are given by Sections One hundred and forty-nine, and One hundred and fifty, and One hundred and fifty-one, and One hundred and fifty-two of "The Towns Improvement Clauses Act, 1847," for the Recovery of Expenses to be repaid by Owners to the Commissioners: Provided always, that the Commissioners shall not require Payment in One Sum if the Amount exceeds Twenty-five Pounds, and if the Amount exceeds such Sum the Amount shall be payable by Instalments as herein-before provided.

Cemetery Rate.

CXXXIX. That in order to defray such of the Expenses of executing this Act with respect to the Cemetery as from Time to Time are not otherwise defrayed, the Commissioners from Time to Time, as often as they think it necessary, may make an equal Rate, under the Name of "the Cemetery Rate," and under their Seal and the Hands of Five at least of the Commissioners, on the Occupiers of all Messuages, Buildings, Lands, Tenements, and Hereditaments whatsoever within the Town rateable to the Rate for general Purposes according to the yearly Value thereof, so as such Cemetery Rates do not exceed in any One Year, computed from the Thirty-first Day of *March*, the Sum of Sixpence in the Pound on such yearly Value.

CXL. That

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CXL. That the Charges and Expenses of paving, flagging, sewerage, repairing, and maintaining the Streets and Highways within the Town shall from Time to Time be borne and paid by the Occupiers of all Messuages, Buildings, Lands, Tenements, and Hereditaments whatsoever, liable by Law to the Payment of Rates for Highways within the Town, and for that Purpose the Commissioners from Time to Time, as often as they think it necessary, may make an equal Rate, under the Name of "the Rate for Paving and Sewering," under their Seal, and the Hands of Five at least of the Commissioners, upon the Occupiers of the same Messuages, Buildings, Lands, Tenements, and Hereditaments within the Town, according to the yearly Value thereof respectively: Provided always, that the Rate for paving and sewerage shall, for the Purposes of this Act, be deemed the General Sewer Rate authorized by Section One hundred and fifty-eight of "The Towns Improvement Clauses Act, 1847:" Provided also, that the Paving and Sewering Rates shall include the Highway Rates to be made by the Commissioners under the Powers conferred by the Forty-eighth Section of the Towns Improvement Clauses Act and the Laws for the Time being in force relating to Highways; but unless and until an Indictment shall be preferred against the Commissioners for a Misdemeanor for refusing or neglecting to repair any public Highway or Footpath within the Town, the said Rate for paving and sewerage shall not exceed in the whole One Shilling in the Pound on the net annual Value of the Property for the Time being liable to be rated to such last-mentioned Rate; provided always, that the Allowance by Justices shall not be necessary in the Case of any such Rate made by the Commissioners under this Act.

Rate for
paving and
sewerage.

Limiting the
Amount of
the paving
and sewer-
ing Rates.

CXLI. That in order to defray the Expenses of lighting the Town, and maintaining and making Gasworks, and providing the Town Hall and Market Houses and Market Places, and supplying Water to the Inhabitants, and purchasing, maintaining, and improving Works for such Purpose, and in carrying all the other Purposes of this Act into effect, except such as are provided for by the Cemetery Rate and the Paving and Sewering Rate, the Commissioners once in every Year after the Commencement of this Act, to be computed from the Thirty-first Day of *March* in every Year, or oftener if they think it necessary, may make One or more equal Rate or Rates, under the Name of "the Rate for general Purposes," under their Seal and the Hands of Five at least of the Commissioners, upon the Occupiers of all Messuages, Buildings, Lands, Tenements, and Hereditaments whatsoever within the Town, according to the yearly Value of the same, so as such Rates do not, except as by this Act otherwise provided, exceed in any One such Year the Sum of One Shilling and Sixpence in the Pound on such yearly Value; and the Commissioners may apportion such Rate to the "Gasworks Account," the "Waterworks Account," the

Rate for
general Pur-
poses.

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the "Markets Account," and the "General Purposes Account," in such manner as they think proper.

Increase of
Rate for
general Pur-
poses with
Consent of
Ratepayers.

CXLII. That if and whenever it appears that such Sum of One Shilling and Sixpence in the Pound is not sufficient for the Purposes to which under this Act the Moneys raised by the Rate for general Purposes are applicable, the Commissioners, with the Consent of the Majority of the Ratepayers assembled at a Public Meeting called by the Commissioners for that Purpose, may increase the Rate for general Purposes for the current Year, so as it do not in any One Year exceed the Sum of Two Shillings in the Pound on such yearly Value: Provided always, that One Month's public Notice of the Intention of the Commissioners to make any such Increase, and of the Time and Place for holding such Public Meeting, shall be given by them by Placards posted in some public Places and circulated within the Town.

Occupiers of
Arable Land,
&c. to be
rated at One
Fourth of
net annual
Value.

CXLIII. That the Occupier of any Land used as Arable, Meadow, or Pasture Ground only, or as Woodlands, Market Gardens, or Nursery Grounds, and the Occupier of any Land covered with Water, or used only as a Canal or Towing-path for the same, 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 Proportion of One Fourth Part only of such net annual Value thereof: Provided always, that such reduced Rate of Assessment shall not apply to any Rate hereby provided in aid or lieu of the Highway Rate, in the event of an Indictment against the Commissioners for a Misdemeanor for refusing or neglecting to repair any public Highway or Footpath within the Town.

Owners of
Property not
exceeding
4*l.* a Year,
&c. to be
rated, but
Occupiers
may demand
to be rated.

CXLIV. That the Owners of all rateable Property within the Town, the rateable Value whereof respectively shall not exceed Four Pounds, or which shall be let to weekly or monthly Tenants or in separate Portions or Apartments, shall be rated to and pay the Rates under this Act instead of the Occupiers thereof: Provided always, that the Occupiers of any rateable Property, the rateable Value whereof shall not exceed Four Pounds, may demand to be assessed for the same, and to pay the full Rates in respect thereof made under the Authority of this Act, and the Commissioners shall assess every such Occupier so long as he duly pays the said Rates.

Proceeds of
Lands and
other Monies
to be carried
to Credit of
General Pur-
poses Fund.

CXLV. That the Proceeds of all Lands sold or let by the Commissioners, and all other Monies received by the Commissioners, the Application of which is not by this Act otherwise provided for, shall be carried to the Credit of their "General Purposes Account," and be applicable accordingly, but in the first place for or towards the Discharge of Monies secured by Mortgage.

CXLVI. That

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CXLVI. That the Commissioners shall keep distinct and separate Accounts, to be called respectively "the Gasworks Account," "the Cemetery Account," "the Paving and Sewering Account," "the Waterworks Account," "the Markets Account," and "the General Purposes Account," of all their Receipts, Credits, Payments, and Liabilities under this Act, with respect to the Execution thereof, for the several Purposes of the Gasworks, Waterworks, Markets, and the Cemetery, and the Paving and Sewering, and the other Purposes of this Act respectively: Provided always, that the Commissioners may from Time to Time apportion between Two or more of those Accounts, as they think fit, any Items relating to more than One of those Purposes.

Separate
Accounts to
be kept.

CXLVII. That all Monies from Time to Time borrowed by the Commissioners for the Purposes of the Gasworks, or otherwise received by them in respect of the Gasworks and the Supply of Gas, shall be carried to the Credit of the Gasworks Account; and all Monies from Time to Time carried to the Credit of that Account shall be applied, so far as the same extend, as follows:

Application
of Moneys
with respect
to Gasworks.

1. In Payment of One Fourth Part of the Expenses of and incident to the obtaining and passing of this Act:
2. In Payment, but not out of Money borrowed, of the Interest on the Moneys borrowed or owing under this Act or the first-recited Act for the Purposes of the Gasworks:
3. In providing, but not out of Money borrowed, in proportion to the Amount borrowed upon the Gas Account, the Sinking Fund by this Act required:
4. In carrying the Purposes of this Act with respect to the Gasworks into execution:
5. And the Surplus shall from Time to Time be carried to the Credit of the General Purposes Account.

CXLVIII. That all Monies from Time to Time borrowed by the Commissioners for the Purposes of the Cemetery, or raised by the Cemetery Rate, or otherwise received by them in respect of the Cemetery, shall be carried to the Credit of the Cemetery Account; and all Monies from Time to Time carried to the Credit of that Account shall be applied, so far as the same extend, as follows:

Application
of Moneys
with respect
to Cemetery.

1. In Payment, but not out of Money borrowed, of the Interest on the Monies borrowed under this Act for the Purposes of the Cemetery:
2. In providing, but not out of Money borrowed, in proportion to the Amount borrowed upon the Cemetery Account, the Sinking Fund by this Act required:
3. In carrying the Purposes of this Act with respect to the Cemetery into execution:
4. And the Surplus shall from Time to Time be applied in Payment of the Debt incurred for the Purposes of such Cemetery.

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Application
of Moneys
with respect
to paving and
sewering.

CXLIX. That all Moneys from Time to Time borrowed by the Commissioners for the Purposes of Paving or Sewering, or raised by Private Improvement Rates with respect to Paving or Sewering, or raised by "the Rate for Paving and Sewering," or otherwise received by them in respect of Paving or Sewering, shall be carried to the Credit of the Paving and Sewering Account; and all Moneys from Time to Time carried to the Credit of that Account shall be applied, so far as the same extend, as follows:

1. In Payment of One Fourth Part of the Expenses of and incident to the obtaining and passing of this Act:
2. In Payment, but not out of Money borrowed, of the Interest on the Moneys borrowed under this Act for the Purposes of Paving and Sewering:
3. In providing, but not out of Money borrowed, in proportion to the Amount borrowed on the Paving and Sewering Account, the Sinking Fund by this Act required:
4. In carrying the Purposes of this Act with respect to Paving and Sewering into execution.

Application
of Moneys
with respect
to Water-
works.

CL. That all Moneys from Time to Time borrowed by the Commissioners for the Purposes or otherwise received by them in respect of the Waterworks and the Supply of Water, shall be carried to the Credit of "the Waterworks Account;" and all Moneys from Time to Time carried to the Credit of that Account shall be applied, so far as the same extend, as follows:

1. In Payment, but not out of Money borrowed, of the Interest on the Moneys borrowed under this Act for the Purposes of the Waterworks:
2. In providing, but not out of Money borrowed, in proportion to the Amount borrowed upon the Waterworks Account, the Sinking Fund by this Act required:
3. In carrying the Purposes of this Act with respect to the Waterworks into execution:
4. And the Surplus shall from Time to Time be carried to the Credit of the General Purposes Account.

Application
of Moneys
with respect
to Markets.

CLI. That all Moneys from Time to Time borrowed by the Commissioners for the Purposes of the Markets, or otherwise received by them in respect of the Markets, and the Tolls, Stallages, and Rents received by them, shall be carried to the Credit of "the Markets Account;" and all Moneys from Time to Time carried to the Credit of that Account shall be applied, so far as the same extend, as follows:

1. In Payment, but not out of Money borrowed, of the Interest on the Moneys borrowed under this Act for the Purposes of the Markets:

2. In

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2. In providing, but not out of Money borrowed, in proportion to the Amount borrowed upon the Markets Account, the Sinking Fund, by this Act required :
3. In carrying the Purposes of this Act with respect to the Markets into execution :
4. And the Surplus shall from Time to Time be carried to the Credit of the General Purposes Account.

CLII. That, except as by this Act otherwise provided with respect to Moneys to be carried to the Credit of "the Gasworks Account," "the Cemetery Account," "the Paving and Sewering Account," "the Waterworks Account," and "the Markets Account," respectively, all Moneys from Time to Time borrowed, raised, or otherwise received by the Commissioners under this Act, shall be carried to the Credit of "the General Purposes Account;" and all Moneys from Time to Time carried to the Credit of that Account shall be applied as follows :

Application
of Moneys
for general
Purposes.

1. In Payment of One Half of the Expenses of and incident to the obtaining and passing of this Act :
2. In Payment, but not out of Money borrowed, of the Interest on such of the Mortgages granted under or continued by the first-recited Act as from Time to Time are in force and not otherwise provided for, but only according to their respective Priority :
3. In Payment, but not out of Money borrowed, of such of the Interest on Moneys borrowed under this Act as is not by this Act otherwise sufficiently provided for :
4. In providing, but not out of Money borrowed, the Sinking Fund by this Act required, so far as the same is not by this Act otherwise sufficiently provided for :
5. In carrying the several Purposes of this Act into execution, so far as the same may not be under the Powers and Provisions of this Act otherwise sufficiently provided for.

CLIII. Provided always, That the Commissioners may credit the "Gasworks Account" and debit the "General Purposes Account" with the Expense of lighting the Streets.

Accounts of
lighting
Streets.

CLIV. Provided always, That nothing in this Act contained shall alter, interfere with, or affect any Lease, Contract, or Agreement which shall have been made or entered into between Landlord and Tenant before the Commencement of this Act.

Existing
Leases, &c.
not to be
affected.

CLV. That in every Case in which the Commissioners are empowered under this Act to do any Work at the Expense of any Owner, the Owner or Occupier may, if the Commissioners consent, do the Work at his own Expense, so as the Work be done under the Superintendence of the Surveyor and to the Satisfaction of the Commissioners.

As to Owners
doing Works
instead of
Commission-
ers.

CLVI. Pro-

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Occupier not
to be liable
beyond
Amount
of Rent.

CLVI. Provided always, that the Occupier of any rateable Property shall not be liable to the Payment of any Rate or Sum which ought under this Act to be borne or paid by the Owner thereof to an Amount exceeding the Amount of the Rent from Time to Time actually due and payable in respect of such rateable Property by such Occupier to such Owner.

Owners to
repay Occu-
piers.

CLVII. That if any Rate or Sum which ought under the Act to be borne or paid by the Owner of any rateable Property be paid by the Occupier thereof, or of any other Property of the same Owner, or levied on his Goods and Chattels, the Owner shall reimburse the Occupier; and the Occupier may deduct the Sums paid or levied, with the Costs of the Distress, if any, paid by him, from the Rent due or to become due from him to the Owner.

Power to
allow Time
for Payment.

CLVIII. That the Commissioners may allow to any Owners, Occupiers, or other Persons by whom any Rate or other Money is to be paid to the Commissioners, such Time for Payment thereof as the Commissioners think reasonable.

Recovery of
Damages and
Penalties.

CLIX. That with respect to the Recovery under this Act or any of the Acts incorporated herewith, of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices,

The Clauses of the Railways Clauses Consolidation Act, 1845, with respect thereto, except Section One hundred and fifty thereof, shall be incorporated with this Act, and shall be construed as if the Word "Commissioners" had been inserted therein instead of the Word "Company."

Proceedings
not to be
quashed for
Want of
Form.

CLX. That no Proceedings in pursuance of this Act or any of the Acts incorporated herewith shall be quashed, vacated, or set aside for any Defect therein in Form.

Application
of Penalties.

CLXI. That the Justice or Justices by whom any Penalty is imposed under this Act or any of the Acts incorporated herewith, or under any Byelaw made in pursuance thereof, may, where the Application is not otherwise provided for, award not exceeding One Moiety to the Informer or Complainant; and the Residue of such Penalty, or the whole Penalty where no Part is awarded to the Informer, shall, except where such Penalty may be payable by the Commissioners, be paid to the Commissioners, to be applied in aid of the general Purposes of this Act.

Recovery of
Sums not ex-
ceeding 50%.

CLXII. That whenever any Person fails to pay any Rate or Sum due and payable to the Commissioners, and the Rate or Sum so due
and

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and payable does not exceed Fifty Pounds, the Commissioners may recover the same, with full Costs of Suit, in any Court of competent Jurisdiction, and the Remedies of the Commissioners under this Enactment shall be in addition to their other Remedies for the Recovery of such Rate or Sum.

CLXIII. That all Rates and Sums of Money due and payable to the Commissioners on any Account whatsoever, and all Costs, Damages, and Expenses by this Act directed to be paid, may be levied by Distress, and any Justice on Application by the Commissioners shall issue his Warrant accordingly.

Recovery of
Monies by
Distress.

CLXIV. That any Justice who issues any Warrant of Distress may order that the Costs of the Proceedings for the Recovery of the Rate or Sum shall be paid by the Person liable to pay such Rate or Sum, and such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of such Rate or Sum.

Costs of
Distress.

CLXV. That any Number of Names and Sums may be included in any Warrant or Notice obtained or given by the Commissioners for any of the Purposes of this Act, and may be stated either in the Body of the Warrant or Notice, or in a Schedule thereto, and any such Warrant of Distress may be in the Form in the Schedule (B.) to this Act annexed, or to the like Effect.

Several
Names in
One War-
rant.

CLXVI. That the Commissioners, instead of publishing in a Newspaper any Notice by this Act directed to be published, may, if they think fit, post printed Copies thereof at the Office of the Commissioners and in other public Places within the Town.

Power to
give Notices
by Placards.

CLXVII. That, except as is by this Act expressly provided, this Act or anything herein contained shall not take away, lessen, prejudice, or affect any of the Estates, Rights, Royalties, Jurisdictions, Franchises, Powers, Privileges, or Authorities of the Lord of the Manors of *Leek*, *Lowe*, and *Frith*.

Saving
Rights of
Lord of
Manor of
Leek.

CLXVIII. That, except as is by this Act expressly provided, this Act shall not affect, prejudice, or destroy the Right, Title, or Interest of *Mary Grosvenor*, or of *George Best* Esquire, the Trustee of the Will of *Thomas Fenton Grosvenor* Esquire, deceased, and *Edward Rooke* Esquire, or any of them, to any Rents, Tolls, Pckage, Stallage, Free Customs, Dues, Duties, Profits, or Advantages belonging, due, or in anywise appertaining to them as Owners of the Fairs and Markets within the said Town of *Leek*, or the Owner or Owners of such Fairs and Markets for the Time being; but that until the Pur-

Saving of
Rights of
Owners of
Market
Tolls.

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chase by the Commissioners of the said Rents, Tolls, Stallage, and Dues, the said *Mary Grosvenor*, *George Best*, and *Edward Rooke*, Owners of the said Fairs and Markets, and the Owner or Owners of the said Fairs and Markets, or their Lessee or Lessees for the Time being, may demand and enjoy all such Rents, Tolls, Pckage, Stallage, Free Customs, Dues, Duties, Profits, and Advantages, with all Powers and Remedies for enforcing Payment thereof, in such and the like Manner and as fully and effectually to all Intents and Purposes as if this Act had not been passed, but not further or otherwise.

Expenses of
Act.

CLXIX. That all the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act shall be defrayed by the Commissioners out of the first Monies in their Hands applicable for any of the Purposes of this Act: Provided always, that the Commissioners shall ultimately apportion those Expenses between and debit therewith the "Gasworks Account," the "Paving and Sewering Account," and the "General Purposes Account," respectively, in the Proportions herein-before provided.

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SCHEDULE (A.)

OF

TOLLS, STALLAGES, and PAYMENTS referred to and authorized to be taken in the present or future MARKETS and FAIRS by the foregoing Act.

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, Vegetables, Flowers, Provisions, Glass, Earthenware, or other Goods, Articles, Commodities, or Things whatsoever (except as herein otherwise specifically charged), the following Sums per Day shall be taken :

Not exceeding Twenty-five Square Superficial Feet, not exceeding the Sum of One Shilling :

Not exceeding Thirty-five Square Superficial Feet, not exceeding One Shilling and Fourpence Halfpenny :

Not exceeding Forty-five Square Superficial Feet, not exceeding One Shilling and Ninepence, and so on in proportion :

And for every Three Feet above, for Stations only, not exceeding Twopence.

CARTS.

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

If drawn by One Horse, not exceeding Sixpence ; by Two Horses, not exceeding Ninepence :

Waggons used for the like Purposes, not exceeding One Shilling :

If drawn by an Ass, not exceeding Fourpence.

BUTTER.

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

For each additional Six Pounds Weight, not exceeding One Penny per Day.

POULTRY.

For Poultry, including Fowls, Chickens, and Ducks, Wild Fowls, Pigeons, and Rabbits :

Not more than Three Couple, not exceeding One Penny per Day :

For each additional Three Couple, not exceeding One Penny per Day :

For every Turkey or Goose, not exceeding One Penny per Day.

EGGS.

For every Basket, Parcel, or Quantity of Eggs under One Dozen and Half, not exceeding One Halfpenny :

For each additional Dozen and Half, not exceeding One Halfpenny.

GENERAL

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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, not before specifically charged or enumerated or falling within any of the preceding Heads ; (that is to say,)

Not containing more than One Bushel, not exceeding One Penny :
For every additional Half Bushel, not exceeding One Halfpenny.

SHOWS AND EXHIBITIONS.

During the ancient Fairs holden in each Year in all the Markets, not exceeding the following Sums shall be taken for each and every Day for Land occupied during such Fairs, for Shows or Public Exhibitions or Places of Amusement or Recreation, as follows, viz. :

For every Foot of Frontage, where not exceeding Thirty	s.	d.
Feet in Depth, per Foot	1	0
Where exceeding Thirty Feet, but not exceeding Sixty		
Feet in Depth, per Foot	1	6
Where exceeding Sixty Feet, but not exceeding Ninety		
Feet in Depth, per Foot	2	0
Where exceeding Ninety Feet in Depth, per Foot	2	6
And for Land similarly occupied otherwise than during such Fairs, not exceeding Half the above Sums.		

CATTLE MARKET AND FAIR.

For the Exposure to Sale of Horses or other Beasts, Cattle or Pigs, as follows ; (that is to say,)

	s.	d.
For every Horse, Mare, or Gelding - not exceeding	0	4
For every Colt, Filley, Mule, or Ass - not exceeding	0	2
For every Bull, Ox, Cow, Heifer, or Steer not exceeding	0	2
For every Calf - - - - - not exceeding	0	1
For every Score of Sheep or Lambs - not exceeding	0	10
For every Score of Pigs - - - - - not exceeding	0	10

And so in proportion for any greater or smaller Number ; any One or more not exceeding Five to be paid for as a Quarter of a Score.

That the several Tolls, Rents, and Stallages before mentioned shall be payable in respect of the Occupation or Use of any Stall, Standing Place, Bench, Compartment, or Space of Ground, as well by the original Taker or Occupier thereof for a Part of the Day, in case he shall not occupy the same the whole Day, as also by any subsequent Taker or Occupier of the same for the Residue of any Part of the same Day.

WEIGHING AND MEASURING.

	s.	d.
For weighing every Piece of Meat or Thing weighing not more than Twenty Pounds Avoirdupois - - - - - not exceeding	0	0½
For weighing every Piece of Meat or Thing weighing more than Twenty Pounds and not exceeding One hundred and twelve Pounds - - - - - not exceeding	0	1
And so in proportion for any greater Quantity than One hundred and twelve Pounds Weight.		

For

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For measuring every Quantity of Goods and Things sold by Measure,	s.	d.
not more than One Bushel - - - - - not exceeding	0	0½
For measuring every Quantity more than One Bushel and not more		
than Two Bushels - - - - - not exceeding	0	1
And for every Bushel beyond Two Bushels - - - not exceeding	0	0½

WEIGHING MACHINES.

For weighing any Cart, Waggon, or other Carriage not more than	s.	d.
One Ton - - - - - not exceeding	0	3
And so in proportion for any greater or smaller Weight than One		
Ton.		

SLAUGHTER-HOUSES.

	s.	d.
For every Bull, Ox, Cow, or Bullock - - - not exceeding	1	0
For every Calf, the Sum of - - - not exceeding	0	6
For every Sheep or Lamb, the Sum of - - - not exceeding	0	3
For every Hog or Pig, the Sum of - - - not exceeding	0	4
For every other Beast, the Sum of - - - not exceeding	1	0

SCHEDULE (B.)

FORM OF WARRANT OF DISTRESS.

THE LEEK IMPROVEMENT ACT, 1855.

To the Police Officers and other Constables in Leek, and the Collectors of any of the Rates for any of the Purposes of the Act (*or otherwise*).

Leek, } WHEREAS the Sum of _____ is due from A.B., of, &c. (*or the*
to wit. } several Sums respectively set opposite to the Names of the several
Persons herein-after named are respectively due from A. B. of, &c., C.D. of, &c.),
to the Leek Improvement Commissioners, in respect of (*here state generally on*
what Account the Sum is due, or the several Sums are due, as, for instance, the
Repair by the Order of the Commissioners of dangerous Premises in
Street, Leek, of which the said A.B. is the Owner; *or the Amount assessed on*
him by a _____ Rate made on or about the _____ Day of
as the Case may be), which he has (*or they have*) not paid, as appeareth upon
Oath to me, the undersigned, One of Her Majesty's Justices of the Peace for
the County of Stafford; and the said A.B. (*or the said several Persons*) having
been duly summoned to appear before me to answer the Premises, and not
having shown any sufficient Cause why such Sum (*or several Sums*) should
not be paid: These are, therefore, in Her Majesty's Name, to require you, and
every of you, forthwith to levy the said Sum of _____ (*or the said*
several Sums so respectively set opposite to the Names of the said several
Persons herein-before named), and also the Sum of _____ (*or the several*
Sums for Costs set opposite to the Names of the said several Persons), the
Costs of Proceeding to obtain this Warrant, by Distress and Sale of the Goods
and Chattels of the said A.B. (*or A.B., C.D., &c.,*) and your reasonable Charges
of taking, keeping, and selling such Distress, rendering to the Owner (*or re-*
spective Owners) the Surplus, if any, on Demand; and if sufficient Distress

[*Local.*]

23 Y

cannot

