



ANNO SECUNDO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## *Cap. xliv.*

An Act for establishing an effective Police in Places within or adjoining to the District called the *Staffordshire Potteries*, and for improving and cleansing the same, and better lighting Parts thereof. [14th June 1839.]

**W**HEREAS the several Towns, Townships, Hamlets, Vills, or Places of *Longton, Lane End, Fenton Culvert* otherwise *Great Fenton, Fenton Vivian* otherwise *Little Fenton, Penkhull, Boother, Clayton, Shelton, Blurton, Trentham, Hanford, and Normacott*, in the several Parishes of *Stoke-upon-Trent, Trentham, and Stone*, in the County of *Stafford*, are very extensive, and for the most Part very populous, the same being within or adjoining to the *Staffordshire Potteries*, a District in which the manufacturing of China and Earthenware is carried on to a great and increasing Extent, and to which there is a great and constant public Resort: And whereas the said Towns, Townships, Hamlets, Vills, and Places (except such Part of the Township of *Shelton* aforesaid as is already comprised in a Local Police Act) are not sufficiently watched or warded, and Thefts, Robberies, Disturbances, Breaches of the Peace, and other disorderly and unlawful Proceedings, are frequently committed therein, and it would add to the Security

[*Local.*]

11 S

of



of Property, and to the personal Safety, Comfort, Convenience, and Advantage, not only of the Inhabitants thereof, but also of all other Persons resorting to the same, if an effective Police were established and maintained therein: And whereas the Streets, Lanes, Roads, and other public Passages and Places in the aforesaid Towns or Townships are not sufficiently cleansed, and are subject to various Encroachments, Nuisances, and Obstructions, and are in some Parts narrow and inconvenient, and it would be of great public Convenience and Advantage if the same were effectually cleansed, and the present Encroachments, Nuisances, and Obstructions abated, and the narrow and inconvenient Parts widened, and all future Encroachments, Nuisances, and Obstructions prevented therein, and if the same were otherwise regulated and improved: And whereas the said Towns, Townships, or Places of *Longton*, *Lane End*, *Fenton Culvert* otherwise *Great Fenton*, *Fenton Vivian* otherwise *Little Fenton*, and *Penkhull*, and also Parts of the said Town, Township, or Place of *Shelton*, are not sufficiently lighted, and it would be of great public Benefit if Powers were given for more effectually lighting the same, or Parts thereof: 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, That the aforesaid several Towns, Townships, Hamlets, Vills, or Places, or such of them or such Parts thereof as are intended to be comprised within the Limits of this Act, shall, for the Purposes of this Act, be deemed and considered to be divided into Four several Districts; that is to say, the First District shall comprise all Streets, Lanes, Roads, and other public Passages and Places, and all Houses, Buildings, Lands, Tenements, and Hereditaments, within the several Townships of *Longton* and *Lane End*, and the same shall be called "The *Longton* District;" and the Second District shall comprise all Streets, Lanes, Roads, and other public Passages and Places, and all Houses, Buildings, Lands, Tenement, and Hereditaments, with the several Townships of *Fenton Culvert* otherwise *Great Fenton*, and *Fenton Vivian* otherwise *Little Fenton*; and the same shall be called "The *Fenton* District;" and the Third District shall comprise all Streets, Lanes, Roads, and other public Passages and Places, and all Houses, Buildings, Lands, Tenements, and Hereditaments, within the Township of *Penkhull* (except that Part thereof which for municipal Purposes now forms Part of the Borough of *Newcastle-under-Lyme*), the several Townships of *Boothen* and *Clayton*, and such Part of the Township of *Shelton* as comprises any Part of the Glebe Lands now belonging to the Rector of *Stoke-upon-Trent*, or any Lands which on the Twentieth Day of *May* One thousand eight hundred and twenty-five were Parcel of the Glebe Lands of the Rector of *Stoke-upon-Trent* aforesaid, and the same shall be called "The *Stoke* District;" and the Fourth District shall comprise all Streets, Lanes, Roads, and other public Passages and Places, and all Houses, Buildings, Lands, Tenements, and Hereditaments, within the several Townships of *Blurton*, *Trentham*, *Hanford*, and *Normacott*, and the same shall be called "The *Trentham* District."

The several Towns and Places intended to be comprised within the Limits of this Act to be divided into Four Districts.

II. And



II. And be it further enacted, That the Powers and Provisions of this Act for the Establishment, Regulation, and Maintenance of an effective Police, and for the watching, cleansing, improving, and regulating the Streets, Lanes, Roads, and other public Passages and Places, and for carrying all such Purposes into execution, shall extend over and be in force throughout the whole of the aforesaid Four Districts, (excepting only where by any Provision or Exception hereinafter contained it is otherwise expressly provided or mentioned,) and that the Powers and Provisions of this Act for lighting Streets, Lanes, Roads, and other public Passages and Places, and for carrying the same into execution, shall extend over and be in force throughout the whole of the aforesaid First, Second, and Third Districts, subject to any special Provisions and Exceptions in respect thereof hereinafter contained.

Declaring that the Powers of the Act shall extend to the Four Districts, except for lighting, which is to extend only to the First, Second, and Third Districts.

III. And be it further enacted, That all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Longton* District, being respectively rated in the Poor Rate Assessment at Thirty Pounds or upwards *per Annum* in respect of Property within the said District, and all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Longton* District rateable by virtue of this Act, and respectively seised in Possession, either in their own Right or in the Right of their Wives respectively, of a Freehold or Copyhold Estate within the said *Longton* District of the clear yearly Value of Thirty Pounds free from all Reprizes, and all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Longton* District rateable by virtue of this Act, and respectively possessed of a Personal Estate of the Value of One thousand Pounds above Reprizes, shall be and they are hereby appointed Commissioners for carrying this Act into execution within the said First District, and shall be called "The Commissioners of Police of the *Longton* District."

Appointing Commissioners for the *Longton* District.

IV. And be it further enacted, That all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Fenton* District, and being respectively rated in the Poor Rate Assessment at Thirty Pounds or upwards *per Annum* in respect of Property within the said District; and all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Fenton* District rateable by virtue of this Act, and respectively seised in Possession, either in their own Right or in Right of their Wives respectively, of a Freehold or Copyhold Estate within the said *Fenton* District of the clear yearly Value of Thirty Pounds free from all Reprizes, and all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Fenton* District rateable by virtue of this Act, and respectively possessed of a Personal Estate of the Value of One thousands Pounds above Reprizes, shall be and they are hereby appointed Commissioners for carrying this Act into execution within the said Second District, and shall be called "The Commissioners of Police of the *Fenton* District."

Appointing Commissioners for the *Fenton* District.

V. And



Appointing  
Commissioners for the  
Stoke Dis-  
trict.

V. And be it further enacted, That all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Stoke* District, and being respectively rated in the Poor Rate Assessment at Thirty Pounds or upwards *per Annum* in respect of Property within the said District, and all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Stoke* District rateable by virtue of this Act, and respectively seised in Possession, either in their own Right or in Right of their Wives respectively, of a Freehold or Copyhold Estate within the said *Stoke* District of the clear yearly Value of Thirty Pounds free from all Reprizes, and all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Stoke* District rateable by virtue of this Act, and respectively possessed of a Personal Estate of the Value of One thousand Pounds above Reprizes, shall be and they are hereby appointed Commissioners for carrying this Act into execution within the said Third District, and shall be called "The Commissioners of Police of the *Stoke* District."

Appointing  
Commissioners for the  
*Trentham*  
District.

VI. And be it further enacted, That all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Trentham* District, and being respectively rated in the Poor Rate Assessment at Thirty Pounds or upwards *per Annum* in respect of Property within the said District, and all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Trentham* District rateable by virtue of this Act, and respectively seised in Possession, either in their own Right or in Right of their Wives respectively, of a Freehold or Copyhold Estate within the said *Trentham* District of the clear yearly Value of Thirty Pounds free from all Reprizes, and all Persons who now are or who hereafter shall be respectively Occupiers or Tenants of Property within the said *Trentham* District rateable by virtue of this Act, and respectively possessed of a Personal Estate of the Value of One thousand Pounds above Reprizes, shall be and they are hereby appointed Commissioners for carrying this Act into execution within the said Fourth District, and shall be called "The Commissioners of Police of the *Trentham* District."

Qualification  
of Commis-  
sioners.

VII. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act unless he shall at the Time of acting be an Occupier or Tenant of some Tenement rateable by virtue of this Act within the District for which he shall so act, and shall also be rated at Thirty Pounds or upwards *per Annum* in the Poor Rate Assessment which at the Time of his so acting shall have been then last made for such District, or unless he shall at the Time of his so acting be an Occupier or Tenant of some Tenement within the District for which he shall so act rateable by virtue of this Act, and be seised in Possession, in his own Right or in Right of his Wife, of a Freehold or Copyhold Estate within such District of the clear yearly Value of Thirty Pounds free from all Reprizes, or unless he shall at the Time of his so acting be an Occupier or Tenant of some Tenement within the District for which he shall so act rateable by virtue of this Act, and be possessed of a



Personal Estate of the Value of One thousand Pounds above Reprizes, nor unless he shall previously to so acting have made and subscribed a solemn Declaration in the following Form, or in a Form to the same Effect; and which Declaration it shall be lawful for any Justice of the Peace, or any Three of the Persons qualified as aforesaid, to administer; that is to say,

‘ I *A. B.* do solemnly declare, That I am an Occupier of Property in the [*here name the District*] rated in the Poor Rate Assessment at the Sum of Thirty Pounds *per Annum* or upwards, [*or that I am seised in Possession, in my own Right (or in Right of my Wife, as the Case may be,) of a Freehold or Copyhold Estate within the [here name the District] of the clear yearly Value of Thirty Pounds free from all Reprizes,*] [*or that I am possessed of a Personal Estate of the Value of One thousand Pounds above Reprizes,*] and that I am a Person rateable under the Provisions of an Act passed in the Second Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here insert the Title of this Act*], and that I will truly, faithfully, and impartially, according to the best of my Ability, execute and perform the several Powers and Authorities by the said Act reposed in me as one of the Commissioners of Police of the [*here name the District*]; and I make this solemn Declaration, conscientiously believing the same to be true.’

Form of Declaration.

VIII. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act in any Case where he shall be interested, otherwise than as herein-after excepted, nor whilst he shall hold any Place or Employment of Profit, or shall be concerned or interested in any Contract or Contracts under the said Commissioners respectively or this Act, and no Person shall be capable of acting as such Commissioner during the Time he shall keep a Victualling House or other House of public Entertainment, or whilst he shall hold a Licence for Sale of Wine, Cider, Beer, Ale, or any exciseable Liquors by Retail; and if any Person who shall not be qualified according to the Provisions of this Act, or being disqualified by any of the Causes aforesaid, or not having made and subscribed the Declaration herein-before mentioned, shall nevertheless act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Complaint, Suit, or Information, wherein no Essoign, Protection, or more than One Imparlance, shall be allowed; and the Person so prosecuted shall prove that at the Time of acting as such Commissioner he was qualified as aforesaid, and that he had subscribed a Declaration according to the Directions of this Act, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person acted as a Commissioner in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings touching the Execution of this Act which shall be done and performed by any such Person previously to his being convicted of any such Offence as before mentioned shall be as valid and effectual as if such Person had been qualified according

Persons interested or holding Places of Profit, or keeping Victualling Houses, &c., not to act as Commissioners.



to the Directions of this Act, or had not been under any of the Disabilities in this Act mentioned: Provided also, that no Mortgagee or Assignee of any Mortgage or other Security under this Act shall on that Account be deemed disqualified to act as a Commissioner in the Execution of this Act; and that no Person shall be disqualified from acting as a Commissioner by reason of his having any Share or Interest in any Gas Light Company already established or hereafter to be established within the District for which he shall happen to act, save only as relates to the making, enforcing; compounding, or annulling of any Bargain or Contract between the said Commissioners and such Gas Light Company.

Penalty on  
Persons  
making false  
Declaration.

IX. And be it further enacted, That any Person who shall wilfully make and subscribe a Declaration under this Act, knowing the same to be untrue in any material Particular, shall be deemed guilty of a Misdemeanor.

Appointing  
First and  
other Meet-  
ings of the  
several  
Commis-  
sioners.

X. And be it further enacted, That it shall be lawful for the Commissioners for executing this Act within the said *Longton* District, and they or any Five or more of them are hereby empowered and required, to assemble and hold their First Meeting at the Town Hall in *Longton*, or at some other convenient Place within the said District, on the Third *Monday* after the passing of this Act, or on some subsequent *Monday*; and it shall be lawful for the Commissioners for executing this Act within the said *Fenton* District, and they or any Five or more of them are hereby empowered and required, to assemble and hold their First Meeting at the *Mount Tabor* Schoolroom in *Fenton*, or at some other convenient Place within the said District, on the Third *Tuesday* after the passing of this Act, or on some subsequent *Tuesday*; and it shall be lawful for the Commissioners for executing this Act within the said *Stoke* District, and they or any Five or more of them are hereby empowered and required, to assemble and hold their First Meeting at the Town Hall in *Stoke-upon-Trent*, or at some other convenient Place within the said District, on the Third *Wednesday* after the passing of this Act, or on some subsequent *Wednesday*; and it shall be lawful for the Commissioners for executing this Act within the said *Trentham* District, and they or any Five or more of them are hereby empowered and required, to assemble and hold their First Meeting at the *Trentham* Inn, or at some other convenient Place within the said District, on the Third *Thursday* after the passing of this Act, or on some subsequent *Thursday*; and after such First Meetings respectively all subsequent Meetings of the said Commissioners of the said respective Districts may and shall be held at the Place or Places aforesaid, or such other convenient Place or Places therein respectively as the said Commissioners shall respectively appoint, as follows; that is to say, by the Commissioners of the said *Longton* District on the First *Monday* in every Calendar Month, by the Commissioners of the said *Fenton* District on the First *Tuesday* in every Calendar Month, by the Commissioners of the said *Stoke* District on the First *Wednesday* in every Calendar Month, and by the Commissioners of the said *Trentham* District on the First *Thursday* in every Calendar Month; and the Commissioners present at such Meetings respectively (the Number present at each respective Meeting not being less than Five) shall and may proceed to carry the several

several Powers given to them respectively by this Act into execution within their respective Districts; and such Meetings respectively from Time to Time may be adjourned to and be held on any future Day, not later than the Day of the next monthly Meeting, which the Commissioners present there respectively shall think proper to appoint; and in case there shall not be Five Commissioners present at the Place appointed for any Meeting before the Hour of Two of the Clock on the Day on which the Meeting is or shall be so appointed to be held by or in pursuance of this Act, then such Meeting may be adjourned by the Commissioners or Commissioner who shall be present at that Hour to and be held on any future Day, not later than the Day of the next monthly Meeting, which they or he shall think proper to appoint; and in case there shall not be One Commissioner present at the Place appointed for any Meeting before the said Hour of Two, or in case the Commissioner or Commissioners present shall omit to adjourn any such Meeting, then the Meeting may be adjourned by the Clerk to the Commissioners to and be held on any future Day not later than the Day of the next monthly Meeting: Provided always, that no Business shall be done or proceeded upon by the Commissioners at any Meeting to be held under this Act before the Hour of Eleven of the Clock in the Forenoon, nor shall any Meeting be appointed to begin at any later Hour than Two of the Clock in the Afternoon of the Day on which such Meeting is or may be appointed to be held; and all Proceedings, Matters, and Things relative to the Execution of this Act, and by this Act authorized to be done or executed by the Commissioners of the said several Districts respectively, may be done and executed by the major Part of the Commissioners of the said several Districts respectively who shall be present at any Meeting to be by them respectively held in pursuance of this Act, the Number present at each respective Meeting being not less than Five (except only in Cases where any greater or less Number of them is or may be herein particularey required or authorized to act); and at every Meeting of the said respective Commissioners a Chairman shall be appointed; and when and as often as there shall happen to be an Equality of Votes at any such Meeting upon any Question, including the Vote of the Chairman, then and in every such Case it shall be lawful for the Chairman to give an additional or casting Vote; and the said Commissioners at their respective Meetings shall pay their own Expences, except for the Use of the Room where such Meeting shall be held.

XI. Provided always, and be it further enacted, That if after any Adjournment of any Meeting by the Commissioners of the said several Districts respectively, or by their Clerk as aforesaid, or from any other Cause, it shall at any Time be considered necessary that a Special Meeting should be appointed or called for an earlier Day than the Day for which any Meeting shall stand by Adjournment as aforesaid, or might be held by virtue of this Act, then it shall be lawful for any Five or more of the Commissioners of the said several Districts respectively, although not assembled at a Meeting under this Act, or for such Clerk, being authorized by an Order in Writing signed by any Five or more of such Commissioners, to call such Special Meeting of such Commissioners, by

Special  
Meetings.

public



public Notice, to be held on some future Day between the Hours aforesaid, not sooner than Three clear Days at the least from the Day of such Notice being given, which Notice shall mention the Time and Place and specify the Purpose of such Special Meeting; and all Acts, Orders, and Proceedings of the Commissioners at such earlier Meeting, the Purpose of which shall have been specified in such Notice, shall be as valid and effectual to all Intents and Purposes whatsoever as they would have been in case such Commissioners had then met in pursuance of any Adjournment, or as if the same were done at any other Meeting held in pursuance of this Act.

The Commissioners of the respective Districts to hold annual Meetings.

XII. And be it further enacted, That the Commissioners of the said Districts respectively shall respectively hold an annual Meeting within their respective Districts, for executing such of the Purposes of this Act as are required to be done at an annual Meeting, and for carrying any other of the Purposes of this Act which they are respectively authorized to do or execute into execution; that is to say, a Meeting of the Commissioners of the *Longton* District shall be held annually on the Second *Monday* in the Month of *June* at the Town Hall, or such other convenient Place or Places as aforesaid; a Meeting of the Commissioners of the *Fenton* District shall be held annually on the Second *Tuesday* in the same Month at the *Mount Tabor* Schoolroom, or such other convenient Place or Places as aforesaid; a Meeting of the Commissioners of the *Stoke District* shall be held annually on the Second *Wednesday* in the same Month at the Town Hall, or such other convenient Place or Places as aforesaid; and a Meeting of the Commissioners of the *Trentham* District shall be held annually on the Second *Thursday* in the same Month at the *Trentham* Inn, or such other convenient Place or Places as aforesaid; and in case there shall not be Five Commissioners present at the Place appointed for any such annual Meeting before the Hour of Two of the Clock on any or either of the afore-named Days, then such Meeting shall be deemed to be adjourned to and may be held on the following Day, and so on Day by Day (*Sundays* excluded) until a sufficient Number of Commissioners shall attend in Time to form such annual Meeting.

Orders, Rules, and Regulations how to be made, revoked, &c.

XIII. And be it further enacted, That it shall and may be lawful for the said Commissioners respectively, at their respective Meetings to be held in pursuance of this Act, and they are hereby empowered, from Time to Time to make such Orders, Rules, and Regulations as they shall think proper for effectually carrying this Act into execution within their respective Districts; but no such Orders, Rules, or Regulations, or any other Proceedings of the Commissioners at any such Meeting, shall be valid, unless the major Part of the Commissioners respectively present at every such Meeting shall concur therein, nor shall any such Orders, Rules, and Regulations or Proceedings be revoked or altered at any subsequent Meeting, unless a greater Number of the Commissioners respectively shall concur in the Revocation or Alteration thereof than concurred in the making of any such Orders, Rules, and Regulations or Proceedings, nor unless Notice of any such Revocation or Alteration being intended shall have been given at a previous Meeting, and entered in the



Book of Proceedings of such Meeting, nor unless Notice of the Meeting at which any such Revocation or Alteration is intended to made, and the Object of the Meeting, shall have been published Twice in some Newspaper usually circulated in the *Staffordshire Potteries* Six Days at the least before the holding of such Meeting.

XIV. And be it further enacted, That Notice of all Meetings to be held in pursuance of this Act (except Meetings to be held on the Days herein-before named for monthly and annual Meetings, and except where it is by this Act otherwise directed,) shall be inserted in some Newspaper usually circulated in the *Staffordshire Potteries* at least Six Days before the Day appointed for any Meeting, and such other Notice thereof may be given and published in such Manner as the Commissioners respectively at their First Meeting, or at any annual Meeting to be held by virtue of this Act, shall order and direct. Notice of Meetings.

XV. And be it further enacted, That all Acts, Orders, Resolutions, and Proceedings of the said respective Commissioners shall from Time to Time be fairly written and entered by the Clerk for the Time being of the said Commissioners respectively in a proper Book or Books, to be kept for those Purposes, with the Names of the Commissioners who shall be present at the respective Meetings, and in case of a Division upon any Question, particularizing in separate Lists the Names constituting the Majority and Minority on such Division, and shall be signed by the Chairman of each such Meeting; and all such Entries therein, being so signed and subscribed, shall at all seasonable Times be open to the Inspection of the Commissioners of the District, and shall be deemed and taken to be Originals; and the same, or true Copies thereof, such Copies being signed by the Clerk, shall be admitted to be read in Evidence in all Courts whatsoever, and in all Causes, Suits, and Actions touching any thing to be done in pursuance of and under the Authority of this Act. Proceedings to be entered in a Book and signed by the Chairman.

XVI. And be it further enacted, That the said Commissioners respectively shall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk or Clerks respectively for the Time being, in which Book or Books such Clerk or Clerks shall enter or cause to be entered true and regular Accounts of all Sums of Money received or laid out and expended for the respective Purposes of this Act in such Districts respectively, and of the several Articles, Matters, and Things for which any Sum of Money shall have been disbursed, laid out, and paid, which Book or Books shall at all seasonable Times be open to the Inspection of the Commissioners of the District, and any Creditor or Creditors on the Rates hereby authorized in such District, without Fee or Reward; and the said Commissioners and Creditors respectively shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the Clerk or Clerks of such Commissioners respectively shall refuse to permit, or shall not permit, such Commissioners or such Creditors, or any of them, to inspect the same Book or Books or to take such Copies or Extracts Accounts to be kept of Receipts and Disbursements.



as aforesaid, every such Clerk shall forfeit and pay any Sum not exceeding Five Pounds.

Abstract of Accounts to be transmitted to the Clerk of the Peace.

XVII. And be it further enacted, That an annual Account in Abstract shall be prepared of the total Receipts and Expenditure of all Funds to be levied under this Act within each of the said Four Districts for the past Year, under the several distinct Heads of Receipt and Expenditure, with a Statement of the Balance of the said Account, duly audited and certified by Three or more of the Commissioners of the District; and a Copy of such annual Account shall be transmitted, free of Charge, to the Clerk of the Peace for the said County of *Stafford* on or before the First Day of *January* in each Year; and in case of Neglect the Commissioners neglecting shall for each Offence forfeit and pay the Sum of Ten Pounds, to be paid by the Treasurer of the District in which the Neglect shall take place, and in case of Non-payment to be recovered and levied by Distress and Sale of the Goods and Chattels of such Treasurer, and applied in like Manner as any Penalty or Forfeiture may, under the Powers or Provisions of this Act, be recovered, levied, and applied; and the said Clerk of the Peace shall be entitled to a Fee of Five Shillings for receiving and filing the aforesaid Copy of such Account, and the same shall be open at all seasonable Hours to the Inspection of the Public, upon Payment of a Fee of One Shilling for every such Inspection.

Committees may be appointed.

XVIII. And be it further enacted, That it shall be lawful for the Commissioners of the said several Districts respectively to nominate and appoint One or more Committee or Committees of their respective Bodies (every such Committee to consist of not less than Five Persons) for conducting the Execution of any One or more of the Purposes of this Act, or for investigating, transacting, and managing particular Departments of Business under this Act, within their respective Districts, and the Members of such Committee or Committees, or any Three or more of them, shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever by this Act authorized to be done, executed, or performed by the said Commissioners respectively within their respective Districts which such Commissioners respectively shall from Time to Time entrust to the Management of such Committees; and such Committees shall meet at such Times and Places as they shall think proper, and all Powers which shall be vested in the said Committees shall be exercised by the major Part present at their respective Meetings, such major Part being in no Case less than Three; and such Committees shall from Time to Time make Reports of their Proceedings to the Commissioners of the District by whom they shall have been so appointed respectively.

For appointing Officers.

XIX. And be it further enacted, That it shall be lawful for the Commissioners of the said several Districts respectively, at any Meeting of such Commissioners respectively held in pursuance of this Act, to elect, and by Writing entered in their Books of Proceedings, and signed by the Chairman of such Meeting, to nominate and appoint, within and for their respective Districts, fit and proper Persons to be Treasurer or Treasurers, Clerk or Clerks, and Collector or Collectors



of the Rates, and such other Officers as they respectively shall think proper for the due Execution of this Act within their respective Districts, and from Time to Time to remove or displace all or any of such Officers as Occasion shall require, and to elect and appoint others in the Room or Place of such of them as shall from Time to Time be so removed or displaced, or shall die or resign Office; and the said Commissioners of the said several Districts respectively shall and they are hereby respectively required to take sufficient Security from every Person who shall be appointed Treasurer or Collector within the respective Districts for the faithful Execution of his Office; and the said Commissioners of the said respective Districts may also respectively require and take such Security from every or any other Officer by them respectively so appointed, if such Commissioners respectively shall think proper so to do; and the said Commissioners of the said several Districts shall allow and pay to their respective Clerks, out of the Monies to be by them respectively received by virtue of this Act, such Salary as they respectively shall think proper, and may also allow and pay to any other of their Officers, and to any Persons to be by them respectively employed in the Execution of this Act within their respective Districts, out of the Monies to be by such Commissioners respectively received by virtue of this Act, such Salaries, Wages, or Allowances as they respectively shall think proper.

XX. And be it further enacted, That the Salary to be allowed and paid to any Clerk or Clerks to be appointed in pursuance of this Act shall be in lieu of all Fees and Gratuities whatsoever; and if any Person acting as any such Clerk or Clerks, or if any other Officer to be employed by the said Commissioners of the said several Districts respectively for any of the Purposes of this Act, shall exact, demand, or receive from any Person or Persons whomsoever any Fees, Emoluments, or other Perquisites in the Execution of the Duties of his Office, other than the Salary or Emoluments allowed to him by such Commissioners, every such Person or Officer shall repay the Sum or Sums so unlawfully received to the Person or Persons who shall have paid the same, and shall also forfeit and pay any Sum not exceeding Twenty Pounds by way of Penalty for every such Offence.

For Punishment of Officers exacting Fees.

XXI. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners respectively to appoint the Person or Persons who may be appointed to act as a Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or any Person or Persons in the Service or Employ of any such Clerk or Clerks, or the Clerk or Clerks or any Person or Persons in the Service or Employ of the Partner or Partners of any such Clerk or Clerks, to be a Treasurer or Treasurers for the Purposes of this Act, or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or any Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or Clerks or any Person or Persons in the Service or Employ of the Partner or Partners of any such Treasurer or Treasurers, to be a Clerk or Clerks for the Purposes

Offices of Clerk and Treasurer not to be held by the same Person.



poses of this Act ; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person or Persons, being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or any Person or Persons in the Service or Employ of any such Clerk or Clerks, or the Clerk or Clerks or any Person or Persons in the Service or Employ of the Partner or Partners of any such Clerk or Clerks, shall accept the Office of a Treasurer or Treasurers in the Execution of this Act, or shall act as Deputy or Deputies of such Treasurer or Treasurers, or in any Manner officiate for such Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, or the Clerk or Clerks or any Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or the Clerk or Clerks or any Person or Persons in the Service or Employ of the Partner or Partners of any such Treasurer or Treasurers, shall accept the Office of a Clerk or Clerks in the Execution of this Act, or shall act as Deputy or Deputies of such Clerk or Clerks, or in any Manner officiate for such Clerk or Clerks, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Commissioners respectively other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, together with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or more than One Imparlance, shall be allowed.

Officers to  
account.

XXII. And be it further enacted, That every Person who shall be appointed to any such Office as aforesaid by virtue of this Act, or who shall be employed in the Execution thereof, shall under his Hand, at such Time or Times and in such Manner as the Commissioners of the District by whom he shall have been appointed or employed respectively shall direct, deliver to such Commissioners, or to such Person or Persons as they shall appoint to receive the same, a true and perfect Account in Writing of all Monies which shall have been by such Officers or Persons respectively received by virtue of or for any of the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain in their respective Hands to such Commissioners, or to such Person or Persons as they shall appoint ; and if any such Treasurer, Clerk, Collector, or other Officer or Person shall not make and render such Account, or shall neglect or refuse to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to such Commissioners, or to such Person or Persons as they shall appoint, within Fourteen Days next after being thereunto required by Notice in Writing, signed by the Chairman or by the Clerk to such Commissioners, and given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to such Commissioners respecting the same, and Complaint thereof shall be made by or on behalf of such Commissioners to any Justice  
of



of the Peace for the said County of *Stafford*, then such Justice may and he is hereby authorized and required to summon such Officer or Officers, Person or Persons, to appear before him, and in case of his or their not appearing upon such Summons, the same having been served on him or them personally, or left at his or their usual Place or Places of Abode, (no reasonable Cause or Causes being shown for such Nonappearance,) to issue a Warrant or Warrants for his or their Apprehension, and upon his or their appearing upon such Summons, or being apprehended or brought before such Justice by virtue of such Warrant, or having absconded and not being to be found, then and in every such Case it shall be lawful for such Justice alone, or with any other Justice or Justices, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in the same Manner as such Commissioners might have done; and if upon the Confession of the Party, or by the Testimony of One credible Witness upon Oath, it shall appear to such Justice or Justices that any of the Money that shall have been collected and raised by virtue of this Act shall be in the Hands of such Treasurer, Collector, Clerk, Officer, or Person, such Justice or Justices may and he and they is and are hereby authorized and empowered to order the Payment thereof, and upon Nonpayment thereof, by Warrant under his Hand and Seal or their Hands and Seals, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Collector, Clerk, Officer, or Person, together with the Costs and Charges of such Distress and Sale, to be settled and ascertained by such Justice or Justices, and which he or they is and are hereby authorized and empowered to settle and ascertain, rendering the Overplus (if any) to the Party or Parties so distrained on, or (if he shall refuse to accept the same) leaving the same at the Place where the Distress shall be made; and if no Goods or Chattels shall be found sufficient to satisfy the said Monies and Charges of levying the same, or if it shall in manner aforesaid appear to such Justice or Justices that any such Treasurer, Collector, Clerk, Officer, or Person shall refuse or neglect to render and give such Account, or to produce the Vouchers relating thereto, or any Books, Papers, or Writings relating to the Execution of this Act, which shall be in the Custody or Power of such Treasurer, Collector, Clerk, Officer, or other Person, and that he hath refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, such Justice or Justices may and is or are hereby authorized, by Warrant under his Hand and Seal or their Hands and Seals, to commit such Treasurer, Collector, Clerk, Officer or Person to any Common Gaol in the said County of *Stafford*, there to remain without Bail or Mainprize until he or they shall have delivered in and settled his or their Accounts, and shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid the Money which shall appear to be in his or their Hands, and the reasonable Charges for such Distress and Sale which shall in that respect have been made, or until he or they shall have compounded with such Commissioners for the same, and have paid such Composition Money in such Manner as they shall appoint, (and which Composition Money such Commissioners, or any Five or more of them, are hereby empowered to make and receive,) or until he or

[Local.]

11 X

they



they shall deliver up such Books, Accounts, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to such Commissioners as aforesaid; but no such Officer or other Person who shall be committed for Default of Distress only shall be detained in Prison by virtue of this Act for any longer Space of Time than Three Calendar Months.

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

XXIII. And be it further enacted, That the Commissioners of the said Four several Districts respectively, acting within their respective Districts, may sue and be sued for any thing done or required to be done in the Execution of their respective Commissions under this Act, or for or on account or in respect of any Orders, Acts, or other Proceedings of such Commissioners respectively at any of their Meetings, in the Name of any One of such Commissioners, or in the Name of the Clerk or Clerks for the Time being of such respective Commissioners; and no Action or Suit to be so brought or commenced by virtue of this Act in the Name of any One of them, or in the Name of their Clerk or Clerks, shall abate or be discontinued by reason of the Death, Resignation, Removal, or Default of such Commissioner or Clerk or Clerks, but shall be continued and carried on in the Name of such Commissioner or Clerk or Clerks, as the Case may be; and such Commissioner or Clerk or Clerks shall be deemed Plaintiff or Defendant in such Action or Suit (as the Case may require): Provided always, that every such Commissioner or Clerk or Clerks shall be reimbursed and paid forthwith, out of the Monies arising by virtue of this Act within the particular District, by the Treasurer or Treasurers for the Time being of such District, all such Costs, Charges, and Expences as he or they shall be put unto or become chargeable with or liable to by reason of his or their being made Plaintiff or Plaintiffs, Defendant or Defendants.

For appointing a Chief Bailiff in each District, and also Policemen, Watchmen and Beadles.

XXIV. And be it further enacted, That it shall be lawful for the said respective Commissioners of the said Four several Districts, acting within each of such Districts respectively, and they are hereby respectively authorized and empowered, at any of their Meetings, from Time to Time to elect and appoint some Person, being an Occupier of Property liable to be rated by virtue of this Act within the particular District in which such Election and Appointment shall be made, and being rated at such Amount or being possessed of such Property as would qualify him to act as a Commissioner in the Execution of this Act in the same District, to be Chief Bailiff in the same District, and also to appoint such Number of Persons as they shall think proper as Policemen within such District, and also from Time to Time to appoint and employ such Number of Watchmen, Beadles, and other Officers and Persons as they shall judge necessary for the Protection of the Inhabitants, and of the Houses and Property, Streets and Places, within such District, by Day and by Night; and it shall also be lawful for such Commissioners respectively to direct and appoint how and where such Policemen, Watchmen, Beadles, and other Officers within their respective Districts shall be stationed, and in what Manner they shall be armed, how often they shall go their Rounds, and how long they shall continue upon Duty, and to direct and appoint what Wages shall be paid or allowed to them respectively



tively for their Services, and from Time to Time to make all such Orders, Rules, and Regulations as such Commissioners shall deem expedient for preventing Neglect or Abuse, and for rendering them efficient in the Discharge of their Duties; and such Commissioners respectively, or any Two Justices of the Peace having Jurisdiction, may at any Time suspend or dismiss any One or more of such Policemen, Watchmen, Beadles, or other Officers whom they shall think negligent in the Discharge of his or their Duty, or otherwise unfit for the same, and to appoint other Persons in their Places; and when any Person shall be so suspended or dismissed all Powers vested in him as a Constable by virtue of this Act shall immediately cease, and no Person who shall be so dismissed shall be re-appointed, except at a Meeting of the Commissioners respectively authorized by this Act; and such Commissioners respectively may offer and give, out of any Monies arising within their respective Districts from the Public Improvement Rate herein-after mentioned, as well to such Policemen, Watchmen, Beadles, and other Officers, as to any other Person not specially employed by such Commissioners, such Gratuities and Rewards for apprehending Felons and other Offenders within their District as to them shall seem proper, and shall and may defray the Expences of prosecuting any such Felons and Offenders, for the Protection of the Inhabitants within such Districts, or in defending any of the said Policemen, Watchmen, Beadles, or other Officers in the Execution of their Duty, as they shall think proper; and such Policemen within their respective Districts shall be subject to the Orders and Directions of the Commissioners of such District, and shall also be subject to such Orders and Directions of the Chief Bailiff of such District, and of the Inspector and Superintendent herein-after mentioned, as shall be consistent with the Orders and Directions of such Commissioners; and any such Policemen may be dismissed by the Chief Bailiff, as well as by the Commissioners, for Misbehaviour or Neglect of Duty, any such Dismissal by such Chief Bailiff to be nevertheless subject to Appeal to such Commissioners, and to their Power of reinstating him in his Appointment to the Office.

XXV. And be it further enacted, That every Person who shall be so appointed to any such Office as Chief Bailiff, Policeman, Watchman, or Beadle, and every Person who shall be appointed Superintendent of Police as herein-after mentioned, shall, before he shall be empowered to act in any such Office for the Purposes of this Act, be sworn in as Constable before a Justice of the Peace of the County of *Stafford*; and every Person so appointed Chief Bailiff, Policeman, Watchman, or Beadle, or so to be appointed Superintendent of Police, being so sworn, shall thereupon be and is and all such Persons are hereby empowered to act as a Constable and Constables within the District for which he or they shall be so appointed respectively in execution of the Powers and Authorities of this Act, and is and are hereby invested with and shall have and enjoy such and the like Powers and Authorities, Privileges and Immunities, and all such Policemen, Watchmen, and Beadles and Superintendent shall be subject and liable to such and the like Penalties and Forfeitures, as any Constable or Constables is or are or shall be invested with or have and enjoy, or shall and may

All Persons to be sworn in as Constables before acting as Chief Bailiff, &c.



may have and enjoy, or is or are or shall be subject or liable to, by Law, or by virtue of any Statute or Statutes made or to be made.

Powers and Duties of the Chief Bailiff.

And Power to take Recognizances.

Proceedings thereupon in case the Parties neglect to appear.

Duties of Policemen, &c.

XXVI. And be it further enacted, That the Chief Bailiff in each of the said several Districts respectively shall have and he is hereby invested with full Power and Authority to appoint, order, and direct the Stations and Rounds and Duties of the Policemen to be appointed as aforesaid within his District, in such Way and Manner as he shall think proper for the Preservation of the public Peace within such District, and for effecting the Purposes of this Act, consistently with the Provisions of this Act and with any Orders which shall be from Time to Time made or given by the Commissioners of such District or by Her Majesty's Justices of the Peace, and from Time to Time, by Writing under his Hand, to authorize any One or more of such Policemen to act as Inspector or Inspectors, in the Night-time, as herein-after mentioned; and it shall be lawful for any such Chief Bailiff, or any Policeman within his District by him authorized to act as Inspector as aforesaid, to take Recognizances, without any Fee or Reward, from any Person who shall be brought before him in the Night-time upon any Charge not amounting to Felony, and who shall be willing to enter into such Recognizances, for the Appearance of such Person before any Justice of the Peace within the Space of Seven Days then next ensuing for further Examination, and such Recognizances so to be taken as aforesaid shall be of equal Obligation on the Parties entering into the same, and shall be liable to the same Proceedings for the estreating thereof, as if the same had been taken before a Justice of the Peace; and such Chief Bailiff or Policeman shall enter in a Book to be kept for that Purpose the Names, Residences, and Occupations of the Parties and of their Sureties (if any) entering into such Recognizances, together with the Conditions thereof, and the Sums respectively acknowledged, and shall lay the same before the Justice who shall be present at the Time and Place when and where the Parties are required to appear; and if the Parties do not appear at the Time and Place required, or within One Hour afterwards, such Justice shall cause a Record of the Recognizance to be drawn up, and to be signed by such Chief Bailiff or Policeman as aforesaid, and shall return the same to the next General or Quarter Sessions of the Peace, or the Adjournment thereof, for the said County of *Stafford*, with a Certificate at the Back thereof, signed by such Justice, that the Parties have not complied with the Obligation therein contained, and the Clerk of the Peace or his Deputy shall make the like Extracts and Schedules of every such Recognizance as of Recognizances taken in the Sessions of the Peace; but in case the Parties not appearing shall apply by any Person on their Behalf to postpone the hearing of the Charge against them, it shall be lawful for the said Justice to enlarge the Recognizances to such further Time as he shall think proper; and in case of Appearance of the Parties before a Justice in pursuance of a Recognizance, then such Recognizance shall be discharged by such Justice, without a Fee.

XXVII. And be it further enacted, That it shall be lawful for such Policemen, Watchmen, and Beadles so to be appointed and sworn in as Constables as aforesaid, and they are hereby authorized



and required, to use their utmost Endeavours to preserve the public Peace and good Order, and to prevent any Mischief by Fire, and diligently to keep Watch and Ward within such Districts respectively, and to arrest, apprehend, and detain, in some convenient Place of Security to be provided and appointed by virtue of this Act for that Purpose, all Felons, Malefactors; disorderly Persons, Rogues, Vagrants, Beggars, and all Prostitutes, Night-walkers, and suspected Persons, who shall be found wandering or misbehaving themselves or disturbing the public Peace, and shall take them (as soon as conveniently may be) before some Justice of the Peace having Jurisdiction, to be examined and dealt with according to Law; and such Policemen or Constables shall execute all such Precepts and Orders as any Justice or Justices of the Peace for the County of *Stafford* shall from Time to Time direct to such Constables, or any of them, to be by them executed within the said respective Districts; and all such Policemen, Watchmen, and Beadles shall observe and obey all lawful Orders, Rules, Regulations, and Commands of the Commissioners and Chief Bailiff of the District, and of Her Majesty's Justices of the Peace; and if any such Policeman, Watchman, or Beadle shall not faithfully observe, execute, perform, and keep all such Orders, Rules, Regulations, and Commands, or shall in any Manner neglect his Duty; or misbehave himself in the Execution of his Office, he shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, and shall also be immediately discharged from his Office or Employment under the Powers in this Act contained relative to the Discharge of any such Officer; and such Penalty may be deducted out of the Wages of any such Offender, and any Deficiency, or the Whole, if no Wages are due, may be levied or recovered as other Penalties under this Act may be levied and recovered.

XXVIII. Provided always, and be it further enacted, That it shall be lawful for any such Person or Persons so sworn in as Constable or Constables for any or either of such Districts also to act as a Constable or Constables in any or either of the other of such Districts, on being required so to do by any Chief Bailiff of any or either of the said Districts, or by the Superintendent to be appointed as herein-after mentioned, or by Her Majesty's Justices of the Peace, or by the Commissioners of either of the said Districts, in Cases of Emergency.

XXIX. And be it further enacted, That it shall be lawful for the Chief Bailiffs of the said Four Districts from Time to Time, by Writing under their Hands, to appoint some Person to be Superintendent of the whole of the Policemen in the said Four Districts; and every such Person, being first sworn in as Constable as herein-before mentioned, shall be and is hereby empowered to act as Head Policeman or Superintendent of the Policemen to be appointed by virtue of this Act in all the said Four Districts, and to execute all such Orders and Directions as shall be given or directed to him by the said Four Chief Bailiffs for carrying into execution, within the whole of the said Four Districts, or any or either of them, the Purposes of this Act for the Preservation of the public Peace, and for the Superintendence, Control, or Management of the Policemen under this

[Local.]

11 Y

Act,

Constable of any District empowered to act as such in all the Districts.

The Four Chief Bailiffs may appoint a Superintendent of Police.



Act, and their official Services; and it shall be lawful for the said Four Chief Bailiffs to order and direct such Superintendent to execute all or any of the Powers or Authorities in them respectively vested by this Act for the Superintendence, Control, or Management of the Policemen, and their official Services or Duties, in the Preservation of the public Peace, and from Time to Time to remove any such Superintendent, and to appoint some other Person to be Superintendent in his Place or Stead.

Criers to be appointed by the Chief Bailiffs.

XXX. And be it further enacted, That it shall be lawful for the said respective Chief Bailiffs to nominate and appoint, in their said respective Districts, One or more Person or Persons to be the Common Crier or Criers; and every Person not having been so nominated and appointed, who shall presume to act as such Crier, or to perform any of the Duties of that Office, or to ask, demand, or receive any Fee or Gratuity attached thereto, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, to be recovered and applied as herein mentioned.

Penalty on Publicans harbouring Policemen, &c. during the Time they should be on Duty.

XXXI. And be it further enacted, That if any Victualler or Keeper of any House licensed for the Sale of Beer or Spirituous Liquors shall knowingly harbour or entertain, or suffer to remain within his House or Premises, any such Policeman, Watchman, or Beadle as aforesaid, during any Part of the Time appointed for his being on Duty, (unless such Policeman, Watchman, or Beadle shall, during the Time of his Stay at such House or Premises, be there for the Purpose of quelling any Disturbance or restoring Order or Peace,) such Victualler or Keeper shall, on Conviction, forfeit and pay for the first Offence any Sum not exceeding Forty Shillings, and for the second and every subsequent Offence any Sum not exceeding Five Pounds.

Penalty on Persons assaulting Policemen, &c.

XXXII. And be it further enacted, That if any Person shall obstruct or assault, or aid any Person to obstruct or assault, any Chief Bailiff, Policeman, Watchman, or Beadle, whilst on Duty, or Person or Persons acting under any of the Provisions of this Act, every such Person so offending, upon being thereof convicted before any Justice of the Peace, shall forfeit and pay any Sum not exceeding Five Pounds, or such Justice may at his Discretion commit such Person either for Trial at the Quarter Sessions of the Peace for the County of *Stafford*, or to Imprisonment in some Gaol or House of Correction for the said County, either with or without hard Labour, for any Time not exceeding Two Calendar Months.

Power to reward disabled Policemen, &c.

XXXIII. And be it further enacted, That it shall be lawful for the Commissioners of the said several Districts respectively to give such Rewards to any Policeman, Watchman, or Beadle to be appointed as aforesaid within their respective Districts who may be disabled or wounded, or who shall be deemed to have conducted himself with peculiar Merit in the Execution of his Office on any particular Occasion, as such Commissioners shall think reasonable, out of the Monies to be raised by them under the Authority of this Act within their respective Districts.

XXXIV. And



XXXIV. And be it further enacted, That it shall be lawful for the Commissioners of the said several Districts respectively, within their respective Districts, from Time to Time to provide, and at all Times hereafter to maintain, sufficient public Offices, in some convenient Situation within each of such Districts, for holding the Meetings and transacting the Business of such Commissioners respectively, and of the Police under this Act, and for the holding of such public Meetings and transacting such other public Business as such Commissioners respectively shall from Time to Time direct or allow to be held or transacted therein, and also to provide or erect and build Watch-houses and Lock-up Houses or Places of temporary Confinement within such Districts respectively for Persons charged with Felonies, Misdemeanors, and other Offences, and for the Reception, Examination, and safe Custody of Vagrants found loitering or begging therein, as also for the Dwelling and Habitation of any Officer, Constable, or other Person to be appointed by such Commissioners respectively to attend to, superintend, and take charge of any such Persons so charged with Felonies, Misdemeanors, and other Offences, or such Vagrants as aforesaid, and also any Erections and Buildings or Places for keeping the Fire Engines, and Horses, Carts, Tools, and Implements to be provided for the Purposes of this Act, and for the depositing of Dust, Ashes, Dung, and other such Matters, and for any other Purposes necessary for the convenient Execution of this Act; and it shall be lawful for such Commissioners from Time to Time to make and establish such Rules, Orders, and Provisions for the Use and Management of such public Office or Offices, and to make such Allowance or Allowances to the Keeper or Keepers of the same public Office or Offices for his or their necessary Attendance and Trouble about the same, as shall from Time to Time appear expedient to the same Commissioners; and for the Purposes aforesaid it shall be lawful for such Commissioners from Time to Time to purchase within their respective Districts any Messuages or Buildings, or any Part of any Messuages or Buildings, which shall by such Commissioners be considered necessary for any of the Purposes aforesaid, of and from any Person who shall be willing to sell or let the same, or otherwise to purchase or hire Land or Ground from any Person who shall be willing to sell or let the same, and to build or erect, or cause to be built or erected, any new Building or Erection upon any Land or Ground which shall be so purchased or hired, and also from Time to Time afterwards again to purchase or hire any other Messuages or Buildings, or Parts of Messuages or Buildings, or Land or Ground whereon to erect any Building or Erection as aforesaid, for any of the Purposes aforesaid; and such Commissioners, or any Five or more of them, in their respective Districts, are hereby authorized and empowered to accept and take any Lease or Leases, Conveyance or Conveyances, of such Messuages or Buildings, or Parts of Messuages or Buildings, or Land or Ground, to be by such Commissioners held in Trust for the Purposes aforesaid; and it shall be lawful for such Commissioners from Time to Time to pay and defray the Expences of such Purchases and of such Works, and the Rents of such hired or rented Premises, out of any Monies arising within the District from the Improvement Rate herein-after mentioned.

Power to provide Offices, Watch-houses, Engine Houses, &c.

XXXV. And



Powers to  
make Im-  
provements  
in Streets,  
&c.

XXXV. And be it further enacted, That it shall be lawful for the said Commissioners of the said several Districts respectively, acting within their respective Districts, from Time to Time to widen, alter, or otherwise improve, or cause to be widened, altered, or improved, the Streets, Lanes, Roads, and other public Passages and Thoroughfares, or any or either of them, within their respective Districts, which in the Opinion of such Commissioners shall require widening, altering, or improving for the Convenience and Advantage of the Inhabitants or the Public, and for such Purposes from Time to Time to purchase any Buildings, Lands, Tenements, or Hereditaments which they may think proper, and to take down, remove, and take away any Buildings or Erections which may be so purchased, and every or any Part thereof, and the Materials thereof, and to build or erect any other Building or Erection on Part of the Site of any former Building or Erection, or on such Land, for the Improvement of such Street or other public Passage or Place, and to pay and defray the Expences of such Purchases, and of such Widening, Alterations, and Improvements, out of any Monies arising within their respective Districts from the Improvement Rate herein-after mentioned.

Commission-  
ers to pro-  
vide Fire  
Engines.

XXXVI. And be it further enacted, That it shall be lawful for the said Commissioners of the said several Districts respectively, acting within their respective Districts, from Time to Time to purchase and provide such Engines for extinguishing Fire, and such Water Buckets for the Supply of such Engines, and such Pipes, Tubes, and other Apparatus for such Engines, and also such Fire Escapes, Ladders, or other Implements of Safety or Use in Cases of Fire, and to hire or purchase and keep such Horses for the Use of the same, as such Commissioners shall think fit, and to erect and purchase, or to hire and rent, a proper Place or Places for keeping such Engines, Buckets, and Apparatus, and to hire or employ a proper Number of Persons as Firemen to attend the same, and to allow them such Wages or Salaries as they may think proper, and from Time to Time to displace all or any of such Persons or Firemen, and to appoint others in their Stead, and also to give to such Firemen or other Persons such Rewards for their Exertions in Cases of Fire, and to make such Rules and Orders for the Regulation of such Firemen, as such Commissioners shall think fit; and such Firemen or other Persons hired or employed as aforesaid shall in all Cases of Fire be at liberty to take and use, for the Purpose of extinguishing any such Fire or working the said Engines thereat, any Water provided for watering the said respective Districts, and for such Purposes it shall be lawful for such Commissioners to make such Communications with any Pipes, Aqueducts, or Reservoirs of Water within the District as they shall think proper.

Inhabitants  
may use  
Water from  
any Pipe or  
Reservoir in  
case of Fire.

XXXVII. And be it further enacted, That in any Case of Fire it shall be lawful for any Person or Persons to take, use, and employ for extinguishing the same the Water which shall be contained in any Pipes, Aqueducts, or Reservoirs already laid and made or to be hereafter laid or made within such Districts respectively, without any Compensation or Satisfaction to be made to the Proprietor or Proprietors



Proprietors of such Pipes, Aqueducts, or Reservoirs, or Water, and without being subject to any Penalty on account thereof, such Person or Persons not wilfully wasting the said Water, and the Damage (if any) done to such Pipes, Aqueducts, or Reservoirs being made good to the Proprietor or Proprietors thereof by the Commissioners of the said Districts respectively.

XXXVIII. And be it further enacted, That it shall be lawful for the Commissioners of the said Districts respectively from Time to Time to contract and agree with the Proprietors of and Persons interested in any Lands, Tenements, or Hereditaments within such respective Districts which such Commissioners respectively shall judge necessary to be purchased for any of the Purposes of this Act, and who shall be willing to sell the same, for the Purchase of such Lands, Tenements, and Hereditaments, and to pay the Purchase Monies out of the Monies to be by them respectively received by virtue of this Act; and it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees and Feoffees in Trust of Charity Estates or for other Purposes, Committees, Executors, Administrators, and all other Trustees or Persons whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert or other Person or Persons, and to and for all Femes Covert who are or shall be seised or interested in their own Rights, and to and for all and every other Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any such Lands, Tenements, or Hereditaments, to contract and agree with the Commissioners of the said Districts respectively for the Sale of, and to sell and convey unto such Commissioners respectively, any such Lands, Tenements, or Hereditaments; and all such Contracts, Sales, Conveyances, and Agreements shall be valid and effectual in Law, any Law, Statute, Usage or Custom to the contrary notwithstanding; and all Bodies Politic, Corporate, or Collegiate, and all Persons whomsoever, are hereby indemnified for what they or any of them shall do in pursuance of this Act: Provided always, that in every Case of a Purchase from any Bodies Politic or Corporate or Collegiate, Corporations Aggregate or Sole, or any incapacitated Persons whomsoever, the Amount of the Purchase Money shall not be less than a Sum fixed and ascertained by the Valuation of some competent Surveyor not interested in the Premises, such Surveyor to be nominated and appointed by the contracting Parties respectively.

Commissioners may contract for the Purchase of Land, &c. for the Purposes of this Act;

and Bodies Politic may sell.

XXXIX. And be it further enacted, That all Sales, Conveyances, Leases, and Assurances of any Buildings, Lands, Tenements, or Hereditaments which shall be so purchased for any of the Purposes of this Act shall be made according to the following Form, or as near thereto as the Circumstances of the Case will admit; (that is to say,)

Form of Conveyances.

‘ I . . . . . of . . . . . in consideration of the Sum of . . . . . to me paid by the Commissioners of the [here insert the Title of the Commission of the Commissioners of the [Local.] . . . . . 11 Z . . . . . District



‘ District to whom the Conveyance or Demise is intended to be  
 ‘ made], do hereby grant, bargain, sell, and release [or demise and  
 ‘ lease, as the Case may require,] to the said Commissioners all  
 ‘ [describing the Premises to be conveyed or demised], and all my  
 ‘ Right, Title, and Interest to and in the same and every Part there-  
 ‘ of, to hold the same for the Uses and Purposes of an Act passed in  
 ‘ the Second Year of the Reign of Her Majesty Queen Victoria,  
 ‘ intituled *An Act* [here insert the Title of this Act], to the said  
 ‘ Commissioners, their Successors and Assigns, for ever, [or for the  
 ‘ Term of                      at the Rent of                      payable  
 ‘ quarterly,] by virtue and according to the true Intent and Meaning  
 ‘ of the said Act. In witness whereof I [or we] have hereunto set  
 ‘ my Hand and Seal [or our Hands and Seals] this                      Day  
 ‘ of                      in the Year of our Lord                      .’

And all such Conveyances, Leases, and Assurances shall be valid,  
 and shall be a complete Bar to all Estates Tail, and other Estates,  
 Rights, Titles, and Interests whatsoever; and the Expences of making  
 all such Sales, Conveyances, Leases, Demises, and Assurances shall  
 be paid by the Commissioners of the District to whom the same shall  
 be made, out of any Monies arising by virtue of this Act within the  
 same District.

Respecting  
 Conveyance  
 of Copy-  
 holds.

XL. And be it further enacted, That if any Contract shall be made  
 for or in respect of any Lands to be purchased for the Purposes of this  
 Act which shall be of Copyhold or Customary Tenure, or in the Na-  
 ture thereof, every such Contract shall be executed and completed by  
 Surrender of such Lands in the Court of the Manor of which the same  
 may be held according to the Custom of such Manor, which Surren-  
 der shall and may be made by all Corporations and Persons by this  
 Act authorized and empowered to make Conveyances of other Lands,  
 and shall have the like Force and Effect in respect of such Copyhold  
 or Customary Estates and Interests as such Conveyances as aforesaid  
 made by the same Corporation or Person would have had over the  
 Lands comprised in such Surrender in case the same had been of Free-  
 hold Tenure in the same Corporation or Person, or Freehold Lands  
 which the same Corporation or Person is by this Act empowered or  
 authorized to convey; and such Lands shall continue subject to the  
 same Customs, Fines, Rents, and Services as may be then due and  
 payable and of Right accustomed, in the same Manner as if this Act  
 had not been passed; but inasmuch as the vesting and continuing of  
 such Copyhold or Customary Premises in such Commissioners may  
 prevent the Lord of such Manor from receiving the same Benefit of  
 Fines, Heriots, and other Services due upon Death, Descent, or Aliena-  
 tion as he would have received in case such Copyhold or Customary  
 Premises had continued to be the Property of Persons beneficially  
 entitled thereto, such Lord shall be paid by such Commissioners a  
 reasonable Recompence and Satisfaction for the Loss which may arise  
 in respect of such Fines, Heriots, and other Services, the Receipt or  
 Enjoyment of which shall be diminished or lost by the Means afore-  
 said; and such Recompence and Satisfaction shall be settled by private  
 Agreement; and the Steward of the Court shall in every such Case  
 be allowed and paid his accustomed Fees on any Transfer of Property  
 or Change of Possession.

XLI. And



XLI. And be it further enacted, That if any Money shall be contracted or agreed to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, to be purchased by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Corporation or Person or Persons under any Disability or Incapacity as aforesaid, such Monies shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds; with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte*, as the Case may be, the Commissioners of Police of the *Longton* District, or the Commissioners of Police of the *Fenton* District, or the Commissioners of Police of the *Stoke* District, or the Commissioners of Police of the *Trentham* District, pursuant to the Directions of an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; and such Money shall, when so paid in, there remain until the same shall be applied, under the Direction and with the Approbation of the said Court, signified by an Order made upon a Petition to be preferred in a summary Way by the Body or Bodies, Person or Persons, who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or in or towards the Discharge of any Debt or Debts, or such other Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, and Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, or Hereditaments which shall be purchased, taken, or used for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto as aforesaid, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments

Application of Purchase Money when amounting to 200*l.*

1 G. 4. c. 35.



ments so hereby directed to be purchased, in case such Purchase or Settlement were then actually made.

When less than 20*l.* and amounting to or exceeding 20*l.*

XLII. And be it further enacted, That if any Money so contracted or agreed to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, to be purchased for the Purposes aforesaid, belonging to any Corporation or Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies or Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, or Parts, Estates, or Interests, so purchased, or of his, her, or their Guardian or Guardians, Committee or Committees, in Cases of Infancy, Idiocy, or Lunacy, (to be signified in Writing under their respective Hands,) be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Body or Bodies or Person or Persons making such Option, and approved of by Five or more of the Commissioners of the District making the Purchase, (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties,) in order that such Principal Money, and the Dividends arising thereon, may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

When less than 20*l.*

XLIII. And be it further enacted, That where such Money so contracted or agreed to be paid as last before mentioned shall be less than the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies or Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so to be purchased for the Purposes of this Act, in such Manner as such Commissioners, or any Five or more of them, shall think fit; or in case of Infancy, Idiocy, or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of a doubtful Title the Person in possession to be deemed the Owner.

XLIV. And be it further enacted, That when any Question shall arise touching the Title of any Body or Bodies, Person or Persons, to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Body or Bodies or Person or Persons who shall have been in possession of such Lands, Tenements, or Hereditaments



at the Time of such Purchase, and all Persons claiming under such Body or Bodies or Person or Persons, or under the Possession of such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, Parts, Estates, or Interests, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or Interest of the Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that such Possession was a wrongful Possession, and that some other Body or Bodies, Person or Persons, was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or to some Estate or Interest therein.

XLV. And be it further enacted, That where by reason of any Disability or Incapacity of the Body or Bodies or Person or Persons entitled to any Lands, Tenements, or Hereditaments to be taken or used, or in respect of which any Satisfaction, Recompence, or Compensation shall be payable, under the Authority of this Act, the Purchase Money for the same, or the Money paid for such Compensation, shall be required to be paid into the Bank of *England*, it shall be lawful for the said Court to order the Costs, Charges, and Expences attending the Purchase or taking or using of such Lands, Tenements, or Hereditaments, or which may be incurred in consequence thereof, and of the Reinvestment of the Purchase or Compensation Money in other Land, or so much of such several Costs, Charges, and Expences as the said Court shall deem reasonable, and likewise the Costs, Charges, and Expences occasioned only by the passing of this Act, and not by Litigation between Claimants, or otherwise, of any Proceedings had as herein-before authorized for the Investment of such Purchase or Compensation Money in Government or Real Securities, and for the Payment of the Interest and Dividends thereof, and of such Government or Real Securities, or of the Money to be produced by the Sale thereof out of Court, together with the necessary Costs and Charges of obtaining the proper Order for such Purposes, to be paid by such Commissioners out of the Monies to be by them received by virtue of this Act; and the said Commissioners shall from Time to Time pay such Sums of Money for such Costs, Charges, and Expences as the said Court shall direct; and also that where in any other Cases the Purchase Money for any Lands, Tenements or Hereditaments to be taken or used under the Authority of this Act, or any Monies payable for any Satisfaction, Recompence, or Compensation under this Act, shall by reason of or under any of the Provisions of this Act be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, it shall likewise be lawful for the said Court to order the reasonable Expences of any Party or Parties in procuring the same to be paid out of Court, together with the necessary Costs and Expences of obtaining the proper Orders for such Purposes, to be in like Manner paid by the said Commissioners out of the Monies to be by them received by virtue of this Act; and the said Commissioners accordingly shall

Expences of Purchase may be allowed by the Court.



shall from Time to Time pay such Sums of Money, and in such Manner and for such Purposes, as the said Court shall direct.

Land, &c.  
not wanted  
may be re-  
sold.

XLVI. And be it further enacted, That in case at any Time or Times any Land or Ground, or Messuages or Buildings, or Part or Parts thereof, which under the Powers of this Act shall have been purchased or taken on Lease by the Commissioners acting within the said respective Districts, or any or either of them, shall not be wanted for the Purposes of this Act, then it shall be lawful for such Commissioners to sell, assign, assure, and convey any such Land or Ground, and any Buildings or Erections thereon, or Lease or Leases, to any Person whomsoever, for such Sum of Money as to them the same Commissioners shall appear reasonable; and the Monies arising therefrom shall be applied by such Commissioners for the Purposes of this Act within the District in which the same shall arise; and any Conveyance or Assignment made and executed by any Five or more of such Commissioners shall in all Cases be deemed sufficient in Law to vest such of the said Premises as shall be expressed therein in the Purchaser or Purchasers, and his, her, or their respective Heirs and Assigns.

Encroach-  
ments and  
Obstructions  
may be re-  
moved by  
Commis-  
sioners.

XLVII. And be it further enacted, That it shall be lawful for the said Commissioners within their respective Districts, at any Time or Times after the passing of this Act, to cause all Encroachments and Obstructions on the Footways and Carriageways in the several Streets, Lanes, Roads, or other public Passages or Places, or any of them, within their respective Districts, to be removed, or altered, and taken away, and for such Purposes to give or cause to be given at least Twenty-one Days Notice in Writing to the Occupiers or Tenants of any Houses, Buildings, or Premises whereof the Porches, Penthouses, Sheds, Walls, Frontsteads, Fences, Palisades, Rails, Posts, Gates, projecting Windows, Cellar Windows, Doors, Grates, Hatchways, Shutters, Stalls, Showboards, Sign Posts, Signs, Sign Irons, Spouts, Pipes, Steps, Scrapers, or other Projections, of what Nature or Kind soever, shall in the Opinion of such Commissioners be an Encroachment, or an Obstruction, Annoyance, or Inconvenience to the public Passage along such Footways or Carriageways, to remove or alter and take away the same within the Time and in the Manner to be specified in such Notice, and under the Inspection and Direction of the Surveyor or other Officer of such Commissioners, if such Commissioners shall require the same to be done under such Inspection and Direction; and the Charges and Expences of every such Removal or Alteration shall be paid by such Commissioners out of the Monies to be by them received from the Improvement Rate herein-after mentioned; and in case any such Occupier or Tenant shall not after Service of such Notice commence or proceed with such Removal or Alteration and taking away within the Time and in manner thereby required, then it shall be lawful for the Surveyor or other Officer of such Commissioners to proceed and execute the Removal or Alteration and taking away of such Encroachment or Obstruction, without further Notice to such Occupier or Tenant, and causing as little Damage to be done in effecting such Removal or Alteration and taking away as the Nature of the Case will allow;

8

and



and all the Charges and Expences and Damages shall be paid by such Commissioners out of the Monies aforesaid: Provided always, that if the Occupier or Tenant of any House, Building, or Premises within the said several Districts, or any or either of them, shall neglect to remove or alter and take away, at his or her own proper Costs and Charges, any Erection, Matter, or Thing which shall be erected, constructed, made, fixed, or placed at any Time after the passing of this Act, and which shall be by such Commissioners deemed an Encroachment, Obstruction, Annoyance, or Inconvenience to the public Passage along any Footway or Carriageway as aforesaid, within such reasonable Time and in such Manner as shall be specified in a Notice in Writing from such Commissioners, such Notice to be served on such Occupier or Tenant Twenty-one Days at least before he shall be required to commence the Work, then it shall be lawful for the Surveyor or other Officer of such Commissioners to remove or alter and take away any such Encroachment or Obstruction, at the Costs and Charges of such Occupier or Tenant; and the Costs and Charges attending the same shall and may be recovered from the Occupier or Tenant of such House, Building, or Premises, by Distress and Sale of the Goods and Chattels of such Tenant or Occupier, in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and the same shall be paid to such Commissioners, or their Treasurer or Treasurers, and be applied to the Purposes of this Act within the same District; and it shall be lawful for the Occupier or Tenant of any such House, Building, or Premises, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first instance, or having repaid the same to such Commissioners, to deduct and retain the Amount thereof out of his or her Rent; and the Proprietor or Landlord of every such House or other Building or Premises so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Expence of altering or removing the same.

Future Obstructions to be removed at Expence of Occupiers.

XLVIII. And be it further enacted, That if any Cellar Door, Trap-door, Hatchway, or Flap Window, leading into or giving Light or Air to or placed over any Cellar, Area, Vault, or Office underground, within the said respective Districts, shall be left open in the Evening or in the Night, or shall not be effectually made and secured so as to prevent Accidents, or if any Grate, Grid, or other Covering placed over any Opening in the Flagging or Pavement, and used for putting Coals or other Articles into any Cellar or Place underground, or for any other Purpose, shall at any Hour of the Day or Night be left open, or not well and effectually fastened down and secured, and made in such Manner so as to prevent Accidents, the Occupier of such Cellar, Area, Vault, Office, or other Place shall for every such Offence forfeit and pay a Sum not exceeding Five Pounds; and in case the Occupier of such Cellar, Area, Vault, Office, or other Place shall not, after Twenty-four Hours Notice in Writing from the Surveyor or Clerk of the said respective Commissioners, well and effectually secure, fasten down, and put in proper Repair,

Cellar Windows and Grates to be secured.



Repair, so as to prevent Accidents, such Cellar, Area, or Vault, Office or other Place underground as aforesaid, then and in every such Case the said Occupier shall, in addition to the said Penalty, forfeit and pay the Sum of Forty Shillings for each and every Day on which such Cellar, Area, Vault, Office, or other Place underground as aforesaid shall so remain open, insecure, or not in repair as aforesaid.

Door and  
Gates to  
open in-  
wards.

XLIX. And be it further enacted, That it shall be lawful for the said Commissioners acting within the said respective Districts to require the several Occupiers or Tenants of Houses, Buildings, Yards, and Gardens within the said Districts respectively, and such several and respective Occupiers or Tenants shall and they are hereby respectively authorized and required, at their own Costs and Charges, within Twenty-one Days next after receiving Notice in Writing from such Commissioners in that Behalf, signed by any Five or more of the said Commissioners, to cause all such of the Doors and Gates leading into the several Houses, Buildings, Yards, and Gardens in their respective Occupations (and not being Cellar Doors or Trap-doors) which now do or shall hereafter open outwards upon or over any Footpath, and all Gates or Bars which do or shall open outwards upon or over any Footway or Carriageway within such District, to be altered so as that the same Doors or Gates shall thenceforward open inwards or into their respective Premises, or so as to cause no Obstruction to the public Passage; and if any such Occupier or Tenant of any of the aforesaid Premises shall neglect or refuse to make the Alteration required by such Commissioners in any such Door or Gate within the Period specified in such Notice, such Occupier or Tenant making Default therein shall forfeit and pay the Sum of Forty Shillings a Day for every Day during which any such Gate or Door shall be suffered to remain opening outwards as aforesaid after the Expiration of the Time specified in such Notice; and in any and every such Case of Neglect or Refusal it shall be lawful for such Commissioners, after the Expiration of the Time specified in such Notice, to cause all such Doors, Gates, and Bars to be altered and made to open inwards, according to the Intent and Meaning of this Act, at the Costs and Charges of the Occupier or Tenant of the Premises; and the Costs and Charges attending the same may and shall be recovered, by the Surveyor or other Person altering the same under the Authority of such Commissioners, from the Occupier or Tenant of the Premises, by Distress and Sale of the Goods and Chattels of such Occupier or Tenant, in like Manner as any Penalties or Forfeitures are by this Act authorized to be levied and recovered, under the Warrant of a Justice of the Peace of the said County, and which Warrant it shall be lawful for any such Justice to grant: Provided nevertheless, that when the Occupier or Tenant of any such House, Building, Yard, and Garden, being a Tenant at Rack Rent, shall cause any such Door or Gate to be duly altered in pursuance of such Notice as aforesaid, it shall be lawful for him or her to deduct and retain out of his or her Rent the necessary Charges of altering the same, and the Proprietor or Landlord of every such House, Building, Yard, Garden, or Land so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where such Door or Gate opening outwards and so altered shall



shall have been originally put up by or under the Authority of the Person or Persons occupying the Premises at the Time the Alteration is made, in which Case such Occupier or Tenant shall bear the Expence of altering the same; and provided also, that it shall be lawful for the Commissioners to allow and pay, out of any Monies arising within the District from the Improvement Rate herein-after mentioned, to such Occupier or Tenant, or such Proprietor, all or any Part of the Expence of making any such Alteration, if such Commissioners shall think it reasonable so to do.

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

Commis-  
sioners may  
cause Names  
of Streets  
and Num-  
bers of  
Houses to  
be put up.

LI. And be it further enacted, That it shall be lawful for the said Commissioners acting within their respective Districts, when and as often as they shall find it necessary, within such Districts respectively, to cause to be cut or made, in, through, over, under, or adjoining any of the said Streets, Roads, Lanes, or other public Passages or Places, any new Common Sewer, Tunnel, Gutter, Drain, Sink, Ditch, or Watercourse, for the more effectually draining and cleansing the said respective Districts, and also from Time to Time to cause any present or any future Common Sewer, Tunnel, Gutter, Sink, Drain, Ditch, or Watercourse, or any Part or Parts thereof respectively, to be stopped, or to be opened, cleansed, widened, straightened, deepened, or repaired, or the Form or Line thereof, to be altered, in such Manner as they the said respective Commissioners shall think fit; and in case it shall be found necessary for completing any of the said Sewers, Tunnels, Gutters, Drains, Sinks, Ditches, or Watercourses, to carry and continue the same into or through any inclosed Lands, it shall be lawful for the said respective Commissioners to carry and continue the same through such Lands accordingly, such Lands not being occupied as Courts, Yards, Gardens, or Orchards, or as Dwelling Houses, or as Avenues or Approaches to any Dwelling House, and upon giving Fourteen Days previous Notice to the Owners or Occupiers thereof: Provided always,

Commis-  
sioners may  
make and  
repair  
Drains.

[Local.]

12 B

that



that if the Owners or Occupiers of any Lands into or through which any Sewer, Drain, Ditch, or Watercourse shall be made and continued as aforesaid shall be injured thereby, and such Owners or Occupiers shall refuse to treat or cannot agree with the said respective Commissioners as to the Recompence to be paid for such Injury, such Owners or Occupiers may apply to the next General or Quarter Sessions of the Peace for the said County of *Stafford*, and such Justices shall have Power to direct the Jury there attending for the Trial of Traverses to assess the Recompence which ought to be paid to such Owners or Occupiers for such Injury as aforesaid, and thereupon the said Justices shall order the Sum assessed by the Jury to be paid accordingly, and such Judgment shall be final to all Intents and Purposes, and the said Justices shall and may award Costs to either Party, as they shall think proper; and the Charges and Expences attending or in any Manner relating to the making, stopping, opening, cleansing, widening, straightening, deepening, altering, or repairing such Common Sewers, Tunnels, Gutters, Sinks, Drains, Ditches, or Watercourses shall be paid by such Commissioners out of any Monies arising within the District from the Improvement Rate herein-after authorized to be raised.

Commissioners may authorize the turning of private Drains into Common Sewers.

LII. And be it further enacted, That it shall be lawful for the said Commissioners acting within their respective Districts to allow or authorize any Person, at his or her own Expence, and upon such other Terms as they may think proper, to turn or carry any now existing private Drain or Sewer into any Common Sewer, Drain, Ditch, or Watercourse already made, or which shall be made by virtue of this Act: Provided always, that all such private or branch Drains communicating with any Common Sewer, Drain, Ditch, or Watercourse already made, or hereafter to be made under the Authority of this Act, shall be made of such Size, Construction, and Form as such Commissioners shall direct, and under the Inspection and Direction of their Surveyor: Provided also, that no such existing or private Drain which shall communicate with any such Common Sewer, Drain, Ditch, or Watercourse shall be altered or made so as to obstruct or injure any such Common Sewer, Ditch, or Watercourse; and if any Person shall be convicted of altering or enlarging any such private Drain, or making Communication between a private and public Drain, without Permission of or contrary to the Directions of the Commissioners or their Surveyor, such Person shall forfeit and pay a Sum not exceeding Five Pounds.

Streets, &c. to be cleansed, and for appointing Scavengers, &c.

LIII. And be it further enacted, That it shall be lawful for the said respective Commissioners within their said respective Districts to cleanse or cause to be cleansed the Streets, Roads, Lanes, and other public Passages and Places within such Districts respectively, and to cause the Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Soil, and Filth to be taken and carried away and disposed of in such Manner as such Commissioners shall think proper; and for such Purposes from Time to Time to appoint and employ Persons to act as Scavengers, and to purchase or hire Carts or other Carriages and Horses, and all necessary Implements for cleansing such Streets, Roads, Lanes, and other public Passages and Places, and to direct



the Times at which particular Streets, Roads, Lanes, and other public Passages and Places within their respective Districts shall be cleansed, and the Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil carried away therefrom, and the Manner in which the same shall be carried away, and the Places in which the same shall be deposited, and to make such other Orders as shall appear necessary to such Commissioners, or otherwise it shall be lawful for such Commissioners from Time to Time to contract with Persons willing to act as such Scavengers for cleansing the said Streets, Roads, Lanes, and other public Passages and Places within the said respective Districts or any of them, at such Times and in such Manner as shall appear expedient to such Commissioners.

LIV. And be it further enacted, That the Persons employed by or contracting with the said respective Commissioners as Scavengers by virtue of this Act shall, at such Times and in such Manner as such Commissioners shall from Time to Time appoint, cause to be swept or collected together, and also removed and carried away, all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil found in the several Streets, Lanes, Roads, and other public Passages and Places within such respective Districts, and shall also, when practicable, cause to be brought therein a Cart or other proper Carriage, and at their Approach therewith, and not before, by Sound of Bell, Voice, or otherwise, give Notice to the Inhabitants of their coming, and shall also give the like Notice in every Court, Passage, or Place into which such Cart or Carriage cannot pass; and such Persons shall immediately take the Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil (except Filth from any Privy or Necessary House) from the respective Premises in such Streets, Roads, Lanes, and public Passages and Places, and by means of such Cart or other Carriage immediately, or as soon as may be, remove the same to the Place or Places appointed by the Commissioners for the depositing the same, upon pain of forfeiting any Sum not exceeding Twenty Shillings for every Neglect therein; and the Persons so employed or contracting as aforesaid shall cause the Words "Scavenger's Cart" to be painted in large Roman Letters on the Front or on some conspicuous Part of every Cart or Carriage used for the Purposes aforesaid, on pain of forfeiting a Sum not exceeding Twenty Shillings for every Neglect therein.

Scavengers  
Duty.

LV. And be it further enacted, That if any Person shall throw, cast, or lay, or cause or permit to be thrown, cast, or laid, any Dirt, Dust, Dung, Offal, Rubbish, Ashes, or Filth whatsoever into or in any Street, Road, Lane, public Passage or Place within the said Districts respectively, with the Exception of such Ashes as may be laid down upon any Foot Pavement in Time of Frost for the Prevention of Accidents, and with such further Exceptions as are in this Act specified, or shall throw or cast, or cause to be thrown or cast, any Dirt, Dust, Dung, Offal, Rubbish, Ashes, or Filth, or any Animal Carcase, or any noxious or offensive Matter or Ingredient, or any other Substance whatsoever, into any Common Sewer, Sink, Drain, or Watercourse within any such District, except such Night Soil or other Filth as may be conveyed into any Common Sewer from any Privy or Water Closet within the said respective Districts, every such Person shall for every

Penalty for  
throwing  
Rubbish into  
the Streets.



every such Offence forfeit and pay any Sum not exceeding the Sum of Twenty Shillings.

Penalty not to extend to Rubbish occasioned by building.

LVI. Provided always, and be it further enacted, That nothing herein contained shall extend to subject any Person whomsoever to any Penalty for or on account of any Dirt or Rubbish being laid or placed in any such Street, Road, Lane, public Passage or Place within the said respective Districts as aforesaid, during the Time and in the course of erecting, pulling down, altering, or repairing any Building, provided there be full and sufficient Space, in the Opinion of the Commissioners of the District, or of their respective Surveyors for the Time being, left in or at the Side of the Street, Road, Lane, public Passage or Place where such Dirt or Rubbish shall lie or be placed, for Carriages to pass and repass, and sufficient Way be kept clear for Foot Passengers, by the Person laying or causing such Dirt or Rubbish to be laid or placed as aforesaid, and that a sufficient Light be at his own Expence set and maintained at the Place where such Dirt or Rubbish shall be so laid or placed, from Sunset to Sunrise, to prevent Accidents to Passengers or Cattle, and that such Dirt or Rubbish be inclosed in such Manner and within such Time as the Surveyor or Surveyors of such Commissioners respectively shall direct or appoint, and that such Dirt or Rubbish be removed, at the Expence of the Person so laying or causing the same to be laid, within such Time as shall be ordered and directed by such Surveyor or Surveyors.

No Person to carry away Ashes but the Scavenger or Contractor.

LVII. And be it further enacted, That no Person or Persons shall take or carry away, or cause to be taken or carried away, any Ashes, Dirt, Dust, Muck, or Manure out of the said Streets, Roads, Lanes, public Passages or Places, other than the Scavenger or other Person or Persons contracting or to be appointed for such Purpose by the said respective Commissioners, upon pain of forfeiting the Sum of Ten Shillings for every such Offence, except in case the said respective Commissioners, or the Person or Persons appointed by them, shall not remove or take away any such Ashes, Dirt, Dust, Muck, or Manure within the Space of Two Days after the same shall be swept or collected together, in which Case it shall be lawful for the Person or Persons before whose House and Premises the same shall be placed, or any other inhabitant Housekeeper, to remove or cause the same to be removed and taken away, and to apply the same for his or her own Use and Benefit.

Inhabitants may use their own Ashes.

LVIII. Provided always, and be it further enacted, That nothing herein contained shall extend to prevent any Person from keeping any Dirt, Dust, Dung, Offal, Rubbish, Ashes, or other Filth which shall have arisen or been made within his own Premises, or from making use of the same for Manure or otherwise, having given Notice in Writing to the Commissioners of the District of their Desire or Intention so to do, provided the same be not suffered to become a Nuisance or Annoyance to any of the Inhabitants within the said respective Districts, and that the same be not laid or placed in any such Street, Road, Lane, public Passage or Place for any longer Time than shall be necessary for loading and carrying away the same; but in case the Person so reserving such Dirt, Dust, Dung, Offa



Offal, Rubbish, or other Filth shall keep the same for the Space of Twelve Hours after Complaint shall have been made to the Commissioners of the District of the same being such Nuisance or Annoyance, and after Notice in Writing given to him by the Clerk or Surveyor of such Commissioners to remove the same, or shall permit the same to remain in such Street, Road, Lane, Way, public Passage or Place for any longer Time than Twelve Hours before the same shall be carried away, then and in either of the said Cases such Person shall for every such Offence forfeit and pay the Sum of Twenty Shillings for every Day during which such Nuisance or Annoyance shall be permitted to remain after the respective Times so limited as aforesaid.

LIX. Provided also, and be it further enacted, That the Scavenger or other Person or Persons appointed or contracting to cleanse the said Streets, Roads, Lanes, and other public Passages and Places, or any Part or Parts thereof, or any other Person or Persons, shall have Liberty, by the Approbation of the Commissioners of the District, to lodge any Dirt, Dust, Ashes, or other Filth in such vacant or public Places in or near the said Streets, Roads, Lanes, and other public Passages and Places as shall be thought proper and sufficient by such Commissioners, the said Commissioners, Scavenger, or Person or Persons so appointed or contracting giving such Satisfaction to the respective Owners of such vacant Places as such Commissioners shall agree for with the said Owners; and all such Dirt, Dust, Ashes, and Filth, when so lodged, shall be at the Disposal of the said Scavenger, or Person or Persons so appointed or contracting, and of no other Person, unless by the Order of the Commissioners of the District, and provided no Nuisance or Inconvenience shall be occasioned to any Inhabitant by the so laying or placing or lodging such Dirt, Dust, Ashes, or Filth.

Scavengers and other Persons may lodge Dirt, &c. in the Streets, by Consent of the Commissioners.

LX. And be it further enacted, That if any Person shall empty any Privy, or carry away any Night Soil, or bring or place any Carts for removing the same, from any House, Buildings, or Place within the said Districts respectively, or any or either of them, except between the Hours of Ten of the Clock in the Night and Eight of the Clock in the Morning, or if any Person shall use any Cart or Carriage for the Purpose before mentioned without a proper Covering thereto, or shall negligently spill or cast any Night Soil out of any Cart, Tub, or otherwise, in, upon, or over any of the said Streets, Roads, Lanes, or other public Passages or Places, or into any Drains therein, or shall deposit any Night Soil in any open Space within One hundred Yards from any Dwelling House within the said respective Districts, or in any respect improperly, carelessly, or negligently remove the same, he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Regulations as to Removal of Night Soil.

LXI. And be it further enacted, That the Occupier or Tenant of every House, Tenement, Warehouse, Shop, Shed, Coach-house, Stable, Chapel, Meeting House, or other public or private Building, Garden, Yard, Backside, Land, or Ground, now or hereafter to be situate in any of the Streets, Lanes, Roads, or other public Passages or Places

Footways to be swept daily by the Occupiers;

[Local.]

12 C

within



or Commissioners may compound with the Occupiers for doing the same.

within the said respective Districts, and along which any public Footway or Foot Pavement now is or shall be made or laid, shall, from Time to Time and at all Times hereafter, in every Day, *Sunday* excepted, and also on *Sundays* during the Continuance of Frost, or after or during any Fall of Snow, before the Time of Nine of the Clock in the Forenoon of each Day, sweep and cleanse, or cause to be swept and cleansed, the Footway all along the front, side, and back Walls of their respective Houses, Tenements, Warehouses, Shops, Sheds, Coach-houses, Stables, Chapels, Meeting Houses, or other public or private Buildings, Gardens, Backsides, Land, or Ground; and every Owner or Occupier who shall neglect so to do, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings; and the Owner or Owners of any House or other Tenement within the said respective Districts which may be let furnished or in divided Apartments shall be deemed and taken, for the Purposes of this Act, to be the Occupier or Occupiers of every such House or other Tenement respectively: Provided always, that it shall and may be lawful for the said respective Commissioners, within their respective Districts, from Time to Time, and as they shall think proper, to compound, by the Year or otherwise, at their Discretion, with all or any of the Owners or Occupiers or Tenants of Houses or Buildings in such respective Districts, for relieving such Occupiers or Tenants from the Burthen of sweeping and cleansing any of such Foot Pavement to which they would have been liable under the Provisions of this Act, at or for such Sum or Sums of Money as such Commissioners shall think reasonable in that Behalf, upon Condition nevertheless that such Composition Monies shall always be paid in advance; and such Composition, when so made, shall, during the Existence thereof, protect such Occupiers or Tenants from incurring any Penalties for neglecting to sweep or cleanse any of the said Foot Pavements for which such Composition shall have been made.

Slaughter-houses or other offensive Places to be removed if deemed a Nuisance.

LXII. And be it further enacted, That in case any Slaughter-house, Hogstye, Boiling House for Offal, Melting House for Fat or Tallow, House or Building or Works for boiling or burning Bone, Soap House, Necessary House, or Manure Heap, Dunghole, open Sewer, Cesspool, or other noisome or offensive Building, Place, or Matter whatsoever, in or near any of the Streets, Lanes, Roads, or other public Passages or Places within the said respective Districts, shall be deemed a Nuisance to any of the Inhabitants or the Public by the Commissioners of the District in which the same shall be, it shall be lawful for such Commissioners, upon Complaint thereof made to them by any such Inhabitant or other Person, and after due Investigation of such Complaint, by a Notice in Writing under the Hands of any Five of such Commissioners, or of their Clerk, to order that every such noisome or offensive Building, Place, or Matter be remedied or removed, (except any Building which shall have been erected and used for such Purposes as aforesaid before the passing of this Act,) and in case the same be not remedied or removed within Five Days after such Notice shall have been given to the Occupier or Tenant of the Premises wherein such Nuisance or Annoyance shall be situate or arise, or to the Owner or Person who ought to abate



abate or remove the same, then every such Occupier or Tenant, or Owner or other Person, shall forfeit and pay any Sum not exceeding Forty Shillings for every Day the same shall continue unremedied or unremoved after the Expiration of the Time mentioned in such Notice: Provided nevertheless, that when any Person, thinking himself aggrieved by any such Order, shall give Notice to the Commissioners making the same, or to the Clerk of such Commissioners, of his or her Intention to appeal against such Order, and shall enter into Recognizance within the Time and in manner herein-after provided in respect of Appeals against any Matter or Thing to be done in pursuance of this Act, such Forfeiture or Penalty as aforesaid shall not be levied until the Expiration of Fourteen Days next after the Hearing and Determination of such Appeal, and the Confirmation thereupon of such Order of such Commissioners.

LXIII. And be it further enacted, That if any Cattle, Beast, or Swine shall at any Time be found at large or wandering uncontrolled about any of the Streets, Roads, Lanes, or other public Passages or Places within the said respective Districts, or any or either of them, it shall be lawful for any Officer appointed by the Commissioners of the District to seize and impound such Cattle, Beast, or Swine in any Common Pound within such District, or in such other Place as the said Commissioners respectively shall appoint for that Purpose, (and which they are hereby authorized and empowered to provide and maintain within their respective Districts for common Use by the Inhabitants thereof,) and to detain the same therein until the Owner thereof shall for every Head of Cattle or Beast or Swine so impounded pay a Sum of Money not exceeding Five Shillings to the said Commissioners towards the Purposes of this Act within their District, and also the Sum of One Shilling to the Person impounding the same, besides the reasonable Charges and Expences of keeping the same in Pound; and in case the said Sums, Charges, and Expences shall not be paid within Seven Days after such impounding, it shall and may be lawful for the Pound Keeper, or such other Person or Persons as shall be appointed by such Commissioners, to sell or cause to be sold the same; and the Monies arising from such Sale, after deducting the said Sums, and the Charges and Expences as aforesaid, and such other Charges and Expences as may attend the keeping and Sale of any such Cattle, Beast, or Swine so impounded, shall be paid to the Person or Persons whose Property the Cattle, Beast, or Swine so sold shall appear to have been.

Power to impound Beasts wandering in the Streets, &c.

LXIV. And be it further enacted, That in case any Person or Persons shall release or attempt to release any Cattle, Beast, or Swine which shall be seized for the Purpose of being impounded under the Authority of this Act, or from the Pound or Place where or in which the same shall be so impounded, or shall pull down, break, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock, Bolt, or other Fastening belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to release, any Distress or Levy which shall be made in respect thereof under the Authority of this Act until or before such Cattle, Beast,

For punishing Persons guilty of Pound Breach.

or



or Swine so seized or impounded, or such Levy or Distress so made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof before any One or more of Her Majesty's Justices of the Peace, either upon the Confession of the Party or Parties offending, or upon the Oath of One credible Witness, be committed by such Justice or Justices, by Warrant under his or their Hand and Seal or Hands and Seals, to the Common Gaol or House of Correction of the said County of *Stafford*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

For prevent-  
ing Obstruc-  
tions and  
Injuries to  
the Streets,  
&c.

LXV. And be it further enacted, That if any Waggon, Cart, Carriage, Sledge, Dray, or any other Carriage or Vehicle, shall at any Time be left, or suffered to be or remain, stay, stand, or continue, either with or without a Horse or Horses or other Cattle, in any of the Streets or Places within the said respective Districts, for any longer Time than shall be necessary or reasonable for taking up or setting down Passengers or other Persons, or the loading or unloading thereof, or in case the same shall not, during such Time, be standing as near to that Side of the Street or Place at which the loading or unloading is to be performed as conveniently may be, or shall be set, placed, left, or be upon any Part of the Footways, Foot Pavements, or Crossings of any such Streets or Places, or shall stand or be set or placed athwart or across (although for the Purpose of loading or unloading the same) any Part of such Street or Place, so that there shall not be sufficient Room left for another Carriage to pass; or if any Timber, Stone, or other weighty or heavy Article or Material whatsoever shall be drawn in or over any such Street or Place without being placed upon or suspended from any Sledge or Carriage proper for that Purpose; or if any Tree or Piece of Timber shall be hauled or drawn upon any Part of such Street or Place, being placed upon or suspended from a Wheel Carriage, but without being attended by some Person besides the Carter in order to prevent such Tree or Timber doing any Injury or Damage; or if any Goods, Wares, or Merchandize, Materials or Things whatsoever, shall be or remain in such Street or Place for a greater Space of Time than shall be necessary for housing or removing thereof; then and in every such Case the Owner or the Driver of every such Carriage as aforesaid, and the Owner of such Goods, Wares, or Merchandize, Materials or Things as aforesaid, or the Person causing such Annoyance, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

For prevent-  
ing Nuisan-  
ces in the  
Streets, &c.

LXVI. And be it further enacted, That if any Person shall, upon any of the Footways or Foot Pavements in any of the Streets, Roads, Lanes, and other public Passages or Places within the said Districts respectively, run, draw, drive, carry, or take any Truck, Wheel, Sledge, Wheelbarrow, Bier, Handbarrow, Sedan Chair, or Carriage, or other Vehicle whatsoever, or any Ladder, Scaffolding Pole, Plank, Timber, or Bar of Iron (except only for the Purpose of crossing the same); or drag thereon any Timber or Log of Wood, or any Stone or Metal; or roll thereon any Cask or Tub (except for the necessary loading or unloading thereof); or place or hang out any Show-glasses or Showboards or Signboards so as to project or hang over or  
upon



upon any such Footway or Foot Pavement, or beyond the Line of or on the Outside of the Window or Windows of the House, Shop, Building, or Premises at which the same shall be so hung out, placed, or exposed as aforesaid; or erect, set up, put, or place any Blind, Shade, Coverlid, or Awning, or other Matter or Thing, so as in any way to cause any Obstruction or Impediment on any such Footway or Foot Pavement; or erect, fix, or use thereon any Stall, Tent, Shed, or Standing Place for the Exhibition or Sale of any Goods, Wares, or Merchandize, or any Block or Working Place, or place the same so near to any of the said Footways or Foot Pavements as in any Manner to obstruct the passing thereof; or put, place, or lay thereon any Cask, Pail, Tub, Bucket, Stool, or Bench, or any Coals, Wood, or other Article, Matter, or Thing, upon any such Footway or Foot Pavement, and suffer the same to remain so as to cause any Obstruction or Impediment to Passengers, or longer than is necessary for the Removal or housing of the same; or throw, cast, lay, or sift any Ashes, (except in Time of Frost), or trundle any Mop, or beat or shake any Carpet, Cloth, Mat, or Rug, in any Footway or Carriageway after the Hour of Nine in the Morning; or wilfully drive any Cart or Carriage whatever, or ride, lead, or drive any Horse or other Beast or Cattle whatsoever, upon any of the said Footways or Foot Pavements; or tie or fasten any Horse or other Beast or Swine to any House, Outhouse, Wall, Fence, Post, Tree, or Railing whatsoever, so as that any such Horse, Beast, or Swine can go upon or across any of the said Footways, or endanger or obstruct the Passage of any Person thereon; or if any Person shall, in any of the Streets, Roads, Lanes, or other public Passages or Places within the said Districts respectively, hoop, fire, cleanse, wash, scour, or scald any Cask, Pail, or Tub; or shall hew, saw, cut, or bore any Stone, Lead, Wood, or Timber, except for the Purpose of rebuilding, altering, or repairing some adjoining House or Building; or wash, make, or repair any Carriage whatsoever (Cases of Accident only excepted); or shoe, bleed, farry, or kill any Horse or other Beast or Cattle (except in case of Accident); or drive, turn, or leave loose and uncontrolled any Horse or other Beast, or cause the same to be done; or if the Driver of any Carriage whatsoever shall ride on the Shafts or in or upon any Part of such Carriage, or on any of the Horses or Beasts drawing the same, without guiding the same by Reins in his Hands, or shall be at such a Distance from the same or in such a Situation as not to possess the complete Direction over the same; or if any Person shall drive any Cattle, or ride or drive any Horse or other Beast or Animal, or any Carriage whatsoever, in a violent, furious, or dangerous Manner; or shall not in riding or driving any such Horse or other Beast, or Animal, or any Carriage whatsoever, keep on the Left or customary Side of the Road, and promptly turn out of the Road on meeting any other Horse or Animal or Carriage, so as to leave proper Quarter for the same; or shall otherwise wilfully or carelessly impede or prevent any other Carriage, Horse, or Persons from passing; or shall suffer any Waggon, Cart, Dray, or other Carriage to stand or remain, with or without Horses, longer than may be necessary for loading and unloading thereof, or suffer the same, during the Time of such loading or unloading, to be placed or remain so as to interrupt the public Passage more than necessary; or exhibit or place for Exhibition any Caravan or other Carriage containing any Animal or other

[Local.]

12 D

public



public Show (except in such Place or Places as shall be appointed by the Commissioners of the District for the Purpose); or shall show any Stallion; or shall sift, screen, wet, slake, or mix any Lime, or wet, mix, or make any Mortar, Plaster, or Cement (except with the Consent of the Commissioners of the District); or play at Cricket, Trapball, Football, Fives, Toss, Pitch and Hustle, or trundle any Hoop, or fly any Kite, or play at any other Game, to the Annoyance of any Person; or shall wilfully or wantonly throw any Stone or other Missile, or make any Bonfire, or let off or fire any Crackers, Squibs, or other Fireworks or combustible Materials, or wilfully or wantonly fire or let off any Gun or Pistol or other Fire Arms, within Fifty Yards of any Footway or Carriageway; or wantonly disturb the Comfort of any Person by pulling or ringing any Door Bell, or knocking at any Door; or shall suffer any Mastiff, Bull Dog, or other ferocious Dog to go unmuzzled; or shall suffer any Dog whatsoever to go at large after any public Notice given as herein-after mentioned, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness; or shall wilfully set on any Dogs to fight, or abet or encourage any Dog Fight; or wilfully slide on any Footpath or Footway during Frost; or shall kill any Animal, or singe, scald, dress, or cut up any Carcass, either wholly or in part; or cause or permit any Blood, Filth, or Soil, Gas, or any other unwholesome, noxious, or offensive Matter, to flow, run, escape, or be cast or thrown from or out of any Premises, in, to, or upon any of the said Footways, Streets, Roads, Lanes, or other public Passages or Places; or shall hang out or expose, or cause or suffer to be hung out or exposed, any Linen Clothes or other Articles or Things whatsoever, for the Purpose of airing the same, or for any other Purpose, upon or from any Door, Window, Balcony, or other Place, so as to annoy or impede any Person passing along any of the said Footways or Carriageways; or shall affix any Posting Bill or other Paper, or Show or Notice Board, to or against any Lamp Post, Column, or Pillar, or against any Dwelling House, Wall, Paling, Fence, Tree, or Building, without the Consent of the Occupier thereof, or write upon or otherwise deface or mark the same by means of Chalk, Paint, or any other Material; or wilfully break, or aid or abet or assist in breaking, any Window-panes or Windows; or use any obscene, profane, or abusive Language; or indecently expose his or her Person; or make, excite, or join in any Brawl or Disturbance of the public Peace; or if any Person shall cause any Privy or Easement within the Limits of this Act to be emptied except between the Hours of Ten at Night and Eight in the ensuing Morning; or shall at any Time throw out of any Door, Window, or other Place, upon any of the said Streets, Roads, Lanes, or other public Passages or Places, or Footways or Foot Pavements, any Filth or other noisome or offensive Matter or Thing, or any Liquid; or shall lay, place, or deposit, or cause or permit to be laid, placed, or deposited, the Contents of any such Privy or Easement, or any Part thereof, in any such Street, Road, Lane, or other public Passage or Place; or shall, for the Purpose of collecting or obtaining Manure or Soil, or for any other Purpose whatsoever, stop up or impede the Course or Passage of any Common Sewer, Drain, Ditch, or Water-course; or if any Person shall leave open (after Sunset), or not sufficiently fasten, any Door, Hatchway, Grate, Stone, Plate, Board, or other Covering giving Light or Air to any Cellar, Coalhole, Vault, Office, or other underground



underground Room or Apartment, or giving Access to any Area, without having placed or left a sufficient Light to warn or prevent Persons from falling into such Place or Places; or if any Person occupying a Smith's or Farrier's Shop with any Window or Door facing or opening into any of the Streets, Roads, Lanes, or other public Places used for the Passage of Horses, shall not, by good and close Shutters, every Evening at and after Twilight, and every Morning until after Twilight, bar and prevent the Light shining into and upon the said Streets, Roads, Lanes, and other public Places last aforesaid; or if any Person shall in any Manner wilfully impede or obstruct the free Passage of any Person upon or along or in any Footpath, Footway, or Carriageway, or the free Passage of any Horse, Beast, or Carriage along any Carriageway; or commit or cause any other Nuisance or Annoyance whatever, or in any other Manner disturb the public Peace; every Person so offending in any of such Cases, or causing any of such Offences to be committed, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and it shall be lawful for any Constable or other Peace Officer, or any Commissioner of the District, or any Officer appointed under the Authority of this Act, to take away and remove any of the before-mentioned Obstructions, Nuisances, or Annoyances, in case the Party occasioning the same shall not forthwith remove the same within a reasonable Time after being required so to do by any Person whomsoever.

LXVII. And be it further enacted, That it shall be lawful for any Justice of the Peace, in case of the Existence or Prevalence of Canine Madness, or of a Suspicion of such Existence or Prevalence, by an Order under his Hand, to order and authorize any Person or Persons to be named in such Order, and such Person or Persons is and are hereby authorized accordingly, to destroy all Dogs which shall be found at large in any of the Streets or Places within the said respective Districts on the Expiration of Twelve Hours after public Notice thereof shall have been posted up in the said respective Districts by Direction of the said Justice, setting forth the Order of such Justice, and requiring all Persons to confine their Dogs.

In case of the Prevalence of Canine Madness, Justices may order the Destruction of Dogs found at large.

LXVIII. And be it further enacted, That it shall be lawful for the said Commissioners of the aforesaid First District called the *Longton* District, and for the Commissioners of the aforesaid Second District called the *Fenton* District, and for the Commissioners of the aforesaid Third District called the *Stoke* District respectively, to light or cause to be lighted the Streets, Roads, Lanes, and other public Passages and Places within their said respective Districts; and they are hereby respectively empowered from Time to Time to set up or affix, or cause to be set up or affixed, such Lamps, Irons, and Lamp Posts, or other Posts, and all such other Materials and Things as they may judge necessary to be set up or affixed in such Streets, Lanes, Roads, and other public Passages and Places, or any of them, and upon or against the Walls, Palisadoes, or Iron Railings, or any other Part of any House, Tenements, Buildings, or Enclosures, or in such other Manner as they respectively shall think proper, within all or any of the present or future Streets, Lanes, Roads, and other public Passages and Places within their said respective

Powers for lighting the First, Second, and Third Districts.



respective Districts, as they shall think proper, doing no Damage or Injury to any House, Building, Tenement, or Premises; and also to cause such Number of Lamps of such Sizes and Sorts to be provided and affixed and put upon such Lamp Irons or Lamp Posts as they shall think necessary, for lighting all or any of the Streets, Lanes, Roads, and other public Passages and Places within their said respective Districts, and to cause the same to be lighted with Gas, Oil, or otherwise, at such Times or Seasons as they shall think necessary; and that it shall be lawful for the said respective Commissioners from Time to Time to contract and agree with any Company or Companies of Proprietors, or other Person or Persons, to light the said Streets, Lanes, Roads, and other public Passages and Places with Gas, Oil, or otherwise, in such Manner, and upon such Terms, Conditions, and Agreements, as such Commissioners respectively from Time to Time shall think proper; and it shall be lawful for any such Company or Companies, or Person or Persons, to execute any of the Powers by this Act given to such Commissioners for the Purposes of such lighting as shall be expressed in any such Contract or Contracts: Provided always, that it shall not be lawful for such Commissioners, or for any Person or Persons with whom they may contract for lighting any such Streets, Lanes, Roads, and other public Passages and Places, to carry, lay, place, or fix any Lamp Iron or Lamp, or any Pipe or other Matter or Thing, for lighting all or any such Streets, Lanes, Roads, and other public Passages or Places with Gas, Oil, or otherwise, into or through or against or on any Dwelling House or private Building, or Yard or Curtilage to any House or other private Building or Premises, or so to continue the same without the Consent in Writing of the Owner and Occupier thereof.

Power to  
break Soil,  
&c. for lay-  
ing down  
Gas Pipes,  
&c.

LXIX. And be it further enacted, That in case it shall be determined to light all or any of the said Streets, Lanes, Roads, and other public Passages and Places with Gas, Oil, or otherwise, then it shall and may be lawful either for the Commissioners of the said First, Second, and Third Districts respectively, or for such Person or Persons with whom they respectively shall so contract or agree as aforesaid, to direct the digging and breaking up the Soil or Pavement of any of the Footways or Carriageways of any of the Streets, Lanes, Roads, and other public Passages and Places within their said respective Districts, in order and for the Purpose of sinking, constructing, laying, and fixing Pipes, Stopcocks, Plugs, Branches, and all other Works and Apparatus necessary for such lighting with Gas, and from Time to Time to direct such Pipes, Stopcocks, Plugs, Branches, Works, and Apparatus to be taken up, repaired, altered, renewed, or relaid, as may be needful and expedient, making good and restoring to its former State and Condition all such Soil or Pavement so broken up.

Penalty for  
wilfully  
injuring  
Pipes, &c.

LXX. And be it further enacted, That if any Person or Persons shall wilfully deface, break, throw down, displace, spoil, or injure any Pipe, Plug, or other Apparatus, Matter, or Thing whatsoever, belonging to the said respective Commissioners, or to any Person or Persons contracting with them as aforesaid, or wilfully extinguish the Light of any such Lamp, every Person so offending in any of the Premises,  
and



and being thereof lawfully convicted on the Oath or Affirmation of One credible Witness before One or more Justice or Justices of the Peace having Jurisdiction, shall forfeit and pay to the said respective Commissioners any Sum not exceeding Five Pounds, and also the Amount of the Damage done or occasioned by such Misconduct, to be ascertained by such Justice or Justices, together with reasonable Costs.

LXXI. And be it further enacted, That if any Person shall accidentally break down, destroy, or otherwise injure or damage any of the Lamps, Lamp Irons, Lamp Posts, or Gas Pipes belonging to the said Commissioners, or any Person or Persons contracting with them, or any other Article, Matter, or Thing belonging to the said Commissioners, and shall not immediately upon Demand make Satisfaction to the said Commissioners or to such Contractor or Contractors (as the Case may be) for the Damages so done, it shall be lawful for any Justice for the said County of *Stafford*, upon Complaint made, to summon the Party complained of, and upon hearing the Parties on both Sides, or on the Confession or on the Nonappearance of the Party complained of, to examine the Matter of Complaint, and award such Sum of Money, by way of Satisfaction to the said respective Commissioners or to such Contractor or Contractors (as the Case may be) for such Damage, as such Justice shall think reasonable; and in case of Refusal or Neglect forthwith to pay such Money, then the same, and all Expences attending the Recovery thereof, may be levied and recovered by Distress and Sale of the Goods and Chattels of such Person as any Penalty or Forfeiture is by this Act directed to be levied and recovered.

Persons accidentally damaging Lamps to make good the same.

LXXII. And be it further enacted, That all and every the Pipes or other Conduits to be laid for the Conveyance of Gas in, under, through, along, or across any Streets, Lanes, Roads, Passages, or Places within the said respective Districts shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Streets, Lanes, Roads, Passages, or Places will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe which is now or may be hereafter laid down for the Conveyance of Water in, under, through, along, or round any of the said Streets, Lanes, Roads, Passages, or Places, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Case the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and in such Case the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and the said Commissioners, or any Company of Contractors or other Persons supplying Gas, in laying down the Pipes or other Conduits to be laid for the Conveyance of Gas in, under, through, along, across, or round the said Streets, Lanes, Roads, Passages, or Places by virtue of this Act, or any other Act now in force, shall in no Case join Two or more Pipes together previous to their being laid in the Trench, but shall lay each Pipe

Gas Pipes to be laid at a certain Distance from Water Pipes.

[Local.]

12 E

as



as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipe, and all Pipes connected and communicating therewith, and all the Screws, Joints, Inlets, Apertures, and Openings therein respectively, Air-tight, and in all and every respect prevent the said Gas from escaping therefrom and from any Part thereof, upon pain of forfeiting for each Default in every Case the Sum of Ten Pounds, to be recovered, with full Costs Suit, by Action of Debt, Bill, Plaint, or Information, in any of Her Majesty's Courts of Record at *Westminster*.

For prevent-  
ing the  
Escape of  
Gas.

LXXIII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up within the said respective Districts, the said respective Commissioners, or any Company or Companies or other Person or Persons as aforesaid, so laying down or setting up, or causing to be laid down or set up, such Gas Pipes, or any of them, or making, furnishing, or supplying any Gas used or burnt for lighting any Street, Lane, Road, or other public Passage or Place, shall, immediately after Notice given to him or them by Parol or in Writing, to be given or left at their Office or usual Place of transacting Business, by any Inhabitant or Inhabitants or other Person or Persons whomsoever, of any such Escape of Gas, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case any such Commissioners, or any Company or Companies or other Person or Persons contracting or agreeing as aforesaid, shall not, within Twenty-four Hours next after such Notice given, effectually stop and prevent any further Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case such Commissioners, or the Company or Companies or other Person or Persons as aforesaid, shall for every such Default forfeit and pay the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid, which Penalty or Penalties shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of any credible Witness or Witnesses, by Information to be laid before some Justice or Justices of the Peace of the said County of *Stafford*, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer of such Commissioners, or of the Goods and Chattels of such Company or Companies or other Person or Persons as aforesaid.

For prevent-  
ing the Con-  
tamination of  
Water.

LXXIV. And be it further enacted, That whenever the Water of any Company of Proprietors, or the Owner or Owners, or Proprietor or Proprietors of any Waterworks, or of any Person or Persons whomsoever, shall be contaminated by any Gas used or burnt for lighting any Streets, or any House, Manufactory, or Building, or other Premises within the said respective Districts, the Commissioners of such District respectively, or the Company or Companies, Person or Persons, making, furnishing, or supplying such Gas, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds,



Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and shall be applied to and for the Use and Benefit of the Company of Proprietors, Owner or Owners, Proprietor or Proprietors of the Waterworks or Water affected thereby; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, then and in every such Case such Commissioners, or the said Company, or other Person or Persons making, furnishing, or supplying such Gas, shall, within Twenty-four Hours next after Notice thereof in Writing signed by the Treasurer, Manager, or other Officer of any such Company of Proprietors, Owner or Owners, Proprietor or Proprietors of Waterworks as aforesaid, or by any Person supplying or making use of such Water, to be left at the usual Office or Place of transacting Business of the said Commissioners, Company, or other Person or Persons as aforesaid, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Mains, Works, or Pipes, or contaminating or affecting any such Water; and in case the said Commissioners, or Company or Companies, or other Person or Persons as aforesaid, making, furnishing, or supplying such Gas, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then and in every such Case the said Commissioners, Company or Companies, or other Person or Persons as aforesaid, shall on each and every such Complaint forfeit and pay to the Treasurer or other Officer for the Time being of the said Company of Proprietors, Owner or Owners, Proprietor or Proprietors of any Waterworks, or to such Person as aforesaid, for the Use and Benefit of the same Owners or Proprietors, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which any such Water shall be and remain contaminated or affected by such Gas; and in default of Payment thereof as aforesaid such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer, Manager, or other Officer for the Time being of the said Company of Proprietors, Owner or Owners, Proprietor or Proprietors of any Waterworks, or of such Person as aforesaid, against the said Commissioners, Company or Companies, or other Person or Persons as aforesaid, making, furnishing, or supplying Gas, before any Justice of the Peace of the said County of *Stafford*, with Costs, to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the Treasurer of such Commissioners, or of the Goods and Chattels of the Company or other Person making, furnishing, or supplying such Gas, together with the Costs of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties, and Costs, when so levied, shall be paid to the Treasurer or other Officer for the Time being of the Company of Proprietors, Owner or Owners, Proprietor or Proprietors of any Waterworks, or to such Person as aforesaid, for the Use of the same Owners or Proprietors or Person.

LXXV. And



For ascer-  
taining if the  
Water is con-  
taminated.

LXXV. And whereas it may become a Question upon such Com<sup>7</sup>plaint as aforesaid whether the said Water be contaminated or affected by the Gas of the said Company or Companies, Person or Persons ; be it therefore further enacted, That in every such Case it shall and may be lawful for the Company of Proprietors, Owner or Owners, Proprietor or Proprietors of any Waterworks, or any Person or Persons interested in such Water, to dig to and about and search and examine the Gas Pipes, Mains, and Apparatus, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by the Gas of the said Company or Companies, Person or Persons, and if it shall appear that the said Water has been contaminated or affected by any Escape of such Gas, the Costs and Expences of such Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the Commissioners, or Company or Companies, or other Person or Persons making, furnishing, or supplying such Gas ; which Costs and Expences shall be ascertained and settled (if necessary) by such Justice or Justices as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act : Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas, then and in such Case the Company of Proprietors, Owner or Owners, Proprietor or Proprietors of any such Waterworks, or Person or Persons interested as aforesaid, causing such Search, as the Case may be, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to such Commissioners, or Company or Companies, or other Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, or Apparatus in and by such Search and Examination, and also to the Pavement of the said Streets and Places broken up or disturbed in such Search or Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices as aforesaid.

Penalty for  
conveying  
Washings  
into any  
River,  
Sewer, &c.

LXXVI. And be it further enacted, That if the Commissioners, or any Company or Companies, or any other Person or Persons whomsoever, making, furnishing, or supplying any Gas used or burnt for lighting any such Street, Lane, Road, or other public Passage or Place, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be made from Manufacture of Gas, or in the Prosecution of any Gas Works, into any River, Brook, or running Stream, Canal, Reservoir, Aqueduct, Feeder, Pond, Springhead, or Well, or into any Drain, Sewer, or Ditch communicating with any of them, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the said Water or any Part thereof shall or may be spoiled, damaged, or corrupted, then and in every such Case the said Commissioners, or any such Company or Companies, Contractor or Contractors, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds ; and such Penalty and Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of Her Majesty's Courts



Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Privilege, Protection, nor more than One Imparlance, shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable if the same be sued for after the Expiration of Six Calendar Months from the Time when such Annoyance, Nuisance, Injury, Damage, Act, or other Thing shall have ceased: Provided also, that above and in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall or shall not be sued for or recovered), in case any of the said Washings or other waste Liquids, noisome or offensive Substances or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead or Well, or into any Drain, Sewer, or Ditch communicating with any of them, or any such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever to the said Commissioners, or Company or Companies, or other Person or Persons as aforesaid, and the said Commissioners, or Company or Companies, or other Person or Persons, shall not, within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, noisome or offensive Substances or Things, from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, Company or Companies, or other Person or Persons so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Substances or Things shall be so done, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Nuisance, Injury, or Damage, Act or Thing, shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

LXXVII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding, by Indictment or otherwise, against the said Commissioners, or any Company or Companies or other Person or Persons making, furnishing, or supplying Gas used, burnt, or consumed within any of the said respective Districts, or against any of the Officers, Servants, or Workmen of the said Company or Companies or other Person or Persons aforesaid, in respect of any Works, or the Means which shall be employed by them or any of them in making the said Gas, and using the same in furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing

Nothing herein to prevent Gas Company from being indicted for a Nuisance.

[Local.]

12 F

any



any Action against the said Commissioners, Company or Companies, or Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the said Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Commissioners may contract for doing the various Works authorized by the Act.

LXXVIII. And be it further enacted, That it shall be lawful for the Commissioners of the said Four several Districts respectively, acting within their respective Districts, and they are hereby respectively authorized and empowered, from Time to Time to contract and agree with any Person or Persons whomsoever for cleansing or improving the several Streets, Lanes, Roads, and other public Passages and Places within the said respective Districts or any of them, or for doing and performing all or any other of the Works, Matters, and Things by this Act authorized to be done by the Commissioners of the said Four several Districts, or for furnishing any Materials, Labour, or other necessary Matters and Things whatsoever for the Performance thereof, or for any other of such of the Purposes of this Act; and it shall be lawful for the Commissioners of the aforesaid First, Second, and Third Districts respectively, acting within their respective Districts, and they are hereby respectively authorized and empowered, from Time to Time to contract and agree with any Body Politic or Corporate, or Company of Proprietors, or any Person or Persons whomsoever, for lighting the several Streets, Lanes, Roads, and other public Passages and Places within their said respective Districts, or any of them, or for furnishing, providing, and erecting or placing Lamp Posts, Lamps, Pipes, and other Matters and Things, and for doing any Works necessary for carrying into execution the Purposes of this Act, so far as respects the lighting such Streets, Lanes, Roads, and other public Passages and Places, or any of them: Provided always, that no such Contract or Contracts shall be made for a longer Term than Three Years from the making thereof, and that before any such Contract or Contracts shall be entered into Ten Days public Notice shall be given in some Newspaper printed or circulated in the said Districts respectively, expressing the Purpose or Purposes of the Contract or Contracts intended to be made or entered into, in order that Persons willing to undertake the same may make Proposals to such Commissioners at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the Works are to be completed, together with the Penalties to be incurred in case of Non-performance thereof; and such respective Contracts shall be signed or sealed by Five or more of the Commissioners of the District to which the same shall relate, and also by the Party or Parties contracting to perform such Works respectively; and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk or Clerks of the Commissioners of the said respective Districts respectively.

LXXIX. And



LXXIX. And be it further enacted, That it shall be lawful for the said respective Commissioners from Time to Time to compound and agree with any Person or Persons, or Body or Bodies Politic or Corporate, or Gas Light Company, who shall have entered into any Contract or Contracts with the said respective Commissioners in pursuance or under the Authority of this Act, for any Penalty or Penalties contained in any such Contract or Contracts, or in any Bond or Bonds or other Security or Securities for the Performance thereof, or for or on account of any Breach or Nonperformance of any such Contract or Contracts, Bond or Bonds, or other Security or Securities, for such Sum or Sums of Money or other Recompence as such Commissioners shall think proper respectively.

Composition  
for Breach  
of Contracts.

LXXX. And be it further enacted, That nothing in this Act, or in any Deed, Mortgage, Contract, or Agreement by this Act authorized to be entered into or made by or on behalf of the said respective Commissioners, for any of the Purposes or in execution of this Act, shall extend to charge or affect the Person or Persons of any of the said respective Commissioners, or their Clerk or Clerks, Treasurer, or other Officers authorized by the said respective Commissioners in their Behalf, executing any such Deed, Mortgage, Contract, or Agreement, or the Heirs, Executors, or Administrators of any such Commissioners, Clerk, Treasurer, or Officer, or their or any of their own proper Lands, Tenements, or Hereditaments, Goods, Chattels, Effects, or Property, with or for the Performance of all or any of the Covenants, Conditions, Provisoes, Stipulations, Matters, or Things in the same Deeds, Mortgages, Contracts, or Agreements contained or mentioned on the Part of such Commissioner, Clerk, Treasurer, or other Officer; but the Amount of all Damages, Costs, Charges, and Expences which shall or may be recovered in any Action or Actions, Suit or Suits, at Law or in Equity, or in or upon any Arbitration, Reference, Award, or otherwise, against any such Commissioner, Clerk, Treasurer, or other Officer, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such Deed, Mortgage, or Contract, or the Covenant, Condition, Proviso, Stipulation, Matter, or Thing therein contained, and also all the Damages, Costs, Charges, and Expences which any such Commissioner, Clerk, Treasurer, or other Officer shall be put unto, or which shall be occasioned to them, or any or either of them, for or by reason or means of any such Deed, Mortgage, Contract, or Agreement, or any Covenant, Condition, Proviso, Stipulation, Matter, or Thing therein contained, or any Action or Actions, Suit or Suits, Award or Awards, or otherwise, to be brought, prosecuted, or made by or against them or any or either of them thereupon, shall respectively be paid, satisfied, and discharged, by and out of the Monies to be raised or which shall or may arise or be received by virtue of this Act, within the District to which the Contract shall relate, from the public Improvement Rate herein-after mentioned, unless the Contract shall be for lighting any Streets, Lanes, Roads, or other public Passages or Places in the said First, Second, or Third Districts respectively, in which Cases respectively the same shall be paid, satisfied, and discharged out of Monies arising from the public Lighting Rate within such First, Second, and Third Districts respectively; but if any such

Commission-  
ers not per-  
sonally lia-  
ble.



such Action or Suit, Matter or Thing, shall arise in consequence of the wilful Neglect or Default of any such Commissioner, Clerk, Treasurer, or other Officer, or have been brought, commenced, carried on, or done without the Order or Direction of the said respective Commissioners in Writing, then every such Commissioner, Clerk, Treasurer, and other Officer shall be personally liable for all Acts done by them respectively without the Order of the said respective Commissioners made in pursuance of this Act.

Property  
and Mate-  
rials vested  
in Commis-  
sioners.

LXXXI. And be it further enacted, That all Buildings and Erections erected, purchased, or provided by the Commissioners of the said respective Districts respectively for any of the Purposes of this Act, and the Materials of the same, and all Materials so purchased or provided for making, erecting, or repairing any such Buildings or Erections, and all Watch boxes, Fire Engines, and other Engines, Pipes, Ladders, Buckets, Lamps, Lamp Irons, Lamp Posts, Pillars, Bricks, Stone, Gravel, Drains, Sewers, Tunnels, Cesspools, Grates, Carts, Carriages, Tools, Arms, Implements, Materials, and other Matters and Things whatsoever, so purchased or provided by such respective Commissioners respectively, and also all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil swept, gathered, or collected by virtue of this Act within the said Districts respectively, shall severally be deemed the Property of and the same respectively are hereby vested in the Commissioners for the Time being of the District in or for which the same respectively shall be or shall have been so erected, purchased, or provided; and the said Commissioners respectively shall and may bring any Action, or prefer any Bill of Indictment or Information, as the Case shall require, against any Person who shall steal, take away, detain, injure, or destroy any of the Property hereby vested in them as aforesaid; and in all such Actions and Bills of Indictment or Information respectively it shall be sufficient to state generally that the Article, Matter, or Thing for or in respect of which such Action shall be brought, or Bill of Indictment or Information preferred, is the Property of "The Commissioners of Police of the *Longton* District," "The Commissioners of Police of the *Fenton* District," "The Commissioners of Police of the *Stoke* District," or "The Commissioners of Police of the *Trentham* District," as the Case may be, without stating or specifying the Names of all or any of the said Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of, for the Purposes of this Act, all or any of the said Articles, Matters, and Things, or any Part or Parts of the same respectively, in such Manner as they shall think fit.

Power to lay  
a Public Im-  
provement  
Rate.

LXXXII. And for raising Money to defray the Expences of executing and carrying into effect the Purposes of this Act (except lighting), be it further enacted, That it shall be lawful for the Commissioners of the said Four several Districts respectively, acting within their respective Districts, and they are respectively hereby authorized and empowered, from Time to Time, when and so often as they shall think necessary, to order and direct a just and equal Pound Rate or Assessment to be made or charged and levied, under the  
the



the Name of "The public Improvement Rate," upon all and every the Person and Persons who for the Time being shall inhabit, use, or occupy any House, Shop, Warehouse, Manufactory, Mill, Steam Engine, Limekiln, Brick-kiln, Slip House, Stable, Coach-house, Barn, Shed, Cellar, Vault, Counting-house, Office, or other Building, or any Curtilage, Yard, Garden, Orchard, or Wharf, within their respective Districts; and all such Rates and Assessments shall from Time to Time be made upon and according to the improved Rent or annual Value of the said respective Premises so to be rated and assessed, such improved Rent or annual Value to be settled, fixed, and ascertained, so far as the same is practicable, from the Poor Rate Assessment which at the Time of making any such public Improvement Rate shall have been then last made in such respective Districts; and in those Cases where such improved Rent or annual Value cannot be so ascertained, then the same shall be settled, fixed, and ascertained in such Manner as the said respective Commissioners shall from Time to Time direct: Provided nevertheless, that no such public Improvement Rate shall exceed in the whole in any Year One Shilling in the Pound upon such improved Rent or annual Value.

LXXXIII. And for raising Money to defray the Expences of lighting the said First, Second, and Third Districts respectively, or any Part or Parts thereof, be it further enacted, That it shall be lawful for the Commissioners of the *Longton* District, the Commissioners of the *Fenton* District, and the Commissioners of the *Stoke* District respectively, and they are hereby authorized and empowered, within their respective Districts, from Time to Time, when and so often as they shall think necessary, to order and direct a just and equal Pound Rate or Assessment to be made or charged and levied, under the Name of "The public Lighting Rate," upon all and every the Person and Persons who for the Time being shall inhabit, use, or occupy any House, Shop, Warehouse, Manufactory, Mill, Steam Engine, Limekiln, Brick-kiln, Slip House, Stable, Coach-house, Barn, Shed, Cellar, Vault, Counting-house, Office, or other Building, or any Curtilage, Yard, Garden, Orchard, or Wharf, within their respective Districts; and all such Rates and Assessments shall from Time to Time be made upon and according to the improved Rent or annual Value of the several and respective Premises to be so rated and assessed, such improved Rent or annual Value to be from Time to Time settled, fixed, and ascertained, so far as the same is practicable, from the Poor Rate Assessment which at the Time of making any such public Lighting Rate shall have been then last made in such respective Districts; and in those Cases where such improved Rent or annual Value cannot be so ascertained, then the same shall be settled, fixed, and ascertained in such Manner as the said respective Commissioners shall from Time to Time direct: Provided nevertheless, that no such public Lighting Rate shall exceed in the whole in any One Year Eight-pence in the Pound on such improved Rent or annual Value.

Power to lay  
a public  
Lighting  
Rate.

LXXXIV. Provided always, and be it further enacted, That no Improvement Rate or Lighting Rate shall be made in pursuance of this Act upon any Person or Persons for or in respect of his, her, or

Exemptions  
from Rates.

[Local.]

12 G

their



their being Occupier or Occupiers of any Dwelling House which shall be under the actual annual Value of Four Pounds, nor upon any Person or Persons for or in respect of any Town Hall, Court House, Police Office, or any public Market or Market House, (held upon public Trusts, and not for the Benefit of private Individuals,) or any Buildings, Stalls, Shambles, Bulks, Sheds, or other Conveniences which now are or hereafter may be erected or set up for the Use and Convenience of any such public Market, nor for or in respect of any Church or Chapel, or any School, Institution, or Building, held upon public Trusts, and appropriated exclusively for the Purposes of Religious Worship, Charity, Education, or Science.

Lighting  
Rates not to  
be collected  
in certain  
Cases.

LXXXV. Provided also, and be it further enacted, That no Rate or Assessment made under the Name of a public Lighting Rate, within the said First, Second and Third Districts respectively, shall be collected, levied, or paid within the same Districts respectively from or by any Person or Persons whomsoever in respect of any Premises liable to be rated under the Directions herein-before contained which shall not be situated (measuring from the nearest Point of such Premises, and by the nearest public Way,) within Five hundred Yards of some public Light or Lamp set up under the Authority of this Act, and from which public Light or Lamp there shall be a continued Line or continuous Range of public Lights or Lamps also set up as aforesaid at Distances not exceeding in any Case One hundred and fifty Yards from each other, and such continuous Range extending in the said Districts respectively as herein-after mentioned; (that is to say,) in the said First District called the *Longton* District, extending continuously into the Street called *High Street*, in *Longton*; and in the said Second District, called the *Fenton* District, extending continuously to the new Church called *Christ's Church*, in *Fenton*; and in the said Third District called the *Stoke* District, extending continuously into the open Square surrounding the Town Hall in *Stoke-upon-Trent*.

Exemption  
from Rates  
on account  
of Poverty.

LXXXVI. Provided also, and be it further enacted, That it shall be lawful for the said respective Commissioners and they are hereby empowered, upon the Complaint of any Person or Persons so to be rated as aforesaid, to mitigate, reduce, lessen, or wholly remit or excuse, for or on account of his, her, or their Poverty or Inability only, Payment of the said Rates or Assessments by such Person or Persons, in such Manner as the said Commissioners shall in their Discretion think just and reasonable.

Collection  
and Payment  
of Rates.

LXXXVII. And be it further enacted, That all and every Rate or Rates, Assessment or Assessments, so to be made by virtue of this Act, shall be paid by the respective Occupiers of or Persons using any of the aforesaid Premises to be so rated to the Collector or Collectors of the said Rates to be appointed by virtue of this Act within the said respective Districts, and shall be collected and paid over by such Collector or Collectors into the Hands of the Treasurer to the Commissioners of the District in which the same shall be collected; and if any such Occupier shall neglect or refuse to pay the



the Money rated or assessed upon him or her, or his or her Proportion or Proportions of the same, to the said Collector or Collectors, for the Space of Ten Days after personal Demand thereof made, or Demand made thereof in Writing left at the last or usual Place of Abode of such Occupier, or on the Premises for which such Occupier shall be so rated or assessed; or any Part thereof, the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Defaulter, upon Complaint to any Justice or Justices of the Peace having Jurisdiction, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, together with all Costs and Charges incidental to and attending such Distress and Sale, such Defaulter having been first duly summoned by such Justice or Justices to appear before him or them at a Time and Place to be mentioned in such Summons to show Cause for such Neglect or Refusal, rendering the Overplus of such Distress and Sale, and the reasonable Costs and Charges thereof, to the Owner of the Goods and Chattels so distrained.

LXXXVIII. And be it further enacted, That in all Cases where any Person or Persons who shall be rated or assessed or liable to be rated or assessed by virtue of this Act shall remove from or quit the Premises for or in respect of which such Person or Persons shall be so rated or assessed, every such Person or Persons so removing from or quitting the same shall be liable to pay such Rate or Assessment in proportion to the Time that such Person or Persons occupied the same, and in like Manner as if he, she, or they had not removed from or quitted the Possession of the same; and in all Cases where any Person or Persons shall come into or occupy any Premises liable to be rated by virtue of this Act, out of or from which any other Person shall have removed, or which at the Time of making any such Rate, or Assessment was or were empty or unoccupied, the Person or Persons coming into or occupying the same shall be liable to pay such Rate or Assessment, although his, her, or their Name or Names may not be inserted therein, in proportion to the Time that he, she, or they shall occupy the same, in like Manner as if he, she, or they had been originally rated or assessed by Name in such Rate or Assessment, which said respective Proportions, in case of Dispute, shall be determined by the said Commissioners in such manner as they shall deem reasonable.

Persons removing to pay a proportionable Part of the Rates.

LXXXIX. And be it further enacted, That in case any Person or Persons who shall or may be rated or assessed by virtue of this Act shall quit or be about to quit any House, Building, or other Property for or in respect whereof he, she, or they shall have been rated or assessed, before he, she, or they shall have paid such Rate or Rates, Assessment or Assessments, or such Portion or Portions thereof as may be then due and payable, and shall refuse or neglect to pay the same when demanded by the Collector or Collectors, then and in every such Case it shall be lawful for the said Collector or Collectors, (Oath or Affirmation having been made by him or them before some Justice of the Peace that he or they hath or have reasonable Cause to suspect that such Person or Persons is or are about to remove, or hath or have removed, his, her, or their Goods and Chattels,) by

Recovery of Rates from Persons removing or about to remove.

Warrant



Warrant under the Hand and Seal of any of Her Majesty's Justices of the Peace, (which Warrant any such Justice is hereby authorized and empowered, if he shall think fit, to grant immediately,) to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the same, wherever such Goods and Chattels may be, and to sell such Goods and Chattels, rendering the Overplus (if any), after having deducted the Amount of such Improvement Rate or Rates, Assessment or Assessments, or Portion or Portions thereof, and the reasonable Costs, Charges, and Expences attending such Distress and Sale, to the Owner or Owners of such Goods and Chattels respectively, upon Demand.

Amendment  
of Rates by  
Commission-  
ers.

XC. And be it further enacted, That it shall be lawful for the said Commissioners of the said Four several Districts respectively, acting within their respective Districts, from Time to Time to amend any Rate or Assessment to be by them made by virtue of this Act, by inserting therein the Name or Names of any Person or Persons who ought to have been rated, or by striking out the Name or Names of any Person or Persons who ought not to have been rated therein, or by raising or reducing the Sum or Sums at which any Person or Persons shall have been rated therein, who shall appear to them to have been under-rated or over-rated, or by making such other Amendments therein as will, in the Judgment of such Commissioners, make such Rate or Assessment conformable to the true Intent and Meaning of this Act, and that no such Amendment so to be made by such Commissioners in any such Rate or Assessment shall be held to vitiate the same.

Commission-  
ers may in-  
spect Poor  
Rates.

XCI. And be it further enacted, That it shall and may be lawful for the Commissioners of the said Four respective Districts, and for the Collector or Collectors of the Rates or Assessments to be made by virtue of this Act, and for any other Person or Persons authorized by the said respective Commissioners, at all reasonable Times to inspect the Books of Assessment made from Time to Time for the Relief of the Poor in the several Parishes in which the Property to be rated by virtue of this Act is situated, and also to take Copies thereof and make Extracts therefrom, which Inspection, Copies, and Extracts the Collectors of the Poor Rates, or Person or Persons having the Custody of such Books, are hereby required to permit and suffer to be made, without Fee or Reward; and in case any such Collector or Collectors of the Poor Rates, or Person or Persons as last aforesaid, shall neglect or refuse to permit such Inspection, or the taking or making of such Copies or Extracts, then and in every such Case the Collector or Collectors or other Person or Persons so refusing or neglecting shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Persons  
aggrieved  
may appeal  
against  
Rates.

XCII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, such Person or Persons, having first paid such Rate or Assessment, shall or may apply for Relief in the Premises to the Commissioners of the District for which such Rate shall be made, at their First or Second Meeting  
to



to be holden next after the Payment of the same ; and such Commissioners are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable ; and if any Person or Persons shall be dissatisfied with the Order or Determination of such Commissioners thereupon, then such Person or Persons may appeal against such Order or Determination to the Justices at the General or Quarter Sessions of the Peace for the said County of *Stafford* within the Time and in the Manner herein-after directed in that Behalf.

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

Duplicates of Rates to be deposited with the Clerk of the Peace, which may be inspected, or Copies thereof taken.

XCIV. And be it further enacted, That the Book or Books of Rates to be delivered to the Collector or Collectors or other Officers by the said respective Commissioners, and all Entries afterwards made therein, or examined Copies thereof respectively, being signed by any Five or more of the said respective Commissioners, shall be received as Evidence of the respective Rates imposed by virtue of this Act, and of the Payment of such of them, or any Part thereof, as shall by such Entries appear to have been paid to such Collector or Collectors.

Rate Books to be Evidence.

XCV. And be it further enacted, That it shall be lawful for the Commissioners of the said Four several Districts, acting within their respective Districts, and they are hereby authorized and empowered, from Time to Time, when they shall think it expedient, to borrow and take up at Interest any Sum or Sums of Money, not exceeding in the whole in any One District the Sum of Two thousand Pounds, upon the Credit of the said Rates and Assessments hereby authorized to be laid and collected under the Name and by the Description of the public Improvement Rate, and by Deed duly stamped, in which the Consideration shall be truly set forth, under the Hands and Seals of any Five or more of such Commissioners, to mortgage, grant, or assign such Rates or Assessments, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, as a Security or Securities for the Money so to be borrowed, together with Interest for the same ; and every such Mortgage shall be in the Words or to the Effect following ; (that is to say,)

Power to mortgage the Public Improvement Rate.

‘ Number

‘ BY virtue of an Act passed in the Second Year of the Reign of Queen *Victoria*, intituled [here set forth the Title of this Act], we whose Hands and Seals are hereunto set, being Five [or more]

Form of Mortgage.

[Local.]

12 H

‘ of



' of the Commissioners for carrying the said Act into execution  
 ' within [*here name the District*], in consideration of the Sum of  
 ' Pounds advanced and lent by  
 ' upon the Credit of the said Act, and paid by him (*or her, or them,*  
 ' *as the Case may be,*) to the Treasurer of the said Commissioners,  
 ' do grant, bargain, sell, and assign unto the said  
 ' Executors, Administrators, and Assigns, such Proportion of  
 ' the Rates and Assessments authorized by the said Act to be assessed  
 ' and collected under the Name of the public Improvement Rate as  
 ' the said Sum of Pounds doth or shall bear to the whole  
 ' Sum borrowed or to be borrowed by virtue of the said Act upon  
 ' the Credit of the same Rates and Assessments within the aforesaid  
 ' District, to be had and holden from the Day of the Date of these  
 ' Presents until the said Sum of Pounds, with Interest for  
 ' the same after the Rate of *per Centum per Annum,*  
 ' shall be fully repaid and satisfied. In witness whereof we have  
 ' hereunto set our Hands and Seals the Day of  
 ' in the Year of our Lord

And every such Mortgage shall be valid and effectual in the Law.

Mortgages  
may be  
transferred.

XCVI. And be it further enacted, That it shall be lawful for the  
 several Persons entitled for the Time being to any of the Mortgages  
 for the Money which shall be borrowed as aforesaid, or their respective  
 Executors, Administrators, or Assigns, (as the Case may be,) at any  
 Time, by Indorsement or Deed duly stamped, in which the Con-  
 sideration shall be truly stated, under their respective Hands and  
 Seals, to assign and transfer the same to any Person or Persons, and  
 so *toties quoties*; and every such Assignment or Transfer shall be in  
 the Form or to the Effect following; (that is to say,)

Form of  
Transfer.

' I *A. B.* of being entitled to the Sum of  
 ' by virtue of a Mortgage bearing Date the Day of  
 ' in the Year of our Lord under the Hands  
 ' and Seals of of the Commissioners for putting in exe-  
 ' cution within [*here name the District*] an Act of Parliament passed  
 ' in the Second Year of the Reign of Her Majesty Queen *Victoria*,  
 ' intituled [*here set forth the Title of this Act*], upon the Credit of  
 ' certain Rates and Assessments payable by virtue of the said Act,  
 ' do hereby, in consideration of the Sum of to me  
 ' paid by assign and transfer unto the said  
 ' Executors, Administrators, and Assigns,  
 ' all my Right and Interest in and to the said Principal Sum of  
 ' thereby secured, and all Interest now due and  
 ' hereafter to grow due thereon. In witness whereof I have hereunto  
 ' set my Hand and Seal the Day of in  
 ' the Year of our Lord

Entries to be  
made of  
Securities  
and Trans-  
fers.

And Entries or Memorials of all such Mortgages which shall be made  
 in pursuance of this Act, and of all Transfers thereof, expressing in  
 Words at Length the Names, Additions, and Places of Abode, and other  
 necessary Descriptions of all such Persons as shall from Time to  
 Time be entitled to the Principal Money and Interest thereby secured,  
 shall be entered in Books to be kept for that Purpose by the Clerk or  
 Clerks



Clerks of the said respective Commissioners, which Books any Person interested shall at all seasonable Times have free Liberty to inspect, without Fee or Reward; and for the Entry of every such Mortgage or Transfer the said Clerk or Clerks shall be paid the Sum of Two Shillings and Sixpence, and no more; and every such Mortgage or Transfer, after such Entry thereof as aforesaid, shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, or Assigns, to the Benefit of the Security thereby made or transferred; and all Persons to whom such Mortgages or Transfers shall be made, or who shall be entitled to the Monies thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Rates or Assessments charged therewith, equally one with another, without any Preference in respect to the Priority of advancing such Monies, or the Dates of any such Mortgages or Transfers respectively: Provided always, that no Person shall be entitled to receive Interest for any Monies borrowed on the Credit of this Act, to any Person but the Holder of any Security duly stamped according to the Provisions of this Act, or to the Agent or Assignee of such Holder.

XCVII. And be it further enacted, That in case the said respective Commissioners shall at any Time be able to borrow or take up any Sum or Sums of Money at a lower Rate of Interest than shall happen to be payable upon any of the original or other Mortgages which may have been granted by the said respective Commissioners, and which may happen to be then existing, it shall be lawful for the said respective Commissioners from Time to Time to charge the said Rates or Assessments in manner aforesaid with any Sum or Sums of Money to be borrowed at such lower Rate of Interest, and the Interest thereof at such lower Rate as aforesaid, and therewith to pay off and discharge any of the said original or other Mortgages bearing a higher Rate of Interest.

Money may be borrowed at lower Interest to pay off existing Mortgages.

XCVIII. And be it further enacted, That all the Monies which shall be raised by virtue of this Act within each of the said Four several Districts, from and by the Rates and Assessments herein-before authorized to be assessed and levied under the Name of the public Improvement Rate, and all the Monies which shall be borrowed on Mortgage of the same Rates and Assessments, and all other Monies which shall come to the Hands of the Commissioners of such several Districts respectively by virtue of this Act, in regard to the Application or Disposal of which no specific Directions are in this Act given, shall be and the same are hereby vested in the Commissioners of the District in which the same shall arise or accrue respectively; and the same shall from Time to Time and at all Times be applied and disposed of, by and under the Orders of such respective Commissioners, in and for defraying the Costs, Charges, and Expences of the Police, and of watching, cleansing, regulating, and improving the Streets, Lanes, Roads, and other public Passages and Places within the said Four several Districts respectively, and in Payment of all Monies by this Act particularly directed to be paid out of such Rates, and all other necessary Costs, Charges, and Expences whatsoever relating to the Execution of this Act, and the Powers and Authorities hereby

Application of public Improvement Rates, &c.



hereby given and granted to the said respective Commissioners for such Purposes, and in and for defraying the annual Interest of the Principal Monies to be borrowed on the Credit of the said public Improvement Rate, and in and for paying off the said Principal Monies so to be borrowed as aforesaid: Provided nevertheless, that no Part of the Monies which shall be raised or come to the Hands of the said respective Commissioners by the Name of the public Improvement Rate by virtue of this Act shall be disposed of or applied in defraying any Part of the Costs, Charges, or Expences to be incurred in, for, or about the public lighting of the said First, Second, and Third Districts: Provided also, that all Monies raised by Mortgage of the said public Improvement Rate shall, after Payment thereof of a due Proportion of the Costs, Charges, and Expences of obtaining and passing this Act, as herein-after mentioned, be laid out and applied in effecting permanent Improvements in the respective Districts in which the Rates shall arise on the Credit whereof the same shall be borrowed.

For paying  
Expences of  
the Act.

XCIX. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners acting within the said several Districts respectively, and they are hereby empowered and required, to pay, satisfy, and discharge, in the Proportions herein-after mentioned, all the Costs, Charges, and Expences of obtaining and passing this Act, and incidental thereto, together with lawful Interest for any Money which shall have been advanced and paid for those Purposes from the Time of advancing the same; and which Costs, Charges, and Expences, with such Interest as aforesaid, shall be paid out of the Monies arising from the aforesaid public Improvement Rates, or out of Monies to be borrowed on Mortgage of the same, in preference to all other Payments or Disbursements whatever, in Four equal Shares, that is to say, One equal Fourth Part or Share thereof by or from each of the said Four several Districts.

Application  
of the public  
Lighting  
Rates.

C. And be it further enacted, That all the Monies that shall be raised by virtue of this Act within the said First, Second, and Third Districts respectively from and by the several Rates and Assessments herein-before authorized to be assessed and levied within the same Districts respectively under the Name of the public Lighting Rate shall be and are hereby vested in the Commissioners of the particular District within which the same shall be raised, and the same shall from Time to Time and at all Times be applied and disposed of, by or under the Orders of such Commissioners respectively, for defraying the Costs, Charges, and Expences to be incurred from Time to Time, by or by the Direction of such respective Commissioners, in, for, and about the public lighting of the several Streets, Lanes, Roads, and other public Passages and Places in the District within which the same shall be raised.

Treasurer  
to receive  
Monies and  
pay them by  
Order of  
Commis-  
sioners.

CI. And be it further enacted, That all Monies whatsoever which shall be raised and collected within the said Four several Districts respectively by or from any of the aforesaid Rates or Assessments, or which shall be borrowed on Mortgage by virtue of this Act, or which shall be otherwise payable or arise or accrue within such  
several



several Districts respectively under any of the Provisions of this Act, shall be paid from Time to Time into the Hands of the Treasurer for the Time being of the Commissioners of the District in which such Monies shall be collected or arise or accrue, and that no Sum or Sums of Money shall be disbursed or issued by any such Treasurer without an Order made at a Meeting of the Commissioners of the District in which such Monies shall have been collected or have arisen or accrued, nor without an Order in Writing signed by the Chairman of such Meeting, except such Payments as any such Treasurer is required or authorized to make pursuant to the express Provisions of this Act.

CII. And be it further enacted, That where by this Act any Damages or Charges are directed or authorized to be paid or recovered in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is and are hereby authorized and required, on Nonpayment thereof, to cause such Damages or Charges, or any Part thereof, to be recovered and levied by Distress and Sale of the Offender's Goods and Chattels, in manner directed by this Act for the levying of any Penalties or Forfeitures; and the Money so levied or recovered shall be paid to the said Commissioners or other Persons sustaining such Damage or Injury: Provided always, that in case the Amount of such Damages shall exceed the Sum of Twenty Pounds, then the same shall be sued for and recovered by Action of Debt or on the Case.

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

CIII. And be it further enacted, That when and so often as any Sum or Sums of Money shall be directed or ordered by any Justice or Justices of the Peace to be paid, in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Costs, or for any Damage, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by the Commissioners of any of the said Districts respectively, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by such Commissioners or their Treasurer to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made upon such Commissioners or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or the Goods and Chattels of the Treasurer of such Commissioners, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is or are hereby authorized and required to grant, under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money so directed or ordered to be paid as aforesaid; and in case any Over-

In case of Nonpayment of Penalties or Compensation for Damages by the Commissioners.

[Local.]

12 I

plus



plus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in every such Case such Overplus shall be returned, on Demand, to the said Commissioners or their Treasurer.

Treasurer  
to be ap-  
pointed.

Penalties or  
Damages  
aaainst the  
Commission-  
ers may be  
recovered  
from or paid  
by the Trea-  
surer.

CIV. And be it further enacted, That the Commissioners of the said several Districts respectively shall and they are hereby respectively required to appoint a Treasurer, and to take sufficient Security from such Treasurer for the Performance of his Trust; and all Penalties, Forfeitures, and Damages, and any Sum or Sums of Money payable by the said Commissioners by virtue of this Act, and which might by virtue of this Act be levied or recovered by Distress and Sale of the Goods and Chattels of such Commissioners, may be levied and recovered by Distress and Sale of the Goods and Chattels of such Treasurer: Provided always, that it shall be lawful for any such Treasurer to pay and discharge, out of any Monies in his Hands which shall have been by him received on account of the Commissioners of the District liable to make such Payment as aforesaid, the Amount of all or any of such Penalties, Forfeitures, and Damages which, upon Conviction before any Justice or Justices of the Peace, shall be payable by the said Commissioners by virtue of this Act; and it shall also be lawful for any Treasurer against whose Goods and Chattels any such Warrant of Distress shall be issued forthwith to pay and discharge, out of any Monies in his Hands belonging to such Commissioners, the Amount of the Penalty or Forfeiture or Damages for which such Warrant of Distress shall be issued, and also the reasonable Costs of such Warrant of Distress, and to charge such several Payments in his Accounts against such Commissioners as Monies paid by their Authority and on their Behalf, and such Commissioners shall allow such several Payments accordingly; and in case such Treasurer at the Time of the issuing or executing of such Warrant of Distress shall not have any or sufficient Monies for making such Payments in his Hands belonging to such Commissioners, and shall nevertheless forthwith pay the same as aforesaid, or shall suffer any Loss, Damage, or Injury by reason of such Distress, such Treasurer shall and may recover all Monies so paid, and the Amount of all Loss, Damage, or Injury so sustained from the said Commissioners, by Action of Debt or on the Case, or if the Amount thereof shall be less than Twenty Pounds, then by such other Ways and Means as any Penalty or Forfeiture may be recovered by virtue of this Act.

Recovery  
and Applica-  
tion of  
Penalties.

CV. And be it further enacted, That all Offences whatsoever which by virtue or under the Authority of this Act are or shall be subject to or punishable with any pecuniary Penalties or Forfeitures, for the Recovery of which no express Provision is herein-before made, shall and may in every Case be heard, adjudged, and determined by and before any One or more Justice or Justices of the Peace for the said County of *Stafford*, in a summary Way, upon Information or Complaint made made and exhibited in Writing (and which shall in every Case be made and exhibited within Two Calendar Months at the furthest next after committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as afore-



said the said Justice or Justices shall examine into the Matter thereof, and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the said Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then the said Penalty or Penalties shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices (which he or they is and are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods or Chattels of such Offender or Offenders, wherever such Goods or Chattels can be found, rendering the Overplus of the Monies arising by such Sale (if any) to the Party or Parties whose Goods or Chattels shall be so distrained; all which Penalties not herein directed to be otherwise applied shall be paid to some one of the Overseers of the Poor or some other Officer of the Parish, Township, or Place in which the Offence shall have been committed, as such Justice or Justices shall direct, to be by such Overseer or Officer paid over to the Use of the Poor of the Parish, Township, or Place where the Offence shall have been committed; and it shall and may be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had thereupon, and such Penalties and Forfeitures shall not be paid, or in case it shall appear to the Satisfaction of such Justice or Justices, upon the Confession of the Offender or Offenders, that he hath not sufficient Goods and Chattels whereupon to levy the said Penalty or Penalties and such Costs as aforesaid if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County of *Stafford*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or



or Justices, or shall otherwise be discharged by due Course of Law.

Mode of proceeding in the Recovery of Penalties.

CVI. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before some Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint in a summary Way, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information in Writing shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was or had been exhibited.

Persons found in the Act of committing any Offence may, if unknown, be apprehended without a Warrant.

CVII. And be it further enacted, That in case any Person or Persons shall be found committing any Offence against any of the Provisions of this Act, it shall and may be lawful to and for any One of the said respective Commissioners, or any One of their Officers or Servants, or any other Person or Persons authorized by the said respective Commissioners, and such other Person or Persons as he or they or any of them shall call to his or their Assistance, without any Warrant or Authority other than this Act, to apprehend, seize, and detain all and every such Offender or Offenders, being unknown to such Commissioners or other Officers and Servants, or Persons, and forthwith take and convey, or cause to be taken and conveyed, him, her, or them before some Justice of the Peace, and such Justice of the Peace is hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Form of Conviction.

CVIII. And for the more easy Conviction of Offenders against this Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good, without alleging more than the Substance of the Offence; (that is to say,)

‘ **B**E it remembered, That on the \_\_\_\_\_ Day of \_\_\_\_\_ in  
 ‘ the Year of our Lord \_\_\_\_\_ is [or are, as the Case  
 ‘ may be,] convicted before me, [or us, as the Case may be,]  
 ‘ One [or \_\_\_\_\_ as the Case may be] of Her Majesty’s Justices of the  
 ‘ Peace for the County of *Stafford*, by virtue of an Act passed in the  
 ‘ Second Year of the Reign of Her Majesty Queen *Victoria*, inti-  
 ‘ tuled [here insert the Title of this Act], of having [here state the  
 ‘ Offence, and the Time and Place when and where the same was  
 ‘ committed], contrary to the said Act, and for which Offence I [or  
 ‘ we, as the Case may be,] do adjudge the said \_\_\_\_\_ to have  
 ‘ forfeited the Sum of \_\_\_\_\_ Given under my Hand  
 ‘ and Seal [or our Hands and Seals, as the Case may be,] the Day  
 ‘ and Year first above written.’

Witnesses may be summoned.

CIX. And be it further enacted, That if any Person shall be summoned as a Witness to give Evidence before any Justice or Justices of



of the Peace touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecution or on behalf of the Person or Persons accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum of Money for his or her Costs and Expences, without a satisfactory Excuse being given for such Nonappearance, or appearing shall refuse to be examined upon Oath (and which Oath any Justice or Justices of the Peace is and are hereby expressly authorized and required to administer in all Cases whatsoever where the Provisions of this Act require the Oath of any Witness or Witnesses to be had in any Proceeding before such Justice or Justices), and to give Evidence touching the Matter in question before such Justice or Justices, then and in any such Case every such Person so offending shall forfeit and pay for every such Offence a Penalty or Sum not exceeding Five Pounds.

CX. And be it further enacted, That no Person whosoever shall be disqualified from being a competent Witness and being admitted to give Evidence in any Informations, Prosecutions, Appeals, Causes, or Proceedings whatsoever relating to the Execution of this Act, by reason of his paying or being charged with or liable to pay any of the Rates or Assessments hereby authorized to be made, or any other Rate or Assessment within the said respective Districts, or by reason of his being an Inhabitant of any of the said Districts respectively, or being one of the Commissioners for putting this Act into execution, or holding any Office under the said Commissioners respectively.

Persons paying Rates, &c. may be Witnesses.

CXI. And be it further enacted, That if any Witness who shall be examined by or before the said respective Commissioners, or by or before any Justice or Justices of the Peace, or otherwise, under this Act, upon Oath, shall wilfully and corruptly give false Evidence, and shall be thereof convicted, he or she so giving false Evidence shall be subject to the same Pains and Penalties as if he or she had been convicted of wilful and corrupt Perjury.

Punishment on giving false Evidence.

CXII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect of Form in any Proceeding relating thereto, nor a Trespasser or Trespassers *ab initio* on account of any subsequent Irregularity in the Prosecution of such Distress, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for special Damages in an Action upon the Case.

Distress not to be avoided for Want of Form.

CXIII. Provided always, and be it further enacted, That any Body or Bodies Politic or Corporate, or any Person or Persons whosoever, claiming to be aggrieved by any Rate or Assessment to be laid and assessed under or by virtue of this Act, or by any Determination or Judgment made or given by any Justice or Justices of the Peace in pursuance of this Act, or by any Matter or Thing done by the said respective Commissioners or otherwise in the Execution of this Act,

Appeal to Quarter Sessions.

[*Local.*]

12 K

may,



may, within Four Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at some General or Quarter Sessions of the Peace to be holden for the said County of *Stafford*, the said Party or Parties Appellant having given at least Twenty-one Days Notice in Writing of his, her, or their Intention of making such Appeal, and of the Matter and Cause thereof, to the Party or Parties against whom such Appeal shall happen to be made, or whose Interest may be affected by such Appeal, except where the Appeal shall be made against any such Rate or Assessment as aforesaid, or against any Act, Matter, or Thing made or done by the said respective Commissioners, or by any Justice or Justices of the Peace, and then to the Clerk of the said respective Commissioners, and within Three Days after such Notice causing a Recognizance in the Sum of Twenty Pounds to be entered into before some Justice of the Peace for the said County of *Stafford*, conditioned for the Party or Parties Appellant trying such Appeal, and abiding the Order and Award of the Justices at such General or Quarter Sessions thereon, and paying such Costs as shall be awarded at such Sessions; and thereupon the Justices present at any such General or Quarter Sessions, upon due Proof upon Oath of such Notice and Recognizance having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way; and the said Justices shall have Power to award such Restitution, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

Justices on Appeal may alter or quash Rates.

CXIV. Provided always, and be it further enacted, That on any Appeal from or against any Rate or Assessment to be made in pursuance of or for any of the Purposes mentioned in this Act, the Justices of the Peace at the General or Quarter Sessions of the Peace to which such Appeal shall happen to be made shall and may alter and amend any such Rate or Assessment, in such Manner as they shall think necessary, for giving Relief to any Party or Parties injured or aggrieved thereby, without quashing any such Rate or Assessment, or without altering the same with respect to any other Persons mentioned in the same, but if upon any such Appeal it shall by such Justices be thought necessary to set aside the whole Rate or Assessment, then and in such Case it shall be lawful for such Justices so to do, and to order a new Rate or Assessment to be made in manner herein-before directed.

Proceedings not to be quashed nor removed by Certiorari.

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



CXVI. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action brought for any thing done in pursuance of this Act, if Tender of sufficient Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before the commencing of such Action; and in case no such Tender shall have been made it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Orders, and Judgments shall be had, made, and given in and by the Court as in other Actions where the Defendant is allowed to pay Money into Court.

Tender of Amends.

CXVII. And be it further enacted, That in all Cases of Notices, Summonses, or Demands in Writing, directed or required by this Act to be given or served, or which shall or may be necessary for carrying into execution any of the Powers of this Act, the Service of any such Notice, Summons, or Demand, by delivering the same or a true Copy thereof to the Person or Persons to whom the same ought to be given, or by leaving the same or a true Copy thereof at his, her, or their Dwelling House or usual or last Place of Abode, shall be a valid and effectual Service thereof (except only in Cases where personal Service is herein-before expressly required); or in case it shall be necessary to serve Notice upon the Commissioners of the said several Districts respectively, or upon any Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, then the leaving such Notice or a true Copy thereof at the Office or Place of Residence of the Clerk of the said Commissioners respectively, or upon any one of the said Commissioners respectively, or at the Office or Place of Residence of the chief Officer of any such Body Politic, Corporate, or Collegiate, Ecclesiastical or Civil, shall be deemed sufficient Service thereof.

Directions as to service of Notices, &c

CXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall prejudice, lessen, or defeat the Right, Title, or Interest of the several Lords of the respective Manors within each of the before-mentioned Districts in or to the said respective Manors, but that the Lord or Lords thereof for the Time being shall and may at all Times hereafter hold and enjoy the same, and all Rents, Courts, Fines, Perquisites and Profits of Courts, Mines, Services, Privileges, Forfeitures, and all other Royalties to the said respective Manors incident or belonging.

Saving Rights of Lords of Manors.

CXIX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

Public Act.



