



ANNO SEXTO

# VICTORIÆ REGINÆ.

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## Cap. xiii.

An Act for extending the Powers of the Commissioners of the Township of *Birkenhead* in the County of *Chester*, and for including the Township of *Cloughton-cum-Grange* and Part of the Township of *Oxton* in the same County within their Jurisdiction. [11th April 1843.]

WHEREAS an Act was passed in the Third and Fourth Years of the Reign of His Majesty King *William* the Fourth, intituled *An Act for paving, lighting, watching, cleansing, and otherwise improving the Township or Chapelry of Birkenhead in the County Palatine of Chester, and for regulating the Police thereof, and for establishing a Market within the said Township;* 3 & 4 W. 4. c. 68.  
 and another Act was passed in the First and Second Years of the Reign of Her present Majesty, intituled *An Act to amend an Act passed in the Third Year of the Reign of His late Majesty King William the Fourth, intituled 'An Act for paving, lighting, watching, cleansing, and otherwise improving the Township or Chapelry of Birkenhead in the County Palatine of Chester, and for regulating the Police thereof, and for establishing a Market in the said Township;'* 1 & 2 Vict. c. 33.  
 and another Act was passed in the Fifth Year of the Reign of Her present Majesty, intituled *An Act to authorize the Purchase of a certain Ferry called Woodside Ferry, by the Commissioners for the* 5 & 6 Vict. c. 5.  
 [Local.] 4 K Improvement

*Improvement of the Township or Chapelry of Birkenhead in the County Palatine of Chester; and for amending the Improvement Acts for the said Township: And whereas the Townships of Claughton-cum-Grange and Oxton in the said County are adjacent to Birkenhead aforesaid, and the Buildings therein and the Population thereof are increasing, and it would be attended with great public Advantage if the said Township of Claughton-cum-Grange and Part of the said Township of Oxton were united to the Township of Birkenhead, and rendered subject to the Provisions of the said recited Acts and of this Act: And whereas it would also be attended with great public Advantage if the Commissioners acting under the said recited Acts were authorized to purchase and lay out a Park for public Recreation within the said Townships, or One of them, and that they should also be empowered to provide public Baths and other Conveniences for the Inhabitants of the said Townships; and that certain Regulations should be enacted with reference to the Construction of Buildings within the Limits of this Act as herein-after defined, for promoting the Health of the Inhabitants; and that the Powers of the Magistracy and of the Police within the said Limits should be enlarged, and other amended Provisions enacted, for the Promotion of good Order therein: And whereas some of the Provisions of the said recited Acts require also to be amended and enlarged; but the Objects aforesaid cannot be attained without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissioners acting under the said recited Act shall be Commissioners for putting this Act into execution; and that all the Powers and Provisions of the said recited Acts, so far as the same are now unrepealed and in force, and except such of them or such Parts thereof as are repealed, altered, or otherwise provided for by this Act, shall extend to this Act, and to the Acquisition of Lands for the Purposes thereof by Agreement with the Parties interested therein, and to the Re-sale of Lands not required for the Purposes of such Acts and this Act, and to the other Purposes of this Act, as fully and effectually as if the said Powers and Provisions were herein repeated and re-enacted in reference to the Acquisition and Re-sale of such Lands, and other such Purposes; and all the Powers and Provisions and other Matters and Things contained in the said recited Acts and this Act shall extend to the Township of Claughton-cum-Grange and such Part of the Township of Oxton as is herein-after mentioned, as fully and effectually as to the Township of Birkenhead, and the same Acts shall be read and construed as though the said Township of Claughton-cum-Grange and the Part of Oxton herein-after mentioned had been originally included within the Limits of the said Acts, unless there be any thing in the Context thereof repugnant to such Construction.*

Commis-  
sioners.

Provisions of  
former Acts  
to extend to  
this Act.

Powers of  
the several  
Acts to  
extend to  
Claughton-  
cum-Grange  
and Part of  
Oxton as  
fully as to  
Birken-  
head.

Application  
of Money  
arising from  
Sale of sur-  
plus Land.

II. Provided always, and be it enacted, That the Money to arise by Sale of surplus Lands acquired under the Powers of this Act shall be applicable by the said Commissioners, in the first place, to the Payment of the Expences of and attending such Sales, and in

the next place to the Payment of the Mortgage Debt which shall at the Time of such Sales be due from the said Commissioners, and the Interest thereof, without Prejudice, nevertheless, to the said Commissioners re-borrowing the Amount so paid off as herein-after mentioned.

III. And be it enacted, That the Limits of this Act shall be held to include the whole of the said Townships of *Birkenhead* and *Claughton-cum-Grange*, and so much of the said Township of *Oxton* as lies within the Boundaries herein-after mentioned ; (that is to say,) so much of the said Township of *Oxton*, not belonging to the Earl of *Shrewsbury* or his Lessees, as is bounded by the said Township of *Claughton-cum-Grange*, and by a Line extending Westward from the Point of Junction of a new Road called *Palm Grove*, in the last-mentioned Township, with the Eastern Boundary of the said Township of *Oxton*, for a Distance of Five hundred Yards or thereabouts, and thence at a Right Angle for a Distance Northwardly Three hundred Yards or thereabouts to the Junction of a new Road called *Grosvenor Road* with the Northern Boundary of the said Township of *Oxton* : Provided always, that within Three Months after the passing of this Act the said Commissioners shall and they are hereby authorized to set up or cause to be set up and affixed proper Boundary Stones or Posts at sufficient Intervals to define the Boundary of that Part of the said Township of *Oxton* which is to be included within the Limits of this Act ; and if any Person shall pull up or deface any of the said Stones or Posts he shall be liable to a Penalty not exceeding Five Pounds.

Limits of  
this Act.

IV. And be it enacted, That the Charges and Expences of lighting and watching the Township of *Claughton-cum-Grange* shall be paid by the Occupiers of Tenements within the said Township, and for that Purpose the Commissioners are hereby required once in every Year to make, assess, levy, and collect an equal and separate Rate, to be called "The *Claughton* Lighting and Watching Rate," upon such Occupiers, according to the annual Value of the Tenements occupied by them respectively, not exceeding in any One Year the Sum of One Shilling in the Pound upon such annual Value.

*Claughton*  
Lighting and  
Watching  
Rate.

V. And be it enacted, That all Monies raised and levied by virtue of the said *Claughton* Lighting and Watching Rate shall be applied solely for the Purpose of lighting and watching the Streets, Lanes, and public Places within the said Township of *Claughton-cum-Grange*, and in satisfying such Share of the Interest payable to the Mortgagees on the Rates of the said Township, and other the Rates and Property on the Security whereof Money is by this Act authorized to be borrowed, as shall be in the Proportion which the said Rates authorized to be levied in the Township of *Claughton-cum-Grange* may bear to the other Rates authorized to be levied for similar Purposes by the Commissioners.

Application  
thereof.

VI. And be it enacted, That the Commissioners shall cause separate and distinct Accounts to be kept of all Monies received and paid on account of lighting and watching the said Township of *Claughton-cum-Grange*, and shall make the same up annually at the same Period that

Separate  
Accounts to  
be kept.

that they make up the Accounts for lighting and watching the Township of *Birkenhead* aforesaid.

Commis-  
sioners  
Power to  
levy, amend,  
and recover  
Rate.

VII. And be it enacted, That the said Commissioners shall possess the same Powers for assessing, amending, and levying, and be entitled to the same Remedies for recovering, the *Cloughton* Lighting and Watching Rate, as they possess for assessing, amending, levying, and recovering the *Birkenhead* Lighting and Watching Rate, and the Persons rated shall have the like Powers of inspecting and appealing against the *Cloughton* Lighting and Watching Rate as are possessed by the Persons rated to the *Birkenhead* Lighting and Watching Rate of inspecting and appealing against the same.

Powers to  
purchase  
Lands.

VIII. And be it enacted, That it shall be lawful for the said Commissioners (subject to the Provisions in this Act contained) from Time to Time to agree with any Parties who shall be willing to sell the same, for the absolute Purchase, for a Consideration in Money, of the Land described in the Schedule (A.) to this Act, and of all subsisting Leases, Terms, and Estates therein, and of all Rent-charges, Annuities, Mortgages, and Incumbrances affecting any such Lands, and all commonable and other Rights to which such Lands may be subject, and all other Estates or Interests in such Lands, of what Kind soever.

Parties under  
Disability  
enabled to  
sell and  
convey.

IX. And be it enacted, That it shall be lawful for all Persons, being seised, possessed of, or entitled to any such Lands, or any such Estate or Interest therein as aforesaid, and who are by the first-recited Act capacitated to sell Lands, to sell and dispose and convey or release the same to the Commissioners.

Appropriation of Part  
of Lands for  
a Place of  
Recreation;

X. And be it enacted, That the said Commissioners shall appropriate, for the Recreation of the Inhabitants within the Limits of this Act, such Parts as they may think proper of the Lands which they are hereby authorized to purchase, not being less than Seventy Statute Acres, and shall lay out, fence, and plant the same as a Park, and form Roads therein, with suitable Buildings and other Conveniences, and maintain and keep the whole in good Order and Repair; and it shall be lawful for the said Commissioners to appoint such Officers as may be necessary for maintaining the said Park, and preventing Nuisances or Disorder therein, and to pay to such Officers such Salaries as to them may seem fit.

and a Part  
for Baths.

XI. And be it enacted, That it shall be lawful for the said Commissioners to appropriate a Part of the Land which they now possess or may hereafter acquire, and to erect thereon Baths or Bathing Places, with suitable Conveniences, to be used by any Person, subject to the Regulations of the said Commissioners, and under the Control and Management of such Persons as they shall appoint, and on Payment of a reasonable Compensation for the same, to be from Time to Time fixed by the said Commissioners.

Power to  
borrow on  
Mortgage.

XII. And be it enacted, That it shall be lawful for the said Commissioners from Time to Time to borrow at Interest, on the Credit of the Tolls, Rates, Lands, and Property by this and the said recited Acts

Acts vested in such Commissioners, or which may become vested in them by any Act to be passed in the present Session of Parliament, or which they have acquired or may acquire under the Powers of such Acts, except only the Sewerage Rate of the said Township of *Birkenhead*, any Sum of Money, which, together with the Sums previously borrowed by them, shall not exceed the Sum of Two hundred and fifty thousand Pounds, and in the event of any Part of such Sum of Money being repaid by the Commissioners, to re-borrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security aforesaid any more than the Sum of Two hundred and fifty thousand Pounds in the whole at any One Time; and for securing the Repayment of the Monies so borrowed, with Interest, the Commissioners, or any Three of them, may assign over the said Tolls, Rates, Lands, and Property, or any Part thereof, except the said Sewerage Rate, to the Persons who shall advance or lend such Money, or their respective Trustees, as a Security for the Money so to be borrowed, together with Interest for the same, in like Manner and Form as prescribed by the said first-recited Act with regard to the Sums thereby authorized to be raised by Mortgage of the Improvement Rates of the said Township of *Birkenhead*, or in such other Manner and Form as may be applicable to the Case.

XIII. And be it enacted, That all subsisting Mortgages of Rates created under the Powers of the said recited Acts, and all such Mortgages as may be given by the said Commissioners for the Payment of the Purchase Money of the *Woodside Ferry*, and Property authorized to be purchased from *Francis Richard Price* Esquire, under the last-recited Act, shall have Priority over any Mortgages of the same Rates which may be created under this Act. Former Mortgages to have Priority.

XIV. And be it enacted, That a Register of all Mortgages and Assignments made under the Powers of this or the said recited Acts shall be kept by the Clerk to the Commissioners, and within Fourteen Days after the Date of any such Mortgage or Assignment an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register, and such Register may be perused at all seasonable Times by any Person interested therein, without Fee or Reward. Register of Mortgages to be kept, and to be open to inspection.

XV. Provided always, and be it enacted, That every Mortgage, Bond, or other Security for Money, and every Transfer of any Mortgage, Bond, or other Security to be granted or made by virtue of this Act, shall be by Deed duly stamped, wherein the Consideration for the same shall be truly stated, any thing herein or in the said recited Acts contained to the contrary notwithstanding. Mortgages, or Transfers thereof, to be by Deed duly stamped.

XVI. And be it enacted, That the First Meeting of the said Commissioners after the annual Election of Commissioners shall be held on the *Tuesday* after such Election, and Notice thereof in Writing, signed by Three of the Commissioners or their Clerk, stating the Day, Hour, and Place of holding such Meeting, shall be sent by the Post, directed to each Commissioner, including those elected at such annual Elections. First Meeting of Commissioners after Day of Election.

[Local.]

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XVII. And

Commissioners to appoint a Committee out of their own Body.

XVII. And be it enacted, That the Commissioners shall, within Three Months after the Commencement of this Act, and so from Time to Time thereafter as they shall deem expedient, appoint, for such Time as they may think proper, a sufficient Number of their own Body, who shall be a Committee for the Purposes herein-after mentioned, and shall be called "The Health Committee;" and all the Powers herein-after given to such Committee may be executed by the Majority of the Members of the Committee who shall be present at any Meeting, the whole Number present at such Meeting being not less than Five.

Surveyors to assist the Health Committee.

XVIII. And for better enabling the Health Committee to execute the Powers vested in them by this Act, be it enacted, That the Surveyors to be appointed by the Commissioners under the Authority for that Purpose herein contained shall assist the said Committee in the Execution of the Powers of this Act, and shall execute all Orders and Directions of the said Committee in relation thereto, and shall observe and perform the several Matters herein mentioned or directed to be done and executed by them.

Regulating Width of Streets.

XIX. And be it enacted, That it shall not be lawful to build any Two opposite Rows of Houses which shall be separated from each other by a Space of less than Twenty-four Feet wide, where there shall be a Carriageway between such Houses, or by a Space of less than Eighteen Feet wide where there shall be no such Carriageway.

Houses not to be built in close Courts.

XX. And be it enacted, That it shall not be lawful to build any House in any Court which shall not be open for the Space of Eighteen Feet at the least from the Ground upwards at one End of such Court, and so continuing the whole Length thereof, the Thickness of any Separation Wall at the other End thereof excepted; provided that for the Erection of any Privies and Ash-pits for the said Court, and for the House or Houses to the Front thereof, the Entrance to the Court may, if the Health Committee shall think proper, be narrowed to Eight Feet in Width, such Erections not exceeding Ten Feet in Height, and being constructed to the Satisfaction of the said Committee.

Level of the Ground Floors.

XXI. And be it enacted, That the Level of the Ground Floor of every House which shall hereafter be built shall be at least Six Inches above the Level of the Footway or Road adjoining such House, whether there shall be a Cellar to such House or not.

Regulating Size of Rooms.

XXII. And be it enacted, That no House shall hereafter be built unless the same shall have at least One Room on the Ground Floor containing One hundred and eight superficial Feet, clear of any Stairs or Staircase, or any other Reduction save One Chimney Breast and Fire-place therein, or which shall have any Room therein which shall be less than Eight Feet in Height from the Floor to the Ceiling, save Attic Rooms, which may average Seven Feet in Height from the Floor to the Ceiling, and Cellars not used for Habitation, which shall be considered as of sufficient Height if not less than Six Feet in Height.

XXIII. And

XXIII. And be it enacted, That there shall not be more than One Story in any Part of the Roof of any House which shall hereafter be built. Only One Story in the Roof.

XXIV. And be it enacted, That in every Room in any House which shall hereafter be built there shall be at least One Window, the Dimensions of which shall not be less than Five Feet in Height, and not less than Three Feet wide clear of the Sash-frame, or otherwise shall be of an Area of not less than Fifteen Feet clear of the Sash-frame; provided that Attic and Cellar Windows may be of Dimensions not less than Three Feet Square, or otherwise of an Area of not less than Nine Feet clear of the Sash-frame; and every such Window, whether in the Attic, Cellar, or other Rooms, shall be a Casement Window opening on Hinges or Pivots, unless the Sashes thereof shall be double, and made so as to open both at the Top and Bottom. Regulating Windows.

XXV. And be it enacted, That it shall not be lawful to let separately, except as a Warehouse or Storehouse, or to suffer to be occupied as a Dwelling Place, any Cellar under any House in any Court. Cellars in Courts not to be occupied as Dwellings.

XXVI. And be it enacted, That from and after the First Day of *January* One thousand eight hundred and forty-four it shall not be lawful to let separately, except as a Warehouse or Storehouse, or to suffer to be occupied as a Dwelling Place, any Cellar or Room under any other House whatsoever, which Cellar or Room shall be less in Height from the Floor to the Ceiling than Seven Feet, or which shall be less than One Third of its Height above the Level of the Street adjoining the same, or otherwise shall not have Two Feet at least of its Height from the Floor to the Ceiling above the said Level, with an open Area of Two Feet wide from the Level of the Floor of such Cellar or Room up to the Level of the said Street, or which shall not have attached thereto the Use of a Privy and an Ash-pit, according to the Enactment herein contained, or which shall not also have a Window of not less than Three Feet square, or otherwise of an Area of not less than Nine Feet clear of the Sash-frame, and a Fire-place with a Chimney or Flue, or, being an inner or back Cellar let or occupied along with a front Cellar as Part of the same Letting or Occupation, shall not have a ventilating Chimney, unless such inner or back Cellar shall be Part of a House built before the Commencement of this Act. Cellars not to be let for Dwellings, unless of a certain Height.

XXVII. And be it enacted, That every Person who shall let separately (except as aforesaid), or knowingly suffer to be occupied for Hire as a Dwelling Place, any Cellar or Room, contrary to the Provisions of this Act, shall forfeit any Sum not exceeding Five Shillings for every Day during which such Cellar or Room shall be so occupied. Penalty for letting Cellars as Dwelling Places.

XXVIII. And be it enacted, That the Owner of every House to which no sufficient Privy or Ash-pit is attached shall provide such fit and proper Priy to the same, in such Situation, not disturbing any Building already erected, and with such proper Door and Covering to Owner of any House to provide Privy and Ash-pit for the same.

to such Privy, and also such fit and sufficient Ash-pit, and in such Situation, not disturbing any Building already erected, as the Health Committee shall consider requisite for the Use of the Inmates or Occupiers thereof; provided that a Privy and Ash-pit, or Two or more Privies and Ash-pits, may, with the Approbation of the said Committee, be used in common by the Inmates and Occupiers of Two or more such Houses.

Privies to be provided.

XXIX. And be it enacted, That no House shall hereafter be built without there being constructed to the Satisfaction of the Health Committee, either in such House or in a Yard attached to such House, a Privy, with proper Doors and Coverings to the same, and also an Ash-pit, together, if required by the said Committee, with a proper Funnel or Flue or other Means for carrying off upwards any offensive Stench from such Privy and Ash-pit; provided that in the Case of Houses in Courts a Privy and Ash-pit, or Two or more Privies and Ash-pits, may, with the Approbation of the said Committee, be used in common by the Inmates and Occupiers of such Houses.

Owners of Houses to keep Privies and Ash-pits in repair.

XXX. And be it enacted, That the Owner of every House now built or hereafter to be built shall keep the Privy and Ash-pit belonging to such House, or used by the Inmates or Occupiers thereof, in good Repair, to the Satisfaction of the Health Committee; and if the Owner of any House shall not provide the same with a Privy, with such Door and Covering to the same, or with such Ash-pit, as aforesaid, or shall not repair the said Privy and Ash-pit, to the Satisfaction of the said Committee, within One Month next after Notice in Writing for that Purpose from One of the Surveyors shall have been given to such Owner, or left for him at his usual or last known Place of Abode in *England*, or affixed to or upon the Premises in respect of which the same shall be given, every such Owner so making default shall for every such Default forfeit any Sum not exceeding Five Pounds, and any further Sum not exceeding Ten Shillings for every Week during which such Default shall in anywise continue unamended.

Owners of Courts and Passages to flag and repair them.

XXXI. And be it enacted, That the Owner of any Court or Passage, or of any Part of any Court or Passage, shall, to the Satisfaction of the Health Committee, sufficiently flag or lay such Court or Passage, or such Part thereof of which he shall be the Owner, and lay with Stone an overground Drain or Channel through, over, or along the same, or through, over, or along such Part thereof as the said Committee may require, and keep the Flagging of such Court or Passage, or of such Part thereof as aforesaid, and also such Drain or Channel over the same, in good Repair, to the Satisfaction of the said Committee; and the Owner of any Court, or of any Part of any Court, shall cause the Houses therein belonging to him to be sufficiently drained, and so to be kept and continued, to the Satisfaction of the said Committee; and if any such Owner of any Court or Passage, or of any Part of any Court or Passage, shall not sufficiently flag the same as aforesaid, or shall not lay with Stone such Drain or Channel as aforesaid, or shall not repair and keep the same Flagging and Drain or Channel, or such Part thereof respectively as shall belong to him, in good Repair, to the Satisfaction of the said Committee,



mittee, or shall not cause his Houses in any such Court to be sufficiently drained, and so kept and continued, to the Satisfaction of the said Committee, within One Month next after Notice in Writing for that Purpose from One of the Surveyors shall have been given to such Owner, or left for him at his usual or last known Place of Abode in *England*, or, in case such Owner shall be unknown, or be out of *England*, upon or affixed to the Premises in respect of which the same shall be given, then and in every such Case such Owner so making default shall for every such Default forfeit any Sum not exceeding Five Pounds, and any further Sum not exceeding Ten Shillings for every Week during which such Default shall in anywise continue unamended; provided that in lieu of Flags any Material or Preparation approved by the Committee may be used, and in such Case this Provision shall apply to such Material or Preparation so approved, in like Manner as to Flags or Flagging.

XXXII. And be it enacted, That all private Drains, and Water-courses used for Drains, shall be cleansed by the Occupiers of the Houses, Lands, or Tenements to which the same or the Use thereof shall belong; and if the Occupier of any House, Land, or Tenement to which any private Drain or Watercourse, or the Use thereof, shall belong, shall neglect well and sufficiently to cleanse the same during Fourteen Days after Notice in Writing for that Purpose, signed by any One of the Surveyors, shall have been given to such Occupier, or left upon the Premises, every such Occupier shall forfeit any Sum not exceeding Five Pounds, and any further Sum not exceeding Ten Shillings for every Week during which such Default shall continue unamended; and it shall be lawful for the Commissioners, if they shall think proper, to apply any Penalty recovered under this Provision, or any Part of any such Penalty, in or towards any such cleansing.

Private Drains, &c. to be cleansed by Occupiers.

XXXIII. And be it enacted, That in case the Occupier of any House shall prevent the Owner thereof from carrying into effect, in respect of such Premises, any of the Provisions of this Act, or from doing any of the Matters and Things which by this Act are required to be done by such Owner, and after Notice of this Provision shall have been given by the Owner of such House to the Occupier thereof, such Occupier shall forfeit to the Owner of the said Premises Double the Amount of the Penalties which he may incur or be liable to in consequence of such Provisions not having been carried into effect, the same to be recovered before any Two Magistrates of the County of *Chester*, in like Manner as other Penalties for the Recovery whereof no special Provision is made may be recovered under the said first-recited Act.

Provision in case of Tenants opposing the Execution of this Act.

XXXIV. And be it enacted, That if the Health Committee, and a Medical Officer to be appointed by them, shall be of opinion, and shall certify under the Hands of Two or more of such Committee, and also of such Medical Officer, that any House or Part of any House within the Limits of this Act is in such filthy and unwholesome Condition that the Health of the Inmates or of the Public is thereby affected or endangered, it shall be lawful for any Justice to cause

In case any House be in a filthy and unwholesome Condition, the Magistrate may order the same to be cleansed.

[Local.]

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Notice

Notice to be affixed on the Door or on some other conspicuous Part of such House, requiring the Occupier of such House or Part thereof to cause the same to be cleansed within Four Days from the Date of affixing such Notice, or to appear before such Justice to answer such Complaint; and if within the said Four Days such House or Part thereof shall not be cleansed to the Satisfaction of such Medical Officer, and if such Occupier, being duly summoned, shall not appear before such Justice, and show sufficient Cause to the contrary, such Justice is hereby empowered, on Proof thereof, to issue an Order under his Hand and Seal to the Committee to cause such House or Part thereof to be cleansed at the Expence of the Occupier thereof, and to cause the Charges of cleansing the same to be levied, in case of Nonpayment, by Distress and Sale of the Goods and Chattels of such Occupier, by Warrant under the Hand and Seal of such Justice.

Power for  
Commis-  
sioners to  
appoint Sur-  
veyors.

XXXV. And be it enacted, That it shall be lawful for the Commissioners, within Six Months after the Commencement of this Act, and from Time to Time as Vacancies shall happen, to appoint a fit Person, or so many fit Persons as the Commissioners shall think fit, to be Surveyors of Buildings within the Limits of this Act, and for other the Purposes of this Act, and to see that the several Provisions of this Act and the recited Acts, and the Rules and Directions for the Time being of the Health Committee, are well and truly observed therein, and each of the said Surveyors shall have in his special Charge such District as the Commissioners shall in that Behalf appoint; and each of the said Surveyors shall hold his Office during the Pleasure of the Commissioners, and may, if the Commissioners shall so think fit, but not otherwise, have an Assistant or Assistants under him (such Assistants being in all Cases appointed by and holding their Situations during the Pleasure of the Commissioners); and the Commissioners shall have Authority to fix the Districts in which the said Surveyors are to act, and to do all Things relating in anywise to the Appointment and Direction of such Surveyors and Assistant Surveyors.

Declaration  
of Surveyor.

XXXVI. And be it enacted, That every such Surveyor and Assistant Surveyor, upon his Appointment, shall make and subscribe, before the Commissioners or any Three or more of them, a Declaration to the Effect following; (that is to say,)

‘ I *A. B.*, the Surveyor [*or Assistant Surveyor*] [*or One of the Sur-*  
‘ *veyors*] [*or One of the Assistant Surveyors*] of Buildings  
‘ appointed in pursuance of an Act of Parliament passed in the  
‘ Year of the Reign of Her Majesty Queen *Victoria*,  
‘ intituled [*here set forth the Title of this Act*], do declare, That I will  
‘ diligently, faithfully, and impartially perform the Duties of my  
‘ Office, and to the utmost of my Power, Skill, and Ability endeavour  
‘ to cause the several Provisions of the said Act, and also the several  
‘ Provisions of the Acts therein recited, and the Rules and Directions  
‘ for the Time being of the Health Committee, to be strictly observed,  
‘ and that without Favour or Affection, Prejudice or Malice, to any  
‘ Person whomsoever.’

XXXVII. And

XXXVII. And be it enacted, That each Surveyor and Assistant Surveyor shall be paid by the Commissioners out of the Improvement Rate such Salary as the Commissioners shall from Time to Time think proper.

Salary of Surveyors.

XXXVIII. And be it enacted, That One clear Day at least before any Building shall be begun to be erected, or any Addition thereto or Alteration therein shall be made, or before any Party or Outside Wall or Chimney-back of any Building shall be begun to be built, pulled down, rebuilt, or altered, or any Opening shall be made therein, Notice thereof in Writing shall be left at the Office of the Surveyor of the District, signed by the Master Builder or Workman or other Person who shall be employed or be about to build, pull down, rebuild, or alter such Building, Party or Outside Wall, or Chimney-back, or by the Owner of the Property or other Person for whom or by whose Order such Works shall be ordered to be done, stating in general Terms the Nature of the intended Work, and the Place where the same is to be done or carried on, and the Name and Place of Abode of the Owner of the Property, or other Person for whom or by whose Order such Work shall be ordered to be done, and the Name and Place of Abode of the Master Builder or Workman or other Person who shall be employed or shall be intended to be employed therein; and the Surveyor within whose District the same shall be shall inspect the said Building and Alterations from Time to Time, and shall cause all the Rules of this Act relative to the proper Construction of Buildings to be well and truly observed; provided that in case the intended Alteration shall only relate to the opening of any Doorway or Window in any Dwelling House, no Notice shall be requisite, unless such Window or Doorway shall be opened or made through any Party Wall.

Notice of building to be given to Surveyor.

No Notice of opening a Doorway or Window

XXXIX. And be it enacted, That the Surveyor of the District wherein such Building may be situated shall immediately on the same becoming known to him cause all the Rules of this Act to be observed, whether or not any such Notice shall have been given to him, and if such Building or any Part thereof is irregularly built he shall proceed as herein-after directed.

Surveyors to act, although Notice has not been given.

XL. And be it enacted, That in case the Surveyor for the District within which any Building is situated which ought to be inspected under this Act shall be prevented by Illness or other unavoidable Hindrance from inspecting the same, or in case such Surveyor shall be interested directly or indirectly therein, then such Surveyor shall cause Notice thereof to be given to some other Surveyor appointed under this Act, or, in case of the other Surveyor or Surveyors being prevented by the like Hindrance, then to some Assistant Surveyor not subject to such Objection; and such last-mentioned Surveyor or Assistant Surveyor, upon the Receipt of such Notice as aforesaid from the Surveyor of the District in which such Building is situated, or from any Person on his Behalf, shall inspect the Building in regard to which such Notice shall have been given, and see that the Regulations of this Act are well and truly observed.

If Surveyor of the District cannot act another Surveyor to act for him.

XLI. And

Surveyor to give Information of Buildings or Alterations made contrary to this Act.

XLI. And be it enacted, That in case the several Regulations in this Act contained shall not from Time to Time be well and truly observed in regard to any Building, the Surveyor within whose District the same is situated, or the Surveyor who in his Stead shall have inspected the same, shall immediately on the Discovery thereof give Notice in Writing of such Default to the Owner or Occupier thereof, or to the Master Builder, Workman, or other Person employed in or about such Building; and unless such Parts of the said Building as shall be contrary to the Provisions of this Act shall within Forty-eight Hours from the Delivery of such Notice be altered or amended, then the said Surveyor shall give immediate Information thereof to some Justice, who shall issue his Summons requiring the Party complained of to appear before Two Justices, and such Two Justices shall inquire into the Truth of such Information by the Examination of Witnesses, or by such other Means as they shall think fit, and if any Breach of the Regulations in this Act contained shall be found to have been committed the said Justices shall cause such Building to be taken down or amended in manner herein-after directed.

Buildings or Alterations to be surveyed within One Month after finished, and Declaration made of Conformity to this Act.

XLII. And be it enacted, That every Master Builder, Workman, or other Person by whom any Building shall be built or altered shall, within One Month after such Building shall have been covered in or such Alteration completed, cause Notice thereof in Writing to be left at the Surveyor's Office; and the Surveyor within whose District the same is situated shall forthwith proceed to survey such Building, or in case he shall by Illness or otherwise be prevented from surveying such Building, or shall be interested therein as aforesaid, then the same shall be surveyed by any other Surveyor appointed under and by virtue of this Act, or by some Assistant Surveyor; and if upon such Survey the said Buildings shall be found to be built or altered agreeably to the Regulations in this Act contained, then such Surveyor shall, on or before the First Day of *January*, First Day of *April*, First Day of *July*, or First Day of *October* which shall first happen next after Fourteen Days from the Time of surveying the same, make a Declaration thereof in Writing before some Justice, and the said Declaration shall be entered in Books to be provided for that Purpose, and kept in the Custody of the said Surveyors in their Offices, which Books shall be from Time to Time produced to the Commissioners or their Clerk, or any Justice, whenever required by any of them respectively: Provided always, that no such Declaration as aforesaid shall be made until a Certificate under the Hand of the Surveyor for the Time being of the Commissioners has been obtained, stating that such Building is upon the Level and drained in the Manner required by Law.

Penalty on Builder neglecting to give Notice.

XLIII. And be it enacted, That every Master Builder, Workman, or other Person by whom any Building or Alteration shall be erected or made, or by whom the same shall be completed, who shall neglect to give any Notice required by this Act respecting the same, shall for every such Neglect forfeit a Sum not exceeding Five Pounds.

Penalty on Workman offending.

XLIV. And be it enacted, That every Workman, Labourer, Servant, or other Person employed in any Building, or in the Alteration  
of

of any Building, who shall wilfully or negligently, and against the Order of any Person causing such Building to be erected or altered, or superintending the erecting or altering thereof, do any thing in or about any Building or Alteration of any Building contrary to the Regulations of this Act, shall for every such Offence forfeit and pay a Sum not exceeding Fifty Shillings.

XLV. And be it enacted, That every Owner or Occupier of any Building, and every other Person interested therein, who shall begin to build or rebuild or make any Alteration in any Building, and who shall refuse to any Surveyor under this Act Admittance from Time to Time at reasonable Hours in the Day-time for the Purpose of inspecting the said Building or Alteration, or who shall in anywise interrupt or hinder any such Surveyor from surveying the same, shall for every such Offence forfeit and pay a Sum not exceeding Ten Pounds; and every Building built or begun to be built or altered, or begun to be altered, as aforesaid, without such Admittance as aforesaid being allowed, in case the same be not built or altered in every respect agreeably to the Regulations of this Act, shall be taken down or amended as directed by Order of any Justice in the Manner herein-after directed.

Penalty on  
Persons  
refusing  
Inspection.

XLVI. And be it enacted, That if any Person shall build or begin to build or alter any Building contrary to the Provisions of this Act, and be thereof convicted on Oath before any Justice, then the Owner of the said Building so irregularly built or altered, or other Person for whom or by whose Order the said Building shall be made, and the Builder employed, or One of them, as the said Justice shall require, shall enter into a Recognizance in such Sum as the said Justice shall appoint, to take down the same within such convenient Time as the said Justice shall appoint, or otherwise to amend the same according to the Regulations in this Act contained, and also to pay the Expences of laying the Information and obtaining the Conviction; and in default of entering into such Recognizance it shall be lawful for the said Justice, by Warrant under his Hand and Seal, to order any such Buildings to be taken down or altered, and to order the Person by him authorized to take down the same to sell the Materials thereof, and out of the Monies arising from the Sale thereof to pay himself, and all Persons by him employed for the Purposes aforesaid, the reasonable Charges of taking down such Building, and also the Expences of laying the Information and obtaining a Conviction, and to pay the Surplus of such Monies arising by such Sale to the Owner of such Materials, or to such Person as the said Justice shall order, for such Owner; and if the Monies arising by such Sale be not sufficient to defray such Charges, the Deficiency shall be levied upon and recovered from the Owner or other Person for whom or by whose Order such Building shall be made or altered, in like Manner as Penalties are by the said first-recited Act directed to be levied and recovered; or in case such Justice shall think it more expedient, the Person so making default shall be committed to some Common Gaol of the County of *Chester*, there to remain for such Time as the said Justice shall determine, not more than Three Months, such Imprisonment to cease whenever the said Building shall be abated, taken

All Buildings  
erected con-  
trary to this  
Act to be  
abated.

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down, or otherwise amended, according to the Order of the said Justice and the Provisions of this Act: Provided always, that no Proceeding for any such Conviction shall be had after the End of Three Months after the Building shall have been finished or Alterations completed.

For prevent-  
ing Neglect  
or Evasion of  
this Act.

XLVII. And whereas it is expedient to make further Provision for the Detection of any Neglect or the wilful Evasion of the Provisions in this Act; be it enacted, That it shall be lawful for any Surveyor appointed by virtue of this Act, and all other Persons, to commence and prosecute Proceedings for the Recovery of any Penalty or Forfeiture, or for the pulling down or Alteration of any Building, against any Owner, Occupier, Builder, Workman, or other Person, for any Default made in complying with the Provisions of this Act, at any Time within Three Months after such Default shall have been made, provided that the Person intending to commence such Proceedings, if not One of the said Surveyors, shall give Notice of his Intention at the Office of the Surveyor of the District; and that in case any Person, having duly begun any Building requiring Compliance with the Provisions of this Act, shall suspend the Progress and Completion of such Building for any Period exceeding Two Months, and shall again go on with the same, or in case the Builder or other Person employed by such Owner or other Person in such Building shall be changed during the Progress thereof, Notice in Writing thereof, and of the Name of the Person to be employed to go on with such Building, shall be given to the Surveyor of the District, or left at the Surveyor's Office, in like Manner as is required upon beginning any new Building; and every Person making default, or neglecting to give or leave such Notice, shall for every Offence forfeit and pay a Sum not exceeding Twenty Pounds, to be recovered as Penalties may be recovered according to the Provisions of the said first-recited Act.

As to Persons  
inadvertently  
making  
default in  
conforming  
to Regula-  
tions.

XLVIII. And whereas Persons may inadvertently make default in not conforming to some of the Provisions of this Act, and by the Inattention of the Surveyor of the District within which the Building may be situated such further Progress may be made in the Work that in order to rectify such Error considerable Expence may be incurred, which would not have been the Case had due Attention been paid by the Surveyor; be it therefore enacted, That no Proceeding shall be had against any Owner, Occupier, Builder, Workman, or Person, for any Default made in not complying with the Provisions of this Act, where no Notice shall have been given thereof by such Surveyor as aforesaid within Ten Days after such Default shall have been made; provided that such Default shall not affect the Safety of the Building, and that the same shall have been open to the Inspection of the Surveyor at the usual working Hours during the said Number of Days.

Future Build-  
ings to be  
according to  
this Act;

XLIX. And be it enacted, That all Buildings hereafter to be built or rebuilt shall be built and rebuilt according to the Regulations in this Act contained, and the Outer Walls, Party Walls, separate Side or End Walls, and Chimney-backs of Chimney Flues, shall be built according

according to the Schedule (B.) to this Act annexed, and in compliance therewith; and the Timbers in the Floors and Roofs shall be of the Strength and Dimensions specified in the Schedule (C.) to this Act annexed, and in compliance therewith; and the Mortar and other Materials to be used in the Building shall be of the Quality and Description in this Act mentioned: Provided always, that where there is more than One Story below the Level of the Street the Walls of the lowest Story shall be Half a Brick or Four Inches and a Half thicker than is otherwise required.

L. And be it enacted, That all Buildings, whether upon old or new Foundations, or on Foundations partly new and partly old, shall be classed under the several Rates of Buildings described in the said Schedule (B.) to this Act annexed, and shall be built according to the Rules therein contained concerning the same respectively. and shall be classed as in Schedule (B.)

LI. And in order to prevent any Doubt as to the proper Rates according to the said Schedule (B.) to which any Building added to any Building of the several Rates contained in such Schedule may belong, be it enacted, That, whenever there are distinct and complete Outer Walls to the original Building to which the Addition is to be made the said additional Building shall have such outer and other Walls as are required by the said Schedule (B.) according to the Rate to which such additional Building may belong; but if there shall be no distinct and complete Outer Walls to the original Building, then such additional Building shall have such outer and other Walls as are required by the said Schedule (B.) for the Rate of the original Building, unless the additional Building shall be larger or of a higher Rate than the original Building, when the additional Building shall have such outer and other Walls as are required by the said Schedule (B.) for the Rate to which such additional Building may belong. Rules as to the Rates of Buildings to be added to any existing Buildings.

LII. And be it enacted, That in estimating the Rate of any Building according to the Number of Stories no Account shall be taken of any Story on the Roof, and the Heights of all Walls shall be estimated from the Street Level, unless where any Building is more than Fifteen Feet from the Street, in which Case the Height of Front shall be measured from the Level of the Ground at the principal Entrance. Regulations as to the Rates of Buildings, Heights of Walls, &c.

LIII. And be it enacted, That every Wall now built or hereafter to be built, and which shall not be used or shall not at the Time of the building thereof have been intended to be used as a Separation of one Building from another, shall be held to be an Outer Wall within the Meaning of this Act; and no such Outer Wall shall be used as a Party Wall unless built of the Thickness or Dimensions specified in the said Schedule (B.) What shall be held to be an Outer Wall.

LIV. And be it enacted, That every Outer Wall of every Building shall be built of good sound well-burnt Bricks or good sound Stone, properly bonded and set in good Mortar or Cement, except only such Wood-work or Iron-work as may be necessary for internal Plates, Girders, Joist Ends, Partition Heads, or for Bond or Chain Timbers. Regulations as to Outer Walls.

Timbers or Lintels, Door or Window Frames, and except only such Bressummers, and such Story Posts under Bressummers, as may be necessary in Openings, and which shall be set up or fixed not higher than the Level of the Ceiling of the Ground Floor of the Building to which the same belongs; and the Mortar or Cement shall be well compounded in the Proportion of One Part of good fresh burnt Lime or Cement and Three Parts of clean sharp Sand; and all the internal Plates, Girders, Joist Ends, Partition Heads, Bond or Chain Timbers, Lintels, and Door or Window Frames, shall be at the Distance of at least Four Inches and a Half from the Face of the Wall; and all Bressummers shall be of sufficient Strength, and shall be of equal Breadth with the Walls which rest upon them; and the Story Posts of Shop Fronts shall be of Cast Iron, with Iron Caps and Bases; provided that nothing herein contained shall extend to prevent the Use of such Materials as may be necessary for Projections in Doorways and Shop Fronts, or for Pilasters or Cornices, under the Provision respecting the same herein contained.

Openings in Outer Walls of Shops or Warehouses to be supported according to Directions of Surveyor.

LV. And be it enacted, That in the Case of Doorways, Windows, or other Openings in the Outer Walls of any Building intended to be used as a Shop, and of any Alterations in the same, the Walls over such Openings shall be supported with Brick or Stone Arches, Iron Cradling or Wooden Lintels, or Bressummers, of sufficient Strength to the Satisfaction of the Surveyor who shall inspect the same; and where the Doorways, Windows, or other Openings shall exceed Ten Feet in Width, with Story Posts, in such Manner as shall be satisfactory to the Surveyor who shall inspect the same; and in the Case of Entrances to Warehouses for the Deposit of Goods, and not used as a Shop, the same, if they shall exceed Ten Feet in Width, shall be supported with Arches of Brick or Stone, or with Iron Girders, to the Satisfaction of the said Surveyor; and in every Case in which any such Building shall not be so supported to the Satisfaction of the said Surveyor the same shall be considered as erected or altered (as the Case may be) contrary to the Regulations of this Act, and shall be taken down or amended by Order of any Justices in manner herein authorized.

As to Mode of building Party and separate Side Walls.

LVI. And be it enacted, That every Party Wall, and separate Side or End Wall, shall be built of good sound well-burnt Bricks or good sound Stone, properly bonded and set in good Mortar or Cement, except such Wood-work as may be necessary for the Ends of Girders, Beams, Trimming Joists, or Bressummers; but the Ends of any Girder, Beam, Trimming Joist, or other Timber shall not be nearer than Four Inches and a Half to the Ends of any other such Timber inserted on the other Side of any such Wall; and all separate Side or End Walls shall be well and closely lined up to the under Sides of the Slates upon the Roof of the Building.

As to Thickness of Party Walls.

LVII. And be it enacted, That every Party Wall shall be of the Thickness specified in the said Schedule (B.) according to the Rate of the Building to be erected on either Side thereof, or the larger of them; but where by Want of Agreement between the Parties interested, or otherwise, a Party Wall cannot be the Division Wall between



between the Side or End of any Building and any other Building, then each Building to be erected shall have a separate Side or End Wall of the Thickness in the said Schedule (B.) specified: Provided always, that after the building of any such separate Side or End Wall the same shall in no Case be considered as or made to form a Part of any Party Wall upon the Erection of any adjoining Building at any Time afterwards, unless the same shall be of sufficient Thickness for such Party Wall according to the Provisions herein contained, and shall not have any Timbers inserted in it, other than are herein allowed to be inserted in Party Walls, and the Party interested therein shall consent to the same being used as such Party Wall, but otherwise every subsequent Building shall have a separate Side or End Wall of the Thickness required by this Act.

LVIII. Provided always, and be it enacted, That nothing in this Act contained shall prevent any Person from carrying up any Wall above the Slates of the Roof, in order to form a Parapet, so that the same do not exceed in Elevation Two Feet above the Slates of the Roof of such Building. Parapets may be formed.

LIX. Provided always, and be it enacted, That as to all Buildings of the Third Class in the said Schedule (B.), not only any separate Side Wall which shall be One Brick Length in Thickness, but any Party Wall of the like Thickness (such Walls respectively having been actually erected prior to the First Day of *March* One thousand eight hundred and forty-three), shall be exempted from the Provisions of this Act, and either such separate Side Wall or such Party Wall shall and may be used as a Party Wall between Buildings of the said Third Class at all Times hereafter, with the Consent of the proper Parties interested therein; provided that such Walls respectively, in the Judgment of the Surveyor who shall inspect the same, shall have been well and sufficiently built, and be sufficient and in good Order and Repair, and that all Chimneys belonging thereto shall be or be made to be conformable to the Provisions of this Act to the Satisfaction of the Surveyor who shall inspect the same. Party Walls in Third Class Buildings erected prior to March 1843 exempted from this Act.

LX. And be it enacted, That no Flue or Fire-place shall be nearer than Four Inches and a Half to the Centre or Middle of the Thickness of any Party Wall, nor shall the Substance of Brick-work at the Back of any Fire-place or Chimney be less in Thickness than is required by the said Schedule (B.), nor shall any Girder, Beam, Trimmer, Joist, Bearer, or other Timber be laid in a Wall nearer than Six Inches to any Chimney Opening, Back, or Flue, nor shall any Timber be laid underneath the Jambs or Opening in any Chimney Breast to support the same, but the same, if requiring to be supported, shall be supported by Iron or Stone, according to the Directions of the Surveyor of the District; but in no Case shall the same be supported by or rest upon Timber. Regulations as to Flues and Fire-places.

LXI. And be it enacted, That every such Chimney or Chimney Opening shall have a Slab before the same of Tile, Stone, or other incombustible Materials, which shall be at least Fifteen Inches broad and One Foot longer than the Chimney Opening when finished, Construction of Chimney Openings.

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and shall be laid, when required by the Surveyor of the District, on Brick or Stone Trimmers at least Fifteen Inches broad before the Opening.

Ovens and  
Furnaces to  
have protect-  
ing Walls.

LXII. And be it enacted, That every Baker's Oven, and every Smith's or other Tradesman's or Artificer's Furnace whatsoever, hereafter to be erected, shall have, as Part of such Oven or Furnace, or otherwise, a protecting Wall of not less than Nine Inches in Thickness between the Fire of the Oven or Furnace and the separate Side or End Wall, Party Wall, or Outer Wall of the Building in which such Oven or Furnace shall be; and such protecting Wall shall be so constructed, and be of such Height, Depth, and Breadth above, below, and beyond the Oven or Furnace, as shall be satisfactory to the Surveyor who shall inspect the same.

Heights of  
Chimney  
Shafts.

LXIII. And be it enacted, That no Chimney Shaft of any Building already built or hereafter to be built shall exceed the Height of Four Feet above the Outside of the Roof of such Building, measuring upwards from the Centre of such Chimney immediately above the Roof, unless the same be secured by sufficient Iron Stays of such Strength and Dimensions and to be fixed in such Manner as shall be approved of by the Surveyor who shall inspect the Buildings, or unless the same be built with another Chimney Shaft Back to Back of such Height and of such Strength and Dimensions as shall be approved by the said Surveyor; nor shall any such Chimney Shaft above such Roof be of less Dimensions than Two Feet in any One Side thereof, unless Back to Back with another Shaft in manner aforesaid; provided that these Provisions shall not extend to the Chimney Shaft of any Chimney built for any detached Building standing at a Distance of not less than Eighteen Feet from any public Street, or to the Chimney Shaft of any Chimney built for any Steam Engine or Manufactory, the Chimney Shaft of which detached Buildings, Steam Engines, or Manufactories may be erected of such Strength and Dimensions and in such Manner as shall be satisfactory to the said Surveyor.

Chimneys  
and Flues to  
be pargeted.

LXIV. And be it enacted, That the Inside of every Chimney Opening and the Inside of any Flue hereafter to be built shall be rendered or pargeted throughout with Mortar, properly prepared for such Purpose; and every Person building any Chimney or Flue without causing the same to be so rendered or pargeted throughout shall for every such Offence forfeit a Sum not exceeding Five Pounds.

Flues to be  
painted on  
Building  
adjoining on  
vacant Land.

LXV. And be it enacted, That in all Cases where Party Walls are built adjoining to vacant Land, with Chimney Openings and Flues on the inner Side thereof, the outside Limits or Courses and Situations of all such Chimney Openings and Flues shall be distinctly marked with Paint on Lines of not less than Three Inches wide upon the outer Side of such Party Walls.

Joists, Pur-  
lins, and  
Rafters.

LXVI. And be it enacted, That no Joist or Beam in any Floor of any Building of the several Rates contained in the said Schedule (B.) shall

shall be of less Dimensions than are expressed in the Schedule (C.) to this Act annexed, according to the Lengths of Bearing thereof, nor shall the Spars or Rafters in any Roof be of less Strength or greater Bearing than is specified in the said Schedule (C.), nor shall any Pans or Purlins in any Roof be of less Dimensions according to the Bearing thereof or more apart than are specified in the said Schedule (C.)

LXVII. And be it enacted, That every Flat, Gutter, and Roof of every Building, and also every Turret, Dormer, and Lantern Light, or other similar Building, which shall be placed in or on the Flat or Roof of any such Building, and every outer Part of every Flat, Gutter, Roof, Turret, Dormer, and Lantern Light, or other similar Erection, in or on any Building now built, which shall at any Time hereafter be uncovered, shall be covered or renewed with Slate, Tile, Glass, Copper, Lead, Tin, Zinc, or artificial Stone or Stucco, or other incombustible Material, except such Wood-work as may be necessary for the Doors, Door Frames, Windows, and Window Frames of such Dormers, Turrets, Lantern Lights, or other similar Building.

Of what  
Materials  
Houses shall  
be roofed.

LXVIII. And be it enacted, That no Projection of any Kind shall be made in front of any Building over or upon the Pavement of any Street, except for Shop Fronts or for Doorways; and no Part of such Shop Front or Doorway in Streets under Ten Yards wide (measuring from House to House at Right Angles with the front Brick or Stone-work of the said Buildings) shall project more than Six Inches, except the Cornice, which may project Fifteen Inches; and in Streets more than Ten Yards wide, measuring as aforesaid, no Shop Front or Doorway shall project more than Twelve Inches, except the Cornice, which may project Eighteen Inches, the Tops of such projecting Cornices in no Case to exceed in Height more than Three Feet above the Ceiling of such Shop, and being in all Cases covered with Lead, Copper, Zinc, Iron, Slate, Stone, or other incombustible Material: Provided always, that it shall be lawful for any Person, with the Consent in Writing of the Commissioners, testified by a Copy of some Resolution in Writing of the Commissioners, certified under the Hand of their Clerk, to build with or add to, or cause or allow to be built with or added to, any Building fronting any Street, any projecting Pilaster which shall not project more than Six Inches, or in Streets more than Ten Yards wide, measuring as aforesaid, more than Twelve Inches from the perpendicular Line of the front Brick or Stone-work of the Building where it fronts such Street: Provided also, that the Erection of such Pilaster shall not entitle the Owner of such Building at any future Period to bring forward or advance the Front Wall of such Buildings in a Line with the Front of such Pilaster; and in the Absence of any Evidence to the contrary on the Part of the Owner, the Presumption shall be that, save as hereby expressly allowed, the Right of such Owner was limited to the Line of such Front Wall without such Pilaster Cornice.

Projections  
in Front of  
Buildings  
how to be  
made.

LXIX. And be it enacted, That Buildings may be raised whenever the Outer Walls and the Party Walls, or separate Side or End Walls thereof, are of sufficient Strength, and so far sound and in good Repair as to be fit to bear additional Walls thereon, of the Materials and

Regulations  
as to raising  
Buildings.

Thickness

Thickness which are by this Act prescribed for Outer Walls and Party Walls respectively of the Rate of Building intended to be raised, and where the Height of the said Outer Walls and Party Walls, and Roof of the Building when raised, shall not exceed any of the Heights by this Act directed for the Rate of which the Building will be when raised, and not otherwise.

Adjoining  
Chimneys and  
Flues to be  
raised.

LXX. And be it enacted, That in case any Building so raised shall be of a greater Height than the adjoining Building, and the Flues or Chimneys of such adjoining Building, over the Party Walls or separate Side or End Walls adjoining such Building so raised, the Party raising such Building shall at his own Expence build up such Flues and Chimneys belonging to the adjoining Building, so that the Top thereof may be carried up to the same Height, as regards the Building so raised, as before the same had been raised; but if the Wall between the said Building so raised and any adjoining Building shall be a Party Wall common to both Buildings, then, in the event of the Owner of such adjoining Building making use of any Portion of such Party Wall as shall have been raised, the Party raising such Party Wall shall be paid by and shall receive from the Owner who shall be entitled to the improved Rent of such adjoining Building a fair Proportion of the Expence of so much of the said Party Wall as shall be made use of at any Time after the building thereof; but in no Case shall any Demand be made for raising such Wall, or such Chimneys or Flues, if no other Use is made of them than before the same were raised; which said Proportion of the Expence shall be paid within One Month after Demand thereof in Writing delivered to such Owner, or left for him at his usual or last known Place of Abode in *England*, and in default thereof may be recovered by Action of Debt or on the Case as herein provided in relation to the Expences of Party Walls,

Regulations  
for and Mode  
of cutting  
into Party  
Walls.

LXXI. And be it enacted, That no Person shall cut into any Party Wall now built or hereafter to be built, except as herein-after specified; (that is to say,) it shall be lawful to cut into such Party Wall not deeper than the Centre thereof for the Purpose of inserting or laying in the Front or Back Wall of any Building newly erected or altered adjoining to such Party Wall, or not deeper than Four Inches and a Half, for any Bressummer, Beam End, or Story Post, or not deeper than the Centre thereof, for the Purpose of building in any Stone or Iron Steps or Landings, or for the Purpose of inserting Wood Trimmers, Joists, or Bearers for each Flight of Wood Stairs, or for the Purpose of building in Stone Corbels for the Support of any Chimney required to be built against any such Wall, or for the Purpose of laying therein Stone or Brick Trusses or Bearers, to support the Ends of any Joist, Beam, or Trimming Joists, the same being done to the Satisfaction of the Surveyor who shall inspect the same; and every Person who shall cut into any Party Wall for any of the Purposes aforesaid shall immediately make good and repair the same to the Satisfaction of the said Surveyor; but no Party Wall shall be cut for any of the aforesaid Purposes if such cutting will endanger the said Wall, or displace any of the Timbers, Chimneys, or Flues, or internal Finishings of the adjoining Building; and all the Spaces on every Side of any Timber so inserted in any

Party Wall shall be well filled up with good Brick or Stone, and Mortar or Cement; provided always, that no Corbels shall be allowed in support of any Timber; provided also, that in case of Buildings belonging to the same Party, or by Agreement between the respective proper Parties interested, One Bressummer or Beam may be allowed to extend over Two Shop Fronts, each such Shop Front belonging to a Building immediately adjoining the other, and in continuation of the same lineable Street Front.

LXXII. And be it enacted, That no Opening shall be cut or made through any Party Wall for any Purpose whatever other than and except for Communication from one Building to another with the Consent of all Parties interested, and shall in no Case exceed Six Feet in Width, or such Height as shall be approved of by the Surveyor of the District; and if the Buildings shall be Warehouses, or either of them a Warehouse, for the Deposit of Merchandize, and not kept as a Shop in which the Sale of Goods by Retail is carried on, such Openings shall be properly secured with Iron Doors and Frames.

Openings through Party Walls how to be made.

LXXIII. And be it enacted, That before beginning to cut into or through any Party Wall One clear Day's Notice in Writing shall be given to or left at the Surveyor's Office of the Opening so intended to be made, signed by the Owner of the Building in which or other Person by whose Direction the same is to be made, or by the Builder or other Person employed to make the same, stating in general Terms the Nature of the intended Works, and the Place at which the same is to be done, and the Name and Place of Abode of the Owner of the Property or other Person for whom or by whose Direction such Work is to be done, and the Name of the Master Builder or Workman or other Person who shall be employed or be intended to be employed therein.

Notice of cutting into or through Party Walls to be given.

LXXIV. And be it enacted, That every Person who shall cut into or maim any Party Wall, or cause the same to be so cut into or maimed, contrary to the Provisions of this Act, shall for every such Offence forfeit a Sum not exceeding Twenty Pounds.

Penalty for improperly cutting into Party Wall.

LXXV. And be it enacted, That if between Two Dwelling Houses or other Buildings Two Walls shall have been erected, which together may be of the Thickness or Substance of the Party Wall required by this Act according to the Rate of Building in the said Schedule (B.), or be deemed by the Surveyor who shall inspect the same to be such Party Wall, and if the Owner or Occupier, or any Builder or other Person, shall, in evasion of this Act, afterwards take down or cause to be taken down One of the said Walls or any Part thereof, so that the Division Wall between the said Houses or Buildings shall not be conformable to the Provisions of this Act, every Person so offending shall for every such Offence forfeit a Sum not exceeding One hundred Pounds, and shall also rebuild such Wall according to the Provisions of this Act.

Penalty for Fraud in erecting Party Walls.

LXXVI. And whereas it frequently happens that Parts of Buildings are erected over private Ways, Roads, or Passages, and the  
 [Local.] 4 P Walls Regulations as to building over Passages, &c.

Walls dividing the separate Properties or Buildings over such Ways, Roads, or Passages, with the Chimney Breasts or Flues, are not arched under or supported by Brick or Stone, but rest upon Wood; for Remedy thereof, be it enacted, That when any such Buildings erected in any Part thereof over any such Ways, Roads, or Passages shall be taken down and rebuilt, the said Dividing Walls, and Chimney Breasts and Flues (if any) in such Dividing Walls, shall be arched under with Arches not less than the Length of One Brick Length, or Eight and a Half Inches in Thickness, over such Ways, Roads, or Passages, with good sound Brick or Stone Arches, or supported with Stone or Iron Supports of sufficient Strength, and according to the Directions to be given from Time to Time by the Surveyor of the District who shall inspect the same; but in no Case shall any such Dividing Walls, or Chimney Breasts and Flues (if any) in such Dividing Walls, rest upon or be supported by Timber; and all such Brick or Stone Arches, or Stone or Iron Supports, shall be supported from the Foundations by Walls not of less Thickness than required by the said Schedule (B.) for Outer Walls according to the Rate of Building on either Side of such public Way, Road, or Passage.

The Commissioners empowered to fence in or take down such Buildings as shall be presented as Nuisances.

LXXVII. And whereas it hath happened, and may happen, that some of the Buildings and Walls within the Limits of this Act are sometimes in so ruinous a Condition that Passengers passing by or Persons dwelling near the same are in Danger of their Lives, or some bodily Harm, from the falling thereof, or of Bricks, Stone, Timber, or other Materials therefrom; be it therefore enacted, That if any Presentment shall be made by any Inquest or Grand Jury, at any Court, or General or Quarter Sessions, or if any Four or more Household-ers living near any such Building or Wall shall, by Writing under their Hands, present to the Commissioners that any Building or Wall is in a ruinous or dangerous Condition, the Commissioners, on Notice of any such Presentment being given to them, and on the same or a Copy thereof being laid before them, shall cause a Survey of the said Building or Wall to be made with all convenient Speed by the Surveyor of the District; and if upon such Survey it shall be certified to them that the said Building or Wall is dangerous or ruinous, the Commissioners shall immediately cause a proper Hoard or Fence to be put up, and shall cause Notice in Writing (or partly written and partly printed) to be given to the Owner or other Person interested therein, if he can be found within the Limits of this Act, and if not, shall cause such Notice to be affixed upon the Door or other conspicuous Part of the Premises so presented to be ruinous or dangerous, or upon the said Hoard or Fence, requiring such Owner or Person so interested to take down, secure, or repair such Building or Wall, as the Case shall require, within the Space of Fourteen Days then next ensuing; and if such Owner or other Person so interested as aforesaid shall not begin to repair, take down, or secure the Building or Wall so presented to be ruinous or dangerous within the said Space of Fourteen Days after such Notice shall be so given or affixed as aforesaid, and complete such Repairs or taking down as speedily as the Nature of the Case will admit, then the Commissioners shall with all convenient Speed cause such Building or Wall, or so much thereof as shall be in such ruinous Condition, or likely to be dangerous to Passengers

sengers passing by the same, to be taken down and secured in such Manner as shall from Time to Time be thought requisite, and shall sell such of the old Materials as may be expedient, and out of the Monies arising therefrom shall reimburse themselves, and every Person by them employed, all the Charges of putting up any such Board or Fence, and of taking down or securing such Building or Wall, and of selling the Materials, or so much thereof as the Monies arising from any such Sale will extend to pay, and shall account for and pay over the Surplus to the Owner or other Person interested in such Building or Wall, upon Demand thereof made, and if no Demand shall be made within Six Months, then such Surplus shall go to the Credit of the Improvement Rate.

LXXVIII. And be it enacted, That all the Charges of putting up every such Fence, and of taking down and securing all or so much of such ruinous or dangerous Building or Wall as shall be necessary to be taken down or made secure for the Safety of Passengers, shall from Time to Time be paid by the Owner of such Building or Wall, if known, and he can be found within the Limits of this Act; and if such Owner shall, on Demand thereof, neglect or refuse to pay the same, then such Charges may, by Warrant under the Hand of any Justice, be levied by Distress and Sale of the Goods and Chattels of such Owner, if any such can be found within the said Limits, and if no such Owner can be found within the said Limits, or no sufficient Distress of his Goods or Chattels can be made, then and in every such Case the Person who shall at any Time hereafter occupy any such Building, or the Ground whereon such Building or Wall stood, shall pay the same, and may deduct the Amount so paid out of the Rent thereof; provided that no Occupier shall be liable to pay more than what he can lawfully deduct from such Rent; and if he shall neglect or refuse to pay such Charges, then the same shall, by Warrant under the Hand and Seal of any Justice, be levied by Distress and Sale of the Goods and Chattels of any such Occupier, in the same Manner as Penalties are by the said first-recited Act directed to be levied, together with the Costs of every such Distress and Sale; and the Owner shall allow every such Occupier all such Charges which he shall so pay, or which shall be levied by Distress from him as aforesaid; and every Occupier paying any Charges shall be acquitted and discharged for so much Money as he shall so pay, in the same Manner as if the same had been actually paid to the Person to whom his Rent may be payable, and such Money as shall from Time to Time be received and levied shall be paid to the Treasurer of the Commissioners, to reimburse the Costs and Charges in the Premises.

Expences of fencing or securing ruinous Buildings to be borne by the Owner.

LXXIX. And be it enacted, That if the Chimney or Roof, or Parapet or other Wall, or any other Part of any Building, or any Chimney Pot or any Thing thereon, shall be deemed by any Surveyor acting under the Authority of this Act to be in a ruinous or dangerous State, such Surveyor shall immediately give Notice thereof under his Hand to the Occupier of such Building, either personally or by leaving the same at or affixed to some conspicuous Part of the said Building, requiring such Occupier or other Person interested therein forthwith to take down, repair, rebuild, or otherwise secure the same to the Satisfaction of such Surveyor; and if such Occupier or other

If Chimneys &c. are ruinous, and Occupier neglect to secure same after Notice, summary Proceedings may be had before a justice.

Person

Person interested in such Building shall not begin to take down, repair, rebuild, or secure the same within the Space of Two clear Days after such Notice as aforesaid shall have been given, left, or affixed, and complete such taking down, repairing, rebuilding, or otherwise securing the same, to the Satisfaction of such Surveyor, as soon as the Nature of the Case will admit, it shall be lawful for the said Surveyor to give Information thereof to any Justice, who shall proceed thereupon to hear the Matter, and, if any immediate Danger is apprehended, shall cause such Chimney or Roof, or Parapet or other Wall, or other Part of such Building, or such Chimney Pot or other Thing thereon, as shall be considered in a dangerous State, to be forthwith taken down, shored up, or otherwise secured, and, in case no immediate Danger is apprehended, shall direct the Occupier or other Person interested in the said Building to take down, repair, rebuild, or otherwise secure the same, to the Satisfaction of such Surveyor, within a Time to be fixed by such Justice; and in case the same shall not be taken down, repaired, rebuilt, or otherwise secured within the Time to be limited as aforesaid, the Occupier of such Building shall forfeit the Sum of Five Pounds for every Day during which the same shall so remain unrepaired or not sufficiently secured, such Penalty to be levied, recovered, and applied in the same Manner as any other Penalty is by the said first-recited Act directed to be levied, recovered, and applied: Provided always, that it shall be lawful for any Justice at any Time to cause such Chimney or Roof, or Parapet or other Wall, or other Part of such Building, or such Chimney Pot or other Thing, to be taken down, repaired, rebuilt, or otherwise secured, to the Satisfaction of such Surveyor; and the Occupier of such Building shall, over and above the aforesaid Penalty, pay all the Costs, Charges, and Expences attendant on the taking down, repairing, rebuilding, or otherwise securing such Chimney or Roof, or Parapet or other Wall, or other Part of such Building, or such Chimney Pot or other Thing, and such Costs, Charges, and Expences may be recovered and levied in the same Manner as such Penalty.

Occupier incurring Expence in securing Chimnies, &c., may deduct the same from his Rent, unless there be Agreement to the contrary.

LXXX. And be it enacted, That any Occupier of any Building who shall pay any Costs, Charges, and Expences for the taking down, repairing, rebuilding, and effectually securing any Chimney or Roof, or Parapet or other Wall, or any Part of any Building, or any Chimney Pot or other Thing thereon, or upon whose Goods and Chattels such Costs, Charges, or Expences may be levied, in pursuance of this Act, may deduct the Amount of such Costs, Charges, and Expences out of the Rent due to his Landlord or Lessor, unless there shall be some Agreement to the contrary between the Parties; and the Receipt for such Payment shall be a sufficient Discharge to any Occupier for so much Money as he shall have so paid, or which shall have been levied on his Goods and Chattels, in pursuance of this Act, and shall be allowed by such Lessor or Landlord in part or full Payment (as the Case may be) of the Rent due to him or such Occupier as aforesaid, or otherwise the same shall be repaid to such Occupier by such Lessor or Landlord, and in default thereof may be recovered by such Occupier from such Lessor or Landlord by Action or Suit in any of the Superior Courts, unless in any such Case there shall be an express Agreement between the Parties to the contrary.

LXXXI. And



LXXXI. And be it enacted, That nothing herein contained shall extend to avoid any Agreement in Writing entered into before the Commencement of this Act for erecting or altering any Building, but that the same shall be performed with all the Alterations of the Buildings comprised therein which may be rendered necessary by this Act, and as if such Alterations and Variations had been stipulated for in such Agreement: Provided always, that the Difference between the Cost and Expences of the Work when performed according to the Provisions of this Act shall be ascertained by the Parties to the respective Agreements, and paid for or deducted accordingly, if such Difference shall amount to or exceed the Sum of Twenty Pounds, but not otherwise; and if the said Parties shall not agree upon the Amount of such Difference the same shall, on the Request of either Party (Notice being given to the other), be decided upon by the Surveyor to the Commissioners for the Time being, who shall adjudge the Amount of such Difference (not being less than Twenty Pounds) to the Increase or Diminution of the Money to be paid under the respective Agreements, and as Parts thereof, for which Adjudication the Party requiring the same shall pay to the said Surveyor so making the Adjudication a Fee not less than One Pound nor more than Five Pounds, according to the Amount of the Difference awarded and the Trouble occasioned upon the Award, the Amount of such Fee in case of Dispute to be settled by any Justice.

Respecting existing Contracts for building.

LXXXII. And be it enacted, That nothing herein contained shall extend or be deemed to alter or affect any Lease or Agreement for a Lease whereby any Person may be bound to erect Buildings upon any Building Ground, but that the Buildings agreed to be built by such Lease or Agreement shall be built according to the Conditions which may be rendered necessary by this Act, in the same or like Manner as if this Act had been passed and in operation at the Time of making such Lease or Agreement, and without the Lessee or Tenant being entitled to any Compensation, either by Payment of Money, Reduction of Rent, or otherwise.

Respecting Contracts for Leases.

LXXXIII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause all or any of the Privies connected with any House or Premises to be cleansed, and the Filth to be removed therefrom, at such Time and in such Manner as they shall appoint.

Privies to be cleansed.

LXXXIV. And be it enacted, That every Occupier of a House or other Building shall forfeit any Sum not exceeding Forty Shillings for every Time he shall prevent any Scavenger or his Servants from removing any Filth which the Scavenger of the Commissioners is hereby authorized to remove from his House or Premises.

Penalty on Occupiers obstructing Scavengers.

LXXXV. And be it enacted, That if any Person, other than the Scavenger for the Time being, or some Person employed by him, shall collect or carry away the Filth of any Privy connected with any House or Building, he shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Penalty on other Persons than Scavengers removing Filth.

[*Local.*]

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LXXXVI. And

Penalty on  
Persons  
hoisting  
Goods into  
Warehouses  
without pro-  
per Tackle ;

LXXXVI. And be it enacted, That if any Person shall hoist, lower, take in, or deliver any Cask, Puncheon, Barrel, Sack, Bag, or other Thing into or from any Warehouse, Building, Cellar, or Vault within the Borough, without proper and sufficient Ropes and other Tackle, in good Order and Condition, and fit for such hoisting, lowering, and taking in or delivering, and without slinging or otherwise effectually securing such Cask, Puncheon, Barrel, Sack, Bag, or other Thing, so as to prevent the same from slipping, breaking away, or falling, every Person so offending shall for every such Offence forfeit a Sum not exceeding Five Pounds.

and on Oc-  
cupiers of  
Warehouses,  
&c. permit-  
ting Goods  
to be so  
hoisted in or  
delivered  
out of Ware-  
houses, &c.

LXXXVII. And be it enacted, That if any Owner or Occupier of any Warehouse, Building, or Room therein respectively, Cellar or Vault, or Master Porter, shall wilfully or negligently permit or suffer any Cask, Puncheon, Barrel, Sack, Bag, or other Thing to be hoisted, lowered, taken in, or delivered out of any Warehouse, Building, Cellar, or Vault, without having proper and sufficient Ropes and other Tackle, in good Order and Condition, and fit for such hoisting, lowering, taking in, or delivering, every Person so offending shall for every Offence forfeit a Sum not exceeding Five Pounds ; provided that no Person shall be liable to the said Penalty other than the Party whose Duty it was to provide and have or keep sufficient Rope and Tackle for any of the Purposes aforesaid, and who shall be proved to have failed to provide or have or keep the same.

Forty Shil-  
lings Penalty  
for the fol-  
lowing  
Offences :  
Annoyance by  
Prostitutes :

LXXXVIII. And be it enacted, That every Person shall be liable to a Penalty of not more than Forty Shillings who within the Limits of this Act shall commit any of the following Offences ; (that is to say,)

Abusive Lan-  
guage :

Every common Prostitute or Night Walker, loitering or being in any Thoroughfare or public Place for the Purpose of Prostitution or Solicitation, to the Annoyance of any Inhabitant or Passenger :

Throwing  
Stones, &c :

Every Person who shall use any threatening, abusive, or insulting Words or Behaviour, with Intent to provoke a Breach of the Peace, or whereby a Breach of the Peace may be occasioned :

Bathing in  
public Places :

Every Person who shall throw or discharge any Stone or other Missile, to the Damage, Danger, or Annoyance of any Person :

Keeping  
Pigsties not  
fenced off :

Every Person who shall bathe in any public Situation so as to expose his Person :

Every Person who shall keep any Pigstye to the Front of any Street, not being shut out from such Street by a sufficient Wall or Fence of Stone or Brick, or who shall keep any Swine in any Dwelling, or in any Place, so as to be a Nuisance to the immediate Neighbourhood thereof.

Inspector to  
seize false  
Weights, &c.

LXXXIX. And be it enacted, That the Person appointed or to be appointed by the said Commissioners as Inspector of Weights and Measures under the first-recited Act shall and is hereby authorized and required to seize all false and deficient Weights and Measures which shall be found or used within the Limits of this Act, and carry the same before a Justice of the Peace for the said County, to deal with according to Law.

XC And

XC. And be it enacted, That it shall be lawful for the Commissioners to contract and agree for the Purchase of any Land within the Limits of this Act for the Purpose of erecting thereon such Slaughter-houses as they shall from Time to Time think sufficient for the slaughtering of Cattle, Beasts, and Swine, for the Supply of the Inhabitants within the Limits of this Act, and for ever afterwards to maintain and improve the same as they shall think fit; provided that nothing in this Act contained shall protect the said Commissioners or any Person from an Indictment for any Nuisance, or from any other legal Proceeding, in respect of any such Slaughter-house.

Commissioners may erect Slaughter-houses;

XCI. And be it enacted, That the said Commissioners may demise the said Slaughter-houses, or any of them, when built, to any Person whomsoever, for a Term not exceeding Seven Years, upon such Terms and Conditions as the said Commissioners shall think proper.

and demise the same.

XCII. And be it enacted, That after sufficient Slaughter-houses shall have been provided by the Commissioners, and the same shall be ready for public Use, the Commissioners shall give Notice that such Slaughter-houses are ready for public Use; and every such Notice shall be published in some Newspaper published and circulating within the County of *Chester*, and also by Handbills posted on the Town Hall in *Birkenhead*, and on other conspicuous Places within the Limits of this Act.

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

XCIII. And be it enacted, That it shall be lawful for the Commissioners and they are hereby authorized and empowered, if they shall think proper so to do, upon Application made to them for that Purpose, to grant Licences from Time to Time for the Erection of Slaughter-houses, or for the Use and Occupation of Buildings as Slaughter-houses, within the Limits of this Act, to such Butchers and upon such Terms and Conditions as the Commissioners shall think proper.

Commissioners authorized to grant Licences for Slaughter-houses.

XCIV. And be it enacted, That for every such Licence to erect or occupy any Slaughter-house there shall be paid to the Clerk such Sum as the Commissioners shall direct, not exceeding the Sum of Five Shillings, and no Fee or Charge shall be paid for the registering of any such Licence.

Fee on Licence.

XCV. And be it enacted, That after the Expiration of Twenty-one Days from the Publication and posting of such Notice in manner aforesaid no Person shall slaughter or dress any Cattle, Beast, Sheep, or Swine for Sale in any Place within the Limits of this Act other than the said Slaughter-houses and such Places as may be licensed for such Purpose by the said Commissioners as last aforesaid; and if any Person shall after such Time as aforesaid, and so long as the Commissioners shall provide Slaughter-houses, which, with the Slaughter-houses licensed as aforesaid, shall be sufficient for the Accommodation of the Inhabitants within the Limits of this Act, slaughter or dress for Sale any such Animal as aforesaid in any Place within the Limits of this Act, other than One of such Slaughter-houses, or such Place as may be licensed for such Purpose as aforesaid,

Penalty for slaughtering elsewhere after Notice.

said, he shall be liable to a Penalty not exceeding Five Pounds for every such Offence.

Justices to decide whether there are sufficient Slaughter-houses.

XCVI. And be it enacted, That if any Question shall arise as to whether a sufficient Number of Slaughter-houses had been or continued to be provided by the Commissioners, or licensed by them as aforesaid, such Question shall be determined by the Justices before whom any such Penalty as last aforesaid shall be sued for.

Unwholesome Meat may be destroyed.

XCVII. And be it enacted, That if any Person shall sell or expose for Sale within the Limits of this Act any Meat or Fish which shall be of an unwholesome Nature, or in a State improper or unfit for Human Food, it shall be lawful for any Inspector appointed under the Authority of this Act, and such Person as he shall call to his Assistance, without any other Authority than this Act, to seize and destroy, or cause to be seized and destroyed, such Meat or Fish; and every Person selling or exposing for Sale any such Meat or Fish shall, in addition to the Forfeiture thereof, for every Offence forfeit by way of Penalty any Sum not exceeding Five Pounds.

Removing Furniture to evade Rent.

XCVIII. And be it enacted, That it shall be lawful for any Constable of the Police Force of the Commissioners to stop and detain, until due Inquiry can be made, any Carriage which or any Persons whom he shall find within the Limits of this Act employed in removing the Furniture of any House or Lodging between the Hours of Eight in the Evening and Six in the following Morning, or whenever the Constable shall have good Grounds for believing that such Removal is made for the Purpose of evading the Payment of Rent.

Power to order Compensation for wilful Damage by Tenants.

XCIX. And be it enacted, That every Person who shall occupy or shall have occupied any House or Lodging within the Limits of this Act as Tenant thereof, and who shall wilfully or maliciously do any Damage to the Premises or to any Furniture thereof, not being the Property of such Tenant or Occupier, shall, upon Complaint made to any Justice within One Month next after the Commission of the Offence, or the End of the Tenancy or Occupation of such Person, forfeit and pay such Sum of Money as shall appear to any Justice to be a reasonable Compensation for the Damage done, not more than the Sum of Fifteen Pounds, exclusive of Costs, to the Landlord or Party aggrieved.

Licensing Hackney Carriages.

C. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to license such Number of Hackney Carriages and Carts of any Kind or Description to ply for hire within the Limits of this Act as they shall think fit.

Licences may be revoked for Misconduct.

CI. And be it enacted, That any such Licence may, for the Misconduct of the Proprietor or Driver of such Hackney Carriage or Cart, be suspended or revoked by the Commissioners as they shall deem right.

Persons applying for Licences to

CII. And be it enacted, That before any such Licence shall be granted under the Provisions of this Act a Requisition for the same, in

in such Form as the Commissioners shall from Time to Time provide for that Purpose, shall be made and signed by the Proprietor or One of the Proprietors of the Hackney Carriage or Cart in respect of which such Licence shall be applied for ; and in every such Requisition there shall be truly specified and set forth the Christian Name and Surname and Place of Abode of the Person applying for such Licence, and of every Person who shall be a Proprietor or part Proprietor of such Carriage or Cart, or who shall be concerned, either solely, or in Partnership with any other Person, in the keeping, using, employing, or letting to hire of such Carriage or Cart ; and in case any Person on applying for such Licence shall neglect or omit to specify truly in such Requisition as aforesaid the Name of any Person who shall be a Proprietor or part Proprietor of such Carriage or Cart, or who shall be concerned as aforesaid in the keeping, using, employing, or letting to hire of such Carriage or Cart, every Person so offending shall forfeit a Sum not exceeding Ten Pounds.

sign a Requisition for the same.

CIII. And be it enacted, That there shall be specified in every such Licence the true Christian Name and Surname and Place of Abode of every Person who shall be a Proprietor or part Proprietor of the Hackney Carriage or Cart in respect of which such Licence shall be granted, or who shall be concerned, either solely, or in Partnership with any other Person, in the keeping, using, employing, or letting to hire of such Carriage or Cart, and the Number which shall be painted or marked on the Plates to be fixed on such Carriage or Cart, together with such other Clauses and Conditions as the Commissioners shall think fit.

What shall be specified in the Licences.

CIV. And be it enacted, That for every such Licence there shall be paid to the Clerk such Sum as the Commissioners shall direct, not exceeding the Sum of Five Shillings.

Fee on Licence.

CV. And be it enacted, That so often as any Person named as the Proprietor or One of the Proprietors in any Licence to keep, use, employ, and let to hire any Hackney Carriage or Cart under the Provisions of this Act shall change his Place of Abode, he shall, within Seven Days next after such Change, give Notice thereof in Writing signed by him to the Clerk, specifying in such Notice his new Place of Abode ; and such Proprietor shall at the same Time produce such Licence at the Office of the Clerk, who shall, by himself or some other accredited and proper Officer, indorse thereon and sign a Memorandum, specifying the Particulars of such Change ; and if any Person named as the Proprietor or One of the Proprietors of any Hackney Carriage or Cart in any Licence as aforesaid shall change his Place of Abode, and shall neglect or omit to give Notice of such Change, or to produce such Licence, in order that such Memorandum as aforesaid may be indorsed thereon, within the Time and in manner limited and directed by this Act, he shall forfeit any Sum not exceeding Forty Shillings.

Notice to be given by Proprietors of Hackney Carriages of any Change of Abode.

CVI. And be it enacted, That if the Proprietor of any Hackney Carriage or Cart plying for hire shall permit the same to be used as a Hackney Carriage or Cart plying for hire within the Limits of this

Penalty on Proprietor plying with Hackney

[Local.]

4 R

Act,

Carriages  
without  
Licence.

Act, without having obtained a Licence for such Carriage or Cart as aforesaid, or if any Person shall be found driving, standing, or plying for hire with any Hackney Carriage or Cart for which such Licence as aforesaid shall not have been previously obtained, or shall lend or part with his Licence or Badge, every Person so offending shall forfeit and pay a Sum not exceeding Forty Shillings for every such Offence.

Licensing  
Drivers of  
Carriages  
and Porters  
plying for  
Hire.

CVII. And whereas it is expedient that the Drivers of Hackney Carriages and Carts, and Errand, Message, and Luggage Porters, plying for hire within the Limits of this Act, should be licensed; be it therefore enacted, That every Person shall be licensed by the Commissioners before he shall act as Driver of any Hackney Carriage or Cart, or as an Errand, Message, or Luggage Porter, and that every such Licence shall within Seven Days after the granting thereof be registered at the Clerk's Office (a Certificate of which Registry shall be given to every such Person, upon Payment of such Sum as the Commissioners may determine, not exceeding the Sum of One Shilling and Sixpence); and every Person neglecting to register his Licence shall forfeit for every such Neglect a Sum not exceeding Twenty Shillings.

Penalty on  
acting with-  
out such  
Licence.

CVIII. And be it enacted, That if any Person shall act as such Driver or Porter as aforesaid without having obtained such Licence, or shall lend or part with his Licence or Badge, or if the Proprietor of any such Hackney Carriage or Cart shall employ any Person as the Driver thereof who shall not have obtained such Licence, every such Person and every such Proprietor shall for every Offence respectively forfeit a Sum not exceeding Twenty Shillings.

Proprietor to  
retain Li-  
cence of  
Drivers, &c.  
when in his  
Employ.  
and to pro-  
duce the  
same when  
summoned.

Justices may  
indorse Con-  
victions upon  
Licences.

Penalty on  
Proprietor for  
Neglect.

CIX. And be it enacted, That if the Proprietor of any such Hackney Carriage or Cart shall permit or employ any licensed Person to act as the Driver thereof, then and in every such Case such Proprietor shall require to be delivered to him, and shall retain in his Possession, the Licence of such Driver during such Time as such Driver shall remain his Employ; and in all Cases of Complaint where the Proprietor of a Hackney Carriage or Cart shall be summoned to attend before a Justice, or to produce the Driver, the Proprietor so summoned shall also produce the Licence of such Driver, if he shall then be in his Employ; and if any Driver complained of shall be adjudged guilty of the Offence alleged against him, it shall be lawful for such Justice to make an Indorsement upon the Licence of such Driver, stating the Nature of the Offence, and the Amount of the Penalty inflicted; and if any Proprietor shall neglect to require to be delivered to him, and to retain in his Possession, the Licence of any Driver, during such Period as such Driver shall remain in his Employ, or shall refuse or neglect to produce such Licence as aforesaid, such Proprietor shall for every such Offence forfeit any Sum not exceeding Forty Shillings.

Proprietor to  
return  
Licence to  
Drivers when

CX. And be it enacted, That when and so often as any Driver shall leave the Service of the Proprietor by whom he shall have been employed, and shall not have been guilty of any Misconduct, such Proprietor

Proprietor shall forthwith return to such Driver the Licence belonging to him; but if such Driver shall have been guilty of any Misconduct, then and in such Case such Proprietor shall not return the Licence of such Driver, but shall give him Notice of the Complaint which he intends to prefer against him, and shall forthwith summon such Driver to appear before any Justice to answer the said Complaint; and such Justice, having the necessary Parties before him, shall inquire into and determine the Matter of Complaint; and if upon the Inquiry it shall appear that the Licence of such Driver has been improperly withheld, it shall be lawful for such Justice to direct immediate Re-delivery of such Licence, and to award such Sum of Money as he shall think proper to be paid by such Proprietor to such Driver by way of Compensation.

quitting his Service, if they behave well; if otherwise, Proprietor to summon them.

Compensation, in case of Licence improperly withheld.

CXI. And be it enacted, That it shall be lawful for any Justice before whom any Driver, or Errand, Message, or Luggage Porter, shall be convicted of any Offence under this Act, if such Justice in his Discretion shall think proper, to suspend for any Period not exceeding Two Months the Licence granted to such Driver or Porter; and it shall also be lawful for any Justice, upon Proof that any Driver or Porter has been convicted of Felony, or upon the Conviction before him for a Second Offence of any Driver or Porter, to revoke the Licence granted to such Driver or Porter; and whenever the Licence of any Driver or Porter shall be suspended or revoked as aforesaid it shall be lawful for any Justice to require any Proprietor to deliver up forthwith to such Justice the Licence of such Driver or Porter if the same shall then be in his Possession, or to require such Driver or Porter to deliver up forthwith to such Justice his Licence and Badge; and if any Proprietor, Driver, or Porter shall, upon being so required, refuse or neglect to deliver up such Licence or Badge or either of them, he shall forfeit any Sum not exceeding Five Pounds; and every Justice to whom any Licence or Badge shall be delivered up shall forthwith transmit the same to the Clerk, who shall at the Expiration of the Period for which any such Licence shall have been suspended re-deliver such Licence with the Badge to the Person to whom it shall have been granted.

Licences may be suspended, and for certain Offences revoked, by Justices.

CXII. And be it enacted, That in case any Driver of any Hackney Carriage or Cart plying for hire, or other Carriage, public or private, shall, at any Time whilst he is driving, loading, unloading, or attending any such Carriage or Cart, wilfully or negligently do or cause to be done any Hurt, Spoil, or Damage to the Person of any one, his Goods and Chattels, or shall be guilty of any Breach of the Peace or Misbehaviour in his Employment, then and in every such Case it shall and may be lawful for any Justice to issue his Warrant to apprehend any such Offender, and in a summary Way proceed to convict him of any such Offence, and to fine such Person so offending in any Sum not exceeding Five Pounds.

Penalty on Coachmen, Carters, &c. misconducting themselves.

CXIII. And be it enacted, That whenever the Proprietor or Driver of any Hackney Carriage or Cart plying for hire, or any Errand, Message, or Luggage Porter, shall be convicted of taking and receiving, as and for a Fare, or for the Work or Labour done by him,

Order for Overcharge by Hackney Coachmen, &c., to be in-  
him,

cluded in Conviction, and returned to aggrieved Party.

him, a greater Sum than is or shall be authorized by any Bye Law made under and by virtue of this Act, it shall be lawful to include in the Conviction of such Proprietor or Driver, or such Porter, an Order for the Payment of the Sum so overcharged, over and above the Penalty and Costs which shall be imposed for every such Offence, and upon Payment or Recovery of the said Overcharge to cause the same to be returned to the Party aggrieved, whose Evidence shall be admissible in Proof of the said Offence.

Recovery of Fares of Hackney Coaches, Porters, &c.

CXIV. And be it enacted, That if any Person shall refuse to pay, on Demand, to any Proprietor or Driver of any Hackney Carriage or Cart plying for hire, or to any Errand, Message, or Luggage Porter, such Fare or Rate as shall be authorized to be taken and received by the Bye Laws to be made as herein directed, such Fares or Rates may, together with Costs, be recovered as any Penalty imposed by this Act.

Penalty for damaging the Coach.

CXV. And be it enacted, That if any Person shall cut, wilfully break, or injure any such Hackney Carriage or Cart plying for hire, such Person shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay to the Proprietor of such Hackney Carriage or Cart reasonable Satisfaction for the Damage sustained by the same.

Commissioners empowered to make Bye Laws with respect to Hackney Carriages, Drivers, Porters, Nuisances in Courts, &c.

CXVI. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to make such Bye Laws as they shall think fit, for all or any of the Purposes following; (that is to say,)

For regulating all Hackney Carriages and Carts plying for Hire within the Limits of this Act:

For regulating the Conduct of the Owners and Drivers thereof respectively, in their several Employments, and whether they shall wear any and what Badges:

For regulating the Hours within which they may exercise their Calling:

For regulating the Numbers of such Hackney Carriages and Carts plying for hire:

For regulating the Number of Persons to be carried by Hackney Carriages, and what Number of Horses or other Animals are to draw the same, and how such Hackney Carriages and Carts should be furnished or provided:

For fixing and altering the Stands of such Hackney Carriages and Carts, and the Distance to which such Hackney Carriages and Carts may be compelled to take Passengers or Goods, not exceeding Eight Miles, to be measured and ascertained from the Boundary of the Limits of this Act:

For fixing the Rates or Fares, as well for the Time as Distance, to be paid for such Hackney Carriages or Carts within the said Limits, and Eight Miles therefrom:

For securing the safe Custody and Re-delivery of any Property which may be accidentally left in Hackney Carriages or Carts:

For punishing Misconduct of the Drivers of and Persons attending such Hackney Carriages or Carts, whether in the way of Imposition, by demanding or receiving more than the regular Fare,



Fare, or otherwise, and within the said Limits, or Eight Miles therefrom :

For regulating all Loads, Rates, Fares, or Prices which shall be allowed to be taken by Errand, Message, or Luggage Porters plying for Hire, and in what Manner Errand, Message, and Luggage Porters plying for Hire shall behave and conduct themselves, and for punishing Extortion, Imposition, Misconduct, or Misbehaviour in such Errand, Message, and Luggage Porters respectively :

For regulating the Quantities and Weights of Goods which shall be allowed to be carried in Carts within the Limits of this Act, whether the same shall be used for the private Purposes or otherwise, and how far Goods loaded in such Carts or any of them shall be allowed to extend over the Breadth of the Wheels thereof :

For regulating the Number of Bathing Machines, and the Place where they shall ply, and the Charge for using the same, and the Conduct of the Persons having the Care thereof :

For regulating the Park to be provided by the Commissioners, and for the Promotion of Order and good Conduct therein :

For regulating the Use of the Baths to be provided by them as aforesaid :

For the Regulation and Management of Slaughter-houses :

For preventing Nuisances and Annoyances in Courts and Passages, and effecting Cleanliness therein :

For regulating the Removal of the Contents of Middensteads and Privies when necessary, and for preventing foul Water soaking therefrom, to the Annoyance of the Occupiers of adjoining Property ; and also for preventing any such Middensteads or Privies, or any Hogsty, unclosed or uncovered Dunghill or Manure Heap, from being a Nuisance or Annoyance to any Inhabitant :

And the Commissioners may, from Time to Time, as they shall think fit, repeal any such Bye Laws, and make others in their Stead, provided such Bye Laws be not repugnant to the Laws of *England* or the Provisions of this Act, and be signed by Five of the Commissioners, and be printed, published, and confirmed in manner directed by the lastly recited Act.

CXVII. And be it enacted, That no Licensed Victualler or other Person shall open his House within the Limits of this Act for the Sale of Wine, Spirits, Beer, or other fermented or distilled Liquors, or permit the same to be sold therein, on *Sundays, Christmas Day, or Good Friday*, before the Hour of One in the Afternoon, under a Penalty not exceeding Five Pounds for each Offence; provided that nothing herein contained shall extend to prevent Refreshment to Travellers.

Public-Houses to be shut on the Mornings of Sundays, &c.

CXVIII. And be it enacted, That every Person licensed to deal in exciseable Liquors within the Limits of this Act, who shall knowingly supply any Sort of distilled exciseable Liquor to any Boy or Girl apparently under the Age of Sixteen Years, to be drunk upon the Premises, shall be liable to a Penalty not more than Twenty

[*Local.*]

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Shillings,

Publicans prohibited from supplying Liquors to Persons under Sixteen Years of Age.

Shillings, and upon Conviction of a Second Offence shall be liable to a Penalty not more than Forty Shillings, and upon Conviction of a Third Offence shall be liable to a Penalty not more than Five Pounds.

Public Highways to be drained as built upon, at the Charge of Owners or Occupiers of Houses, Buildings, or Land on the Sides of such Highways.

CXIX. And be it enacted, That in all Cases where Parts of public or common Highways are now or shall be at any Time hereafter made and wholly or partially built upon, and shall in the Judgment of the Commissioners require to be drained by the Means hereinafter mentioned, it shall be lawful for the said Commissioners to cause the same to be effectually drained, by the Construction of proper Sewers, in such Manner as to the said Commissioners shall seem meet and necessary; and the Charges and Expences attending the Construction of the said Sewers shall be reimbursed to the said Commissioners by the Owners of the Houses, Buildings, or Land immediately adjoining the said Parts of Highways so to be drained as aforesaid, or wherein such Sewers shall be constructed, in proportion to the Extent to which such Houses, Buildings, or Land shall adjoin the same, such Proportion to be ascertained and settled by the said Commissioners or their Surveyor; and if any such Owner shall at any Time refuse or neglect to pay such Proportion of the said Charges and Expences, the same shall be levied by Distress and Sale of the Goods and Chattels of such Owner, in like Manner as Rates by the said first-recited Act are authorized to be recovered, or shall and may be sued for and recovered by the said Commissioners, together with full Costs of Suit, in any of the Superior Courts.

Private Sewers of Owners of such Houses or Buildings, Land or Ground, may be branched into Sewers constructed by Commissioners, under certain Regulations.

CXX. And be it enacted, That it shall be lawful for the Owner of any such House or Building, Ground or Land, at his own Expence, to make any private Sewer or Drain into any of the Sewers to be made by virtue of this Act, such private Sewer or Drain being of such Dimensions and constructed in such Manner in all respects as the said Commissioners shall direct or appoint, upon Ten Days Notice of the Intention to construct such private Sewer or Drain being given in Writing to the Commissioners, or their Clerk or Surveyor; and in case any Person shall make any private Sewer or Drain into any of the said Sewers to be made by virtue of this Act without such Notice as aforesaid, or which shall be of other Dimensions or constructed in a different Manner than shall be directed or appointed by the said Commissioners, every Person so offending shall for every such Offence forfeit a Sum not exceeding Fifty Pounds; and it shall also be lawful for the said Commissioners to cut off, stop up, or prevent the Communication of such private Sewer or Drain with the Sewer to be made by the Commissioners by virtue of this Act.

Saving Rights of Incumbents, &c. of Bidston and Woodchurch.

CXXI. And be it enacted, That nothing in this Act or the said recited Acts contained shall extend to take away, prejudice, or affect any of the Rights, Privileges, Patronage, Rates, Tithes, Salaries, Stipends, Gratuities, or other Emoluments or Profits whatsoever arising, belonging, or appertaining to the Parishes, Parish Churches, or Incumbents of *Bidston* or *Woodchurch* in the said County of *Chester* respectively, or to the Patrons of the said Churches respectively for the Time being; and that the said Townships of *Claughton-cum-Grange*,  
and

and the Part of the said Township of *Oxton* aforesaid included within the Limits of this Act, shall respectively be and remain Part of the said Parishes of *Bidston* and *Woodchurch* respectively for all Ecclesiastical Purposes as they have hitherto been, as fully and effectually as if this Act and the said recited Acts had not been passed.

CXXII. And be it enacted, That in this Act the following Words and Expressions shall have the several Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,) Interpretation of Act.

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number:

Words importing the Masculine Gender only shall include Females:  
The Word "Month" shall mean Calendar Month:

The Word "Person" or the Word "Persons" shall include Corporation, whether Aggregate or Sole:

The Word "Oath" shall include Affirmation in the Case of Quakers, or other Declaration or Solemnity lawfully substituted for an Oath in case of any other Persons exempted by Law from the Necessity of taking an Oath:

The Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster*:

The Word "Clerk" shall mean the Clerk of the Commissioners:

The Word "Commissioners" shall mean the Commissioners for the Improvement of *Birkenhead* acting under this Act and the recited Acts:

The Word "Justice" shall mean any of Her Majesty's Justices of the Peace of the County of *Chester*:

The Words "General or Quarter Sessions" shall mean the General or Quarter Sessions of the Peace for the County of *Chester*:

The Word "Street" shall include any Square, Street, Court, or Alley, Highway, Lane, Road, Thoroughfare, or public Passage or Place within the Limits of this Act:

The Word "Court" shall mean any present or future Court or Passage, or Passage into a Court, or any present or future Alley or other Way or Place having a House or Houses therein, but not having a Road or Carriageway:

The Word "Passage" shall mean any present or future Passage or other Way or Place not having a House or Houses therein, but merely leading into any Street or Court, or to any House not in such Passage:

The Word "House" shall mean Dwelling House within the Limits of this Act:

The Word "Building" shall extend to and comprise all Buildings, of what Nature and Kind soever, not being Buildings or Structures wholly underground, or Bridges or Walls to be used as Fences only, now built or hereafter to be built, and every Part of such Building respectively, within the Limits of this Act:

The Word "Lands" shall extend to Messuages, Lands, Tenements, and Hereditaments of any Tenure:

The Word "Owner" shall mean the Party in Possession or Receipt of the Rents or Profits of any Tenement

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The Word "Surveyor" or the Word "Surveyors" shall mean the Surveyor or Surveyors of Buildings to be appointed by the Commissioners in pursuance of this Act, and shall extend to any Assistant Surveyor or Assistant Surveyors to be appointed by the Commissioners :

And whenever any Forfeiture, Penalty, or Damage is payable to a Party aggrieved, it shall be payable to a Body Corporate in like Manner as to an Individual :

The Words "Hackney Carriage" shall include any Coach, Omnibus, Chariot, Car, Fly, Cabriolet, Sociable, Lorry, or such like Carriage :

The Word "Carriage" shall include any Coach, Omnibus, Chariot, Car, Fly, Cabriolet, Gig, Sochiable, Lorry, Waggon, Timber Carriage, Float, Dray, Cart, Shandry, Sledge, Truck, Hand-cart, Wheelbarrow, or Hand-barrow :

The Word "Driver" shall include the Driver, Conductor, or Carter of any such Carriage.

Commence-  
ment of Act.

CXXIII. And be it enacted, That this Act shall commence and come into operation on the First Day of *September* after the passing of this Act.

Costs of Act.

CXXIV. And be it enacted, That the Costs, Charges, and Expences attending or incident to the obtaining and passing of this Act shall be paid by the Commissioners out of the Funds they are authorized to borrow.

Public Act.

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

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## SCHEDULES to which the foregoing Act refers.

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### SCHEDULE (A.)

All those several Pieces or Parcels of Land situate and being in the Townships of Birkenhead and Claughton-cum-Grange in the County of Chester included within the following Boundaries; (that is to say,) a Line commencing at the West Corner of Dobbs Street, and at the Junction thereof with Claughton Road, and continued Westwardly in a straight Line along Claughton Road, and including a House and Buildings in the Occupation of Mr. John Sudlow; and thence proceeding in a North-westerly Direction, partly along a new Road and partly along an ancient Road from Claughton towards Bidston, to the Junction of the ancient Road with an intended Road

of Thirty Feet wide; thence and along the last-mentioned Road in a Southwardly Direction to the Boundary of the Township of Oxton; and thence along the said Boundary in a Westwardly Direction to an intended Road of Thirty Feet wide; and thence in a Northwardly Direction along the last-mentioned Road to the Junction thereof with the Turnpike Road from Birkenhead to Upton; and thence proceeding in a North-east Direction along the said Turnpike Road to the North End of Lowfield Lane and its Junction with the said Turnpike Road; and thence in a South-east Direction along Conway Street to the Junction thereof with Dobbs Street aforesaid; and thence in a Southwardly Direction along Dobbs Street aforesaid to the Junction thereof with Claughton Road aforesaid; which several Pieces of Land included within the said Boundaries belong to Mr. Francis Richard Price, Mr. William Jackson, Mr. John Laird, Mr. Joseph Locke, Mr. Thomas Brassey, Mr. Hugh Williams, and Mr. Thomas Davies; also a Piece of Land on the South-west Side of a Street in Birkenhead and Claughton aforesaid, called Norman Street, bounded by a Line commencing at the Junction of the said Street with the said Turnpike Road, and extending along Norman Street in a North-west Direction to a new Road of Thirty-six Feet wide; and thence along the last-mentioned new Road in a North-east Direction to a Piece of Land belonging to Mr. Joseph R. Pim; and thence in a Southwardly and afterwards in an Easterly Direction respectively along the Boundary of the last-mentioned Piece of Land to an intended Street of Thirty Feet wide; and thence along the last-mentioned Street to the Junction thereof with the said Turnpike Road; which Piece of Land belongs to the said Mr. Francis Richard Price: Provided always, and excepting out of the said Pieces of Land, a Piece of Land in Birkenhead aforesaid fronting Conway Street, and bounded by Conway Street on the North-east, by an intended Street of Fifty Feet wide on the North-west, and by an intended Street of Thirty-six Feet wide on the South-west, belonging to Mr. John Laird; and also a Piece of Land in Birkenhead aforesaid, bounded by Conway Street on the North-east, by the said intended Street of Thirty-six Feet wide on the South-west, and by an intended Street of Fifty Feet wide on the South-east, and belonging to Mr Henry Cole.

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SCHEDULE (B.)

Rates of Building.	Height of Front from Pavement to Top of Cornice, and the extreme Frontage.	Thickness of external Walls.			Thickness of Party Walls. For separate Side or End Walls, see below.				Chimney-backs in Party Walls.		Chimney-backs in external Walls.
		In Cellar Story to under Side of Ground Story Floor.	In Ground Story to the Top of Joist in Floor above Ground Story.	Above to under Side of Cornice.	In Cellar Story to under Side of Ground Story Floor.	From Ground Story Floor to the top Side of Joist in Floor next above.	From the Floor last-mentioned to under Side of Ceiling of top Story.	From the Ceiling of top Story to under Side of Spars in Roof.	In the Cellar Story.	In Walls above.	
1st Rate	Every Church, Chapel, or Place of Worship, Brewery, Distillery, or Manufactory, or Warehouse.	2½ Bricks Length.	2 Bricks Length.	1½ Brick Length.	2 Bricks Length.	1½ Brick Length.	1½ Brick Length.	1½ Brick Length.	1½ Brick Length.	1 Brick Length.	1 Brick Length.
Ditto -	Every Dwelling House or other Building or Erection, except as above.	2 ditto	1½ ditto	1½ ditto	1½ ditto	1 ditto	1 ditto	1 ditto	1 ditto	1 ditto	1 ditto.
2d ditto	Every Dwelling House or other Building or Erection.	1½ ditto	1½ ditto	1½ ditto	1 ditto	1 ditto	1 ditto	1 ditto	1 ditto	1 ditto	1 ditto.
3d ditto	Every Dwelling House or other Building or Erection.	1½ ditto	1½ ditto	1½ ditto	1 ditto	1 ditto	1 ditto	1 ditto	1 ditto	1 ditto	½ ditto.
4th ditto	Buildings detached not less than Ten Yards from public Streets or from other Buildings.	Not restricted to any Mode of building.									

Separate Side or End Walls between Buildings shall for every Building, except any Church, Chapel, or Place of Worship, Brewery, Distillery, Manufactory, or Warehouse, where such Wall shall exceed Twenty-four Feet in Height, be not less than One Brick Length in Thickness; and for every Church, Chapel, or Place of Worship, Brewery, Distillery, Manufactory, or Warehouse, where such Wall shall exceed Twenty-four Feet in Height, be no less than One and a Half Brick Length in Thickness.

Buildings attached to the Back of first and second-rate Buildings, not exceeding Sixteen Feet Projection from the main Building, to be under the Regulations of a third-rate Building. If exceeding Sixteen Feet Projection, to be under the Regulations of a second-rate Building.

Churches, Chapels, or Places of Worship, and Breweries, Distilleries, Manufactories, and Warehouses, not exceeding Thirty-two Feet in Height, are to be considered as rated in like Manner as Dwelling Houses or other Buildings or Erections.

Wherever the Foundation of any Buildings shall not be upon Rock, every external Wall or Party Wall shall at least have Two Footing Courses below the Level of the Cellar Floor, each Course projecting Two and a Quarter Inches on each Side the Course or Wall immediately above it, and all internal Walls shall have at least One Footing Course Four and a Half Inches wider than the Wall above it. Wherever the above Walls are made of Wall Stones, the Thickness thereof shall be One Fourth more than if the same were formed of Brick.

SCHEDULE (C.)

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JOISTS IN FLOORS.

Joists exceeding Seven Feet clear Bearing and not exceeding Ten Feet clear Bearing, not to be less than Six by Two Inches, or of equal Area.

Ditto exceeding Ten Feet and not exceeding Twelve Feet clear Bearing, not to be less than Six by Two and a Half Inches, or of equal Area.

Ditto exceeding Twelve Feet and not exceeding Fourteen and a Half Feet clear Bearing, not to be less than Seven by Two and a Half Inches, or of equal Area.

Ditto exceeding Fourteen and a Half Feet, and not exceeding Sixteen Feet clear Bearing, not to be less than Eight by Two and a Half Inches, or of equal Area.

Ditto exceeding Sixteen Feet and not exceeding Eighteen Feet clear Bearing, not to be less than Nine by Two and Three Quarters Inches, or of equal Area.

Ditto exceeding Eighteen Feet and not exceeding Twenty Feet clear Bearing, not to be less than Ten by Two and Three Quarters Inches, or of equal Area.

All Trimming Joists to be One Inch thicker than their respective Joists; and in all Cases where the Joists are supported by Beams such Beams shall not be more than Ten Feet apart, nor of less than the following Dimensions; (that is to say,)

All Beams not exceeding Ten Feet Bearing to be Ten by Seven Inches.

All Beams exceeding Ten Feet Bearing and not exceeding Twelve Feet Bearing to be Eleven by Eight Inches.

All Beams exceeding Twelve Feet Bearing and not exceeding Fifteen Feet Bearing to be Twelve by Nine Inches.

All Beams exceeding Fifteen Feet Bearing and not exceeding Eighteen Feet Bearing to be Thirteen by Eleven Inches.

All Beams exceeding Eighteen Feet Bearing and not exceeding Twenty Feet Bearing to be Thirteen by Thirteen Inches.

*N.B.*—Half Beams may be used instead of Joists and Beams of the above Dimensions, provided the Half Beams together contain the same solid Quantity of Timber as the Joists and whole Beams would have done, and that the Work be executed to the Satisfaction of the Surveyor who shall view and inspect the same.

PURLINS.

Purlins not exceeding Ten Feet clear Bearing, and not more than Six Feet apart, are not to be less than Seven by Five Inches, or of equal Area; if more than Six Feet apart and not exceeding Seven and a Half Feet, then Seven and a Half Inches by Five and a Half, or of equal Area; if more than  
Seven

PURLINS—*continued.*

Seven and a Half Feet apart and not exceeding Nine Feet, then Eight and a Half Inches by Six and a Half, or of equal Area.

Purlins exceeding Ten Feet and not exceeding Twelve Feet clear Bearing, and not more than Six Feet apart, are not to be less than Seven and a Half by Six Inches, or of equal Area; if more than Six Feet apart and not exceeding Seven and a Half Feet, then Eight and a Half Inches by Six, or of equal Area; if more than Seven and a Half Feet apart and not exceeding Nine Feet, then Nine Inches by Six and a Half, or of equal Area.

Ditto exceeding Twelve Feet and not exceeding Fourteen and a Half Feet clear Bearing, and not more than Six Feet apart, are not to be less than Eight by Seven Inches, or of equal Area; if more than Six Feet apart and not exceeding Seven and a Half Feet, then Nine Inches by Seven, or of equal Area; if more than Seven and a Half Feet apart and not exceeding Nine Feet, then Nine Inches by Eight, or of equal Area.

Ditto exceeding Fourteen and a Half Feet and not exceeding Seventeen and a Half Feet clear Bearing, and not more than Six Feet apart, are not to be less than Nine by Eight Inches, or of equal Area; if more than Six Feet apart and not exceeding Seven and a Half Feet, then Ten Inches by Eight, or of equal Area.

No Purlins of greater Length, or more apart, to be allowed unless the same shall be of such Dimensions and so constructed as shall be satisfactory to the Surveyor who shall view and inspect the same.

All Purlins to be laid in the respective Walls, and not to be supported on Trusses.

## RAFTERS.

Not to exceed Six Feet average clear Bearing, and to be Three by Two and a Half Inches.

Not to exceed Seven and a Half Feet average clear Bearing, and to be Three and a Half by Two and a Half Inches.

Not to exceed Nine Feet average clear Bearing, and to be Four and a Half by Two and a Half Inches.

*N.B.*—No Joist or Rafter to exceed Eleven Inches apart.

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