ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

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cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Acts of Parliament following, (that is say,) "The Commissioners Clauses Act, 1847," "The Lands Clauses Consolidation Act, 1845," "The Towns Improvement Clauses Act, 1847," except so much of that Act as respects the Prevention of Smoke, which is not intended to be incorporated with or form Part of this Act, "The Waterworks Clauses Act, 1847," "The Gasworks Clauses Act, 1847," "The Cemeteries Clauses Act, 1847," and "The Market and Fairs Clauses Act, 1847," shall be incorporated with and form Part of this Act.

Certain general Acts incorporated with this Act.

Short Title of Act.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Bilston* Improvement Act, 1850."

Limits of the Act.

III. And be it enacted, That the Limits of this Act for Improvement Purposes shall comprise and include the entire Township of *Bilston*; and the Expression "Limits of this Act," herein-after made use of, shall be taken to mean the Limits of this Act for Improvement Purposes.

Act to be executed by Commissioners.

IV. And be it enacted, That the Commissioners and their Successors, to be appointed and qualified as herein-after mentioned, and also such Magistrates to be nominated as herein-after mentioned, shall be the Commissioners for the Purposes of this Act, and for making and maintaining all Works and Conveniences, and doing all Acts and Things which they may deem necessary for such Purposes, subject to the Provisions contained in this Act and the Acts incorporated herewith.

Commissioners to be Local Board of Health.

V. And be it enacted, That the Commissioners under this Act shall be and they are hereby constituted a Local Board of Health for the District comprised within the Limits of this Act for Improvement Purposes, within the Meaning of "The Public Health Act, 1848," and shall and may, within the Limits aforesaid of this Act, exercise and execute, in addition to the Powers and Authorities hereby expressly conferred on them, all the Powers, Authorities, and Duties vested in or imposed on the Local Board of Health by the said "Public Health Act, 1848," and shall be subject to the same Control on the Part of the General Board of Health as the Local Board of Health is by that Act made subject to, and so much of the same Act as relates to the Appointment or Election of Local Boards shall not apply to such

District:

District: Provided, that the Commissioners shall not by virtue of the said "Public Health Act, 1848," levy any Rates within the said Limits, except those herein-after authorized, and that all such Rates shall be deemed to be levied under the Powers of this Act, and not under those of "The Public Health Act, 1848."

Three Magistrates to be nominated Commissioners.

VI. And be it enacted, That the Magistrates acting in Quarter Sessions shall annually nominate Three Magistrates acting in Petty Sessions at *Bilston*, and being Persons duly qualified to act as Commissioners under this Act, which Three Magistrates so nominated shall be Commissioners, provided that their Jurisdiction as Magistrates shall not be affected by their so being or acting as Commissioners.

Number of Commissioners.

VII. And be it enacted, That the Number of the Commissioners (exclusive of Magistrates so nominated as aforesaid) shall be Thirteen.

Qualification of Commissioners.

VIII. And be it enacted, That every Commissioner under this Act shall have the following Qualification; (that is to say,) he shall be resident within the Township of *Bilston*, or within Seven Miles in a direct Line from *Saint Leonard*'s Church, *Bilston*, and shall either be rated to the Rate for the Relief of the Poor of *Bilston* in the annual Sum of Twenty Pounds or upwards, or be seised or possessed of the Rents or Profits of Houses, Buildings, or Lands of the annual Value of Fifty Pounds for an Estate of Freehold, or for any Term of Years not having less than Five Years to run, for his own Use, or, being a Resident within the Limits of this Act, shall be possessed of a Personal Estate of the Value of One thousand Pounds over and above all Debts and Engagements.

First Election of Commissioners.

IX. And be it enacted, That the First Election of Commissioners (other than Magistrates nominated as aforesaid) shall take place within Two Calendar Months after the passing of this Act, and that, with a view to such Election, the Overseers of the Poor for the Parish of *Bilston* shall, as soon as conveniently may be after the passing of this Act, appoint a Day, not being less than Thirty Days after the passing of this Act, and a Place within the Limits of this Act, for such Election, and that at such First Election only the said Overseers shall be the returning and presiding Officers, and that such Overseers shall and may at such First Election only perform all such Functions and do all such Acts as by the "Commissioners Clauses Act, 1847," are directed or authorized to be done by the Commissioners, as the returning or presiding Officer, with reference to the Election of Commissioners; and that the Expenses of or incident to such First Election incurred by the said Overseers shall be repaid to them by the Commissioners

missioners out of the Monies arising from the General Improvement Rate herein-after authorized to be levied: Provided, that if one of such Overseers shall refuse or neglect to perform the Duties by this Act imposed upon him with reference to such First Election, it shall be lawful for the other of them to act alone in the Performance of such Duties; and such Overseer so acting alone shall, with reference to such First Election as aforesaid, have all the same Powers, Duties, and Authorities as both of them if acting together would have had by virtue of this Act with reference thereto.

Qualification of Voters at First Election.

X. And be it enacted, That every Owner of Property within the Limits of this Act, and every Person who and every Corporation or Company which shall at the Time of the First Election of Commissioners be rated to the Relief of the Poor in respect of any Property within the said Township of *Bilston*, and who shall, Seven Days at least before the said First Election, have paid all Poor Rates (if any) which shall have become payable by him or them in respect of such rating at any Time previously to the Commencement of the Sixth Month before such Election, and every Occupier of a Tenement within the Limits of this Act in respect of which Tenement the Owner shall at any Time within Six Months previous to such Election have been rated instead of the Occupier thereof, under the "*Wolverhampton* Rates Bill, 1847," shall be entitled to vote at the First Election of the Commissioners.

Qualification at other Elections of Commissioners.

XI. And with reference to every Election of Commissioners subsequent to the First Election, be it enacted, That every Owner of Property within the Limits of this Act, and every Person who and every Corporation or Company which shall be rated to any Rate to be made under the Provisions of this Act in respect of any Property within the Township of *Bilston*, and who shall, Seven Days at least before the Day of the Election of the Commissioners, have paid all the said Rates which shall have become payable by him or them in respect of such Property at any Time previously to the Commencement of the Sixth Month before such Election, and every Occupier of a Tenement within the Limits of this Act in respect of which Tenement the Owner shall at the Time of such Election be rated instead of the Occupier thereof, under the Provisions of this Act, shall be entitled to vote at every Election of Commissioners subsequent to the First Election.

Voting by Corporations and Companies.

XII. And be it enacted, That any Corporation or Company by this Act authorized to vote at any Election of Commissioners shall for the Purposes of such voting be considered as One Owner, and shall vote by Proxy.

XIII. And

Power to Voters to nominate Candidates for Election.

XIII. And be it enacted, That it shall be lawful for any Person qualified to vote at any Election of Commissioners under this Act, at any Time not more than Ten or less than Seven Days before such Election, by a written Notice signed by him, and delivered to the Returning Officer, to nominate for Election thereat any duly qualified Person or Persons (not exceeding in Number the Commissioners to be elected at such Election), and that such Returning Officer shall, within Two Days after the Receipt of any such Notice, give Notice thereof to the Person or Persons thereby nominated: Provided, that no Election of a Commissioner under this Act shall be void on the Ground that such Commissioner was not previously nominated under this Section.

Commissioners incorporated.

XIV. And be it enacted, That the Commissioners and their Successors shall be incorporated by the Name of "The *Bilston* Township Commissioners and Local Board of Health," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and by that Name may sue and be sued, and shall have Power to purchase and hold Lands for the Purposes of this Act.

Sums to be borrowed on Mortgage.

XV. And be it enacted, That it shall be lawful for the Commissioners, with the previous Consent of the General Board of Health, to borrow, on the Security of the Rates herein-after authorized to be levied, the Sums herein-after mentioned; (that is to say,)

On the Security of the Sewer Rate, any Sum not exceeding Eleven thousand Pounds:

On the Security of the Waterworks Rate, any Sum not exceeding Fourteen thousand Pounds:

On the Security of the Highway Rate, any Sum not exceeding Five thousand Pounds:

On the Security of the Cemetery Rate, any Sum not exceeding Five thousand Pounds:

On the Security of the General Improvement Rate herein-after mentioned, any Sum not exceeding Thirty thousand Pounds.

Sums to be set apart as Sinking Fund.

XVI. And be it enacted, That the Sum to be set apart and appropriated out of the Highway Rate as a Sinking Fund, to be applied in paying off the Principal Monies which shall have been borrowed on Mortgage of such Highway Rate, shall be in each Year One Twentieth Part of the Monies from Time to Time so borrowed or secured; and that the Sum to be set apart and appropriated out of the Sewer Rate, Waterworks Rate, Cemetery Rate, and General Improvement Rate respectively, as a Sinking Fund, to be applied in paying off the Principal Monies which shall have been borrowed on Mortgage of such Rates respectively, shall be in each Year One

Thirtieth Part of the Monies from Time to Time borrowed or secured thereon respectively.

Meaning of certain Terms.

XVII. And be it enacted, That the Expression "the Quarter Sessions" in the said "Commissioners Clauses Act," "The Towns Improvement Clauses Act," "The Waterworks Clauses Act," "The Gasworks Clauses Act," and "The Markets and Fairs Clauses Act," shall mean the Quarter Sessions for the County of *Stafford*, and that the Word "Owner" shall mean the Person for the Time being receiving the Rack Rent of the Lands or Premises in connexion with which the said Word is used, whether on account of or as Agent or Trustee for any other Person, or who would so receive the same if such Lands or Premises were let at a Rack Rent.

Commissioners may cause Streets, &c. to be paved, &c.

XVIII. And be it enacted, That the Commissioners shall and may, subject to the Provisions of this Act and the Acts incorporated herewith, cause to be paved, drained, cleansed, lighted, and otherwise improved the Township of *Bilston*, and do all necessary Acts for promoting the Health and Convenience of the said Township, and for that Purpose may exercise all the Powers vested in them by this Act and the Acts incorporated herewith, and in particular may make and execute the several Works delineated and shown in the Plans and Sections of the Sewage Works and Works connected with *Bilston Brook*, which, together with a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands in or on which the same are intended to be made or executed, have been deposited with the Clerk of the Peace of the said County of *Stafford*, upon the Lands delineated on the said Plans and described in the said Book of Reference, and shall and may enter upon, take, and use such of the Lands, Streams, and Waters mentioned in the said Plans and Book of Reference as shall be necessary for that Purpose.

Power to Commissioners to construct Waterworks.

XIX. And be it enacted, That the Commissioners shall and may, subject to the Provisions of this Act and the Acts incorporated therewith, make and maintain the Waterworks in the Line and on the Levels delineated on the Plans and Sections of the Waterworks, which, together with a Book of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers, of the Lands in or through which the same are intended to be made or pass, have been deposited with the Clerk of the Peace of the County of *Stafford*, and upon the Lands delineated on the said Plans and described in the said Book of Reference, and shall and may enter upon, take, and use such of the Lands mentioned in the said Plan and Book of Reference as shall be necessary for that Purpose, or agree for a Lease of such Lands, and use such of the

the same as the Commissioners may require for the Purpose of this and the said incorporated Acts.

Power to Commissioners to construct Gasworks.

XX. And be it enacted, That the Commissioners shall and may, subject to the Provisions of this and the said incorporated Acts, construct and maintain such Gasworks and Buildings, with Approaches thereto, upon the Lands hereby authorized to be purchased by the said Commissioners for that Purpose, or upon any other Land which may be taken or used by the Commissioners, with the Consent of and by Agreement with the Owners, Lessees, and Occupiers thereof, and shall and may do all such other Acts as they may think necessary for supplying the Inhabitants within the Township of *Bilston* with Gas, and shall and may supply such Gas upon such Terms as shall be agreed on between the Commissioners and the Persons supplied therewith, and sell and dispose of the Coke and other Materials used in the Manufacture of Gas, in such Manner as the Commissioners may think fit.

Power to Commissioners to construct Cemeteries.

XXI. And be it enacted, That the Commissioners shall and may, subject to the Provisions in this and the incorporated Acts contained, make and maintain Cemeteries in and upon the Lands mentioned and described in that Behalf in Schedule (A.) to this Act annexed, and enter upon, take, and use such of the said Lands as shall be necessary for that Purpose: Provided, that no Cemetery shall be made under the Powers of this Act unless with the Approval of the General Board of Health; and that it shall be lawful for that Board, in order to enable them to decide, with reference to any particular Cemetery which may be proposed, whether such Approval ought to be given or not, to direct a Superintending Inspector to make Inquiry, in the Manner directed by the Public Health Act, 1848, into all the Circumstances which may seem to the Board material for that Purpose; and such Superintending Inspector shall report in Writing, in such Manner as the General Board of Health shall direct, the Result of the Inquiries so directed to be made.

Power to Commissioners to use or construct Market.

XXII. And be it enacted, That the Commissioners shall and may, subject to the Provisions contained in this and the said incorporated Acts, upon the Lands which the Commissioners may acquire from the Market Trustees herein-after mentioned, or on any other Lands which may subsequent to such Acquisition be obtained by the Commissioners for that Purpose from the Owners, Lessees, and Occupiers thereof, construct (if necessary) or use a Market Place, with all necessary Buildings and Works, for the Sale of such marketable Commodities as are in Schedule (B.) to this Act mentioned or referred to, and also a Market Place for the Sale of Cattle, and shall and may, with the Consent of and by Agreement with the Owners, Lessees,

and

and Occupiers thereof, take and use such of the said Lands as shall be necessary for the Purpose of such Market Place, and the necessary Buildings and Appurtenances thereof.

Errors and Omissions in Plans may be corrected by Justices, who shall certify the same.

XXIII. And be it enacted, That if any Omission, Mis-statement, or wrong Description shall have been made of any Lands, or of the Owners, Lessees, and Occupiers of any Lands, described on any of the Plans or Books of Reference so deposited as aforesaid, or in the Schedule (A.) to this Act, it shall be lawful for the Commissioners, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Land affected by such proposed Correction, to apply to Two Justices for the Correction thereof; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerk of the Peace of the County of *Stafford*, and shall be kept by such Clerk of the Peace with the other Documents to which it relates; and thereupon such Plan, Book of Reference, or Schedule shall be deemed to be corrected according to such Certificate, and it shall be lawful for the Commissioners to make the Works according to such Certificate.

Certificate of Justices to be deposited with Clerk of the Peace.

Power to deviate from the Line and Levels shown on Plans and Sections.

XXIV. And with respect to the Execution of the Works hereby authorized to be made by the Commissioners, be it enacted, That it shall be lawful for the Commissioners to deviate from the Levels of such Works respectively as shown on the said deposited Plans and Sections to the Extent of Five Feet only, and no more, unless with the previous Consent in Writing of the Owners and Occupiers of the Land in which such Deviation is to be made; and that it shall be lawful for the Commissioners to deviate from the Lines of such Works as delineated on the said Plans to the Extent of Ten Yards only, and no more, unless with the previous Consent in Writing of the Owners and Occupiers of the Land into which such Deviation may extend, provided that the Works shall not, by means of any such Deviation as herein-before authorized, be made to extend unto the Lands of any Person, whether Owner, Lessee, or Occupier, whose Name is not mentioned in the Book of Reference, without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeds from Mistake shall have been certified in the Manner provided for by this Act or the Acts incorporated herewith, in Cases of unintentional Errors in the said Books of Reference.

XXV. Pro-

Construction and Maintenance of Culvert under Birmingham Canal at Pothouse Bridge.

XXV. Provided always, and be it enacted, That the Commissioners shall not, in constructing the Culvert which appears on the said Plans and Sections to be intended to be made under the *Birmingham* Canal near *Pothouse Bridge*, make the Distance between the Bottom of the said Canal and the nearest Point of the Top of the Culvert less than Six Feet; and that full Compensation shall be made to the Company of Proprietors of the *Birmingham* Canal Navigations for all Loss, Damage, and Injury which the said Company may at any Time hereafter sustain by reason of the Construction of the said Culvert, whether in the Execution of the Works connected therewith or any subsequent Want of Repair thereof, from whatever Cause such Want of Repair may arise, or otherwise in relation thereto; and if the said Culvert shall at any Time be out of Repair, and the said Commissioners shall not within the Space of Three Days after Notice in Writing commence the Repair thereof, and proceed therein with all reasonable Despatch, the said Company shall be at liberty to make all necessary Repairs thereto in such Manner as they may think proper, and all Expenses thereof shall be repaid by the said Commissioners to the said Company, on Demand; or otherwise the said Company may sue for and recover such Expenses against the said Commissioners by Action of Debt or on the Case in any of the Superior Courts.

Power to require Water and Gas Pipes to be removed.

XXVI. And be it enacted, That the Commissioners, before they proceed, under the Powers of this Act or of the Acts incorporated herewith, to raise, sink, or otherwise alter the Situation of any Water or Gas Pipes, Mains, Plugs, or other Waterworks or Gasworks, not belonging to the Commissioners, laid in or under any Street, shall by Notice in Writing require the Owner or Owners of such Pipes, Mains, Plugs, or Works to raise, sink, or otherwise alter the Situation of the same in such Manner and within such reasonable Time as shall be specified in such Notice; and the Expenses attending upon or connected with any such Alteration, together with a reasonable Compensation to the Owner or Owners for any Loss or Damage which they may sustain by the Alteration, shall be paid by the said Commissioners out of the General Improvement Rates levied under this Act; provided that if such Notice be not complied with to the Commissioners Satisfaction within the Time thereby limited the said Commissioners may then proceed to make the Alterations so required: Provided always, that no such Alteration shall be made in any Pipes, Mains, Plugs, or other Works belonging to the *Dudley* Waterworks Company, or to the *Bilston* Gaslight and Coke Company, which will permanently injure any such Pipes, Mains, Plugs, or Works, or prevent the Water or Gas from flowing as freely or conveniently as usual, without the previous Consent of the Company to which the Works altered may belong.

Commissioners may contract for Supply of Water with the Dudley Waterworks Company and the Wolverhampton Waterworks Company.

XXVII. And be it enacted, That for the Purpose of obtaining a Supply of Water, or for any Purpose connected with such Supply, it shall be lawful for the Commissioners to enter into or make any Contracts, Agreements, or Arrangements with the *Dudley* Waterworks Company, or with the *Wolverhampton* Waterworks Company, or with both of those Companies, or with any other Company or Companies, Person or Persons whomsoever, and for the *Dudley* Waterworks Company to enter into any Contract, Agreement, or Arrangement with the Commissioners, or with the Commissioners and the said *Wolverhampton* Waterworks Company, and for the said *Wolverhampton* Waterworks Company to enter into any Contract, Agreement, or Arrangement with the Commissioners, or with the Commissioners and the said *Dudley* Waterworks Company; and that any such Contract, Agreement, or Arrangement, when sealed with the Seal of the said Commissioners and the Seals of the said Two Waterworks Companies, or the Seal of either of them, as the Case shall require, shall be valid and effectual to all Intents and Purposes whatsoever: Provided always, that before entering into any Contract, Agreement, or Arrangement with the said *Wolverhampton* Waterworks Company, or with any other Company or Companies, Person or Persons, other than the *Dudley* Waterworks Company, for the Supply of Water for the Purposes of this Act, the Commissioners shall from Time to Time give Twenty-one Days previous Notice in Writing to the *Dudley* Waterworks Company, stating the Quantity of Water required by the Commissioners, and the Purposes for which it is so required; and if the *Dudley* Waterworks Company shall within Fourteen Days after such Notice elect in Writing to undertake the Supply of such Water on Terms not less advantageous to the Commissioners, as to Quantity, Quality, Price, and Pressure, than those proposed to be entered into between the Commissioners and such other Company or Companies, Person or Persons, then no Contract or Agreement shall be made for the Supply of the Water so required, unless with the *Dudley* Waterworks Company; provided that if the said Company and the Commissioners shall differ as to which of Two Proposals is the more advantageous to the Commissioners, such Difference shall be settled by Arbitration in the Manner provided by the Public Health Act, 1848.

Commissioners to have Power to purchase Part of the Works of the Dudley Waterworks Company.

XXVIII. And be it enacted, That it shall be lawful for the Commissioners to purchase from the *Dudley* Waterworks Company, and for the said Company to sell to the Commissioners, the Mains, Pipes, and other Plant of the said Company within the said Township of *Bilston*, and for that Purpose it shall be lawful for the Commissioners to enter into any Contracts, Agreements, or Arrangements with the said *Dudley* Waterworks Company, and that for the Purpose aforesaid it shall be lawful for the said *Dudley* Waterworks Company to enter into any Contracts, Arrangements, or Agreements with the Commissioners; and

that any such Contract, Arrangement, or Agreement made between the said Commissioners and the said *Dudley* Waterworks Company, and sealed with the Seals of the Commissioners and the said Company, shall be valid and effectual to all Intents and Purposes whatsoever.

Power to Commissioners to purchase within Three Years the Works of the Dudley Waterworks Company within Bilston.

XXIX. And be it enacted, That, subject and without Prejudice to the Powers of making Contracts and Arrangements herein-before conferred on the said Commissioners and the *Dudley* Waterworks Company, it shall be lawful for the Commissioners, at any Time within Three Years from the passing of this Act, to take and use all the Mains, Pipes, and other Plant of the said *Dudley* Waterworks Company within the Township of *Bilston*, paying for the same to the said Company, in manner herein-after mentioned, the Value thereof, and also Compensation for any Severance of the Works of the said Company, and for any pecuniary Loss to the said Company, by Diminution of future Income or otherwise, by reason of the compulsory Sale of a Part of their Mains, Pipes, and Plant, and also a further Sum, to be calculated as herein-after mentioned, in respect of current Water Rents and Arrears of Water Rents due to the said Company at the Time of such taking by the Commissioners, the Amount of such Payment to be settled in the same Manner as if the Question as to the Amount of such Payment had been a Question of disputed Compensation between the Commissioners and the said Company within the Meaning of the "Lands Clauses Consolidation Act, 1845;" provided, that in ascertaining the Amount of the Payment to be made for such Mains, Pipes, and Plant as aforesaid, if taken and used by the Commissioners under the last preceding Power, no greater Sum than Six hundred and fifty Pounds shall be allowed in respect of any Additions or Improvements made to or in such Mains, Pipes, and Plant subsequently to the passing of this Act.

The Water Rents due to the Dudley Waterworks Company at Time of Purchase to be apportioned and paid by the Commissioners, who may receive and enforce Payment of the same.

XXX. And be it enacted, That if the Mains, Pipes, and other Plant of the said *Dudley* Waterworks Company within the said Township of *Bilston* shall be taken and used by the Commissioners under the compulsory Power for that Purpose herein-before given to them, the Water Rents accruing due to the said Company for Water supplied during the then current Quarter of a Year within the said Township shall be apportioned between the said Company and the Commissioners rateably in proportion to the Interval between the last preceding quarterly Day of Payment of such Water Rents and the Day of the taking by the Commissioners of such Mains, Pipes, and Plant; and the apportioned Part belonging to the said Company of the said current or accruing Water Rents, and also the Amount of the then Arrears of Water Rents due to the said Company for Water supplied within the said Township, first deducting and allowing therefrom a Sum after the Rate of Ten Pounds *per Cent.* on the gross Amount,

Amount, both of the said apportioned Part and the said Arrears, as a Compensation for the Cost and Trouble of collecting the same, and for the Risk of Loss by bad Debts, shall be paid to the said Company as Part of the Compensation payable to them as herein-before is mentioned.

How the Compensation payable to the Dudley Waterworks Company is to be paid and applied.

XXXI. And be it enacted, That the Compensation payable to the *Dudley* Waterworks Company for their Mains, Pipes, and other Plant within the Township of *Bilston* shall be paid to the Treasurer or Clerk for the Time being of the said Company, whose Receipt shall be a sufficient Discharge for the same to the said Commissioners; and that so much of such Compensation Money as arises from current Water Rents and Arrears of Water Rents shall be deemed a Part of the ordinary Income of the Company, and may be applied by the Directors of the said Company accordingly, and that the rest of such Compensation Money, when so paid, shall be deemed and taken to be Capital of the said Company, and applicable to the Payment of Mortgage Debts or other Debts of the said Company, or to any other Purpose to which such Capital would be applicable: Provided that upon Payment or Tender to the said Treasurer or Clerk in manner aforesaid of the said Compensation Money the said *Dudley* Waterworks Company shall, whenever required so to do by the said Commissioners, by Deed duly stamped, in which the Consideration for the same shall be truly stated, duly convey and assign to the Commissioners all such Mains, Pipes, and other Plant as aforesaid, which Conveyance or Assignment shall be effectual for the Purpose of vesting the same in the said Commissioners; and that if the Company refuse so to do, it shall be lawful for the Commissioners, if they think fit, to execute a Deed Poll under their Common Seal, reciting the Purchase or taking of the said Mains, Pipes, and other Plant for the Purposes of this Act, and the Payment or Tender in respect thereof, and stating the Fact of such Default having been made, and which Deed shall be duly stamped for denoting the Payment of the full and proper Stamp Duty payable by Law in respect of the aforesaid Purchase Money, and thereupon all the Estate and Interest of the said *Dudley* Waterworks Company in such Plant shall vest absolutely in the Commissioners, freed and absolutely discharged from all Mortgage Debts and other Incumbrances of the said *Dudley* Waterworks Company, and as against the *Dudley* Waterworks Company and all Persons claiming under them the Commissioners shall be entitled to the immediate Possession of such Plant.

Powers of Commissioners over Property purchased of

XXXII. And be it enacted, That the Mains, Pipes, and Plant of the said *Dudley* Waterworks Company, when vested in the Commissioners by the Means aforesaid, shall be held by the Commissioners in the same Manner, and with the same Powers in all respects, as if the

the same had been constructed, made, or purchased by the Commissioners under the Powers and for the Purposes of this Act: Provided always, and be it enacted, that without a previous Release from the *Dudley* Waterworks Company to the Commissioners of the Protection intended to be conferred on the said Company by this Clause, such Release to be by Deed under the Company's Common Seal, it shall not be lawful for the Commissioners to commence any Work, or to enter into any Contract, Arrangement, or Agreement for supplying Water, under the Powers vested in them by this Act, unless they shall have previously purchased from the said Company, under the Powers herein-before contained, the Mains, Pipes, and Plant of the said Company within the Township of *Bilston*.

the Dudley Waterworks Company.

XXXIII. And be it enacted, That the Commissioners shall, at the Request of the Owner or Occupier of any House or Part of a House in any Street in which any Water Pipe of the Commissioners shall be laid, or of any Persons who, under the Provisions of this Act or any Act incorporated herewith, shall be entitled to demand a Supply of Water for domestic Purposes, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for their domestic Uses at the Rates herein-after specified; (that is to say,)

Rates at which Water is to be supplied for domestic Purposes:

If there be no Water-closet in the Dwelling House or Part of the Dwelling House to be supplied with Water, at the following Rates:

Where no Water-closet:

Where the annual Value of such House shall not exceed Ten Pounds, at a Rate *per Centum per Annum* not exceeding Ten Pounds:

Where the annual Value of such Dwelling House shall exceed Ten Pounds but shall not exceed Twenty Pounds, at a Rate *per Centum per Annum* not exceeding Seven Pounds Ten Shillings:

Where such annual Value shall exceed Twenty Pounds, at a Rate *per Centum per Annum* not exceeding Six Pounds:

If there be a Water-closet or Water-closets in such Dwelling House, then, in addition to the Rates above specified, the following Rates shall be payable; (that is to say,)

If there be a Water-closet.

Where the annual Value of such Dwelling House does not exceed Ten Pounds, a Rate not exceeding Five Pounds *per Centum per Annum* upon the annual Value of such Dwelling House:

Where the annual Value of such Dwelling House shall exceed Ten Pounds but shall not exceed Twenty Pounds, a Rate not exceeding Three Pounds Ten Shillings *per Centum per Annum* on the annual Value of such Dwelling House:

Where the annual Value of such Dwelling House shall exceed Twenty Pounds, a Rate not exceeding One Pound Ten Shillings *per Centum per Annum* upon the annual Value of such Dwelling House.

What shall be deemed domestic Purposes.

XXXIV. And be it enacted, That a Supply of Water for domestic Purposes shall not include a Supply of Water for Baths, Horses, Cattle, or for washing Carriages, or for any Trade or Business whatsoever.

Application of Payments for Water.

XXXV. And be it enacted, That all Payments made to the Commissioners in respect of Water supplied by them under the Powers of this Act shall be appropriated in the same Manner as is herein-after mentioned, with reference to the Waterworks Rate herein-after mentioned, and shall fall into and be considered as Part of the Monies to be raised by means of that Rate: Provided always, that if the Amount of such Payments shall at any Time hereafter exceed what is required for the Purposes to which the Waterworks Rate is herein-after made applicable, such Excess shall fall into and become Part of the General Improvement Rate herein-before mentioned, and shall be applicable as Part thereof.

Commissioners not to interfere with the Birmingham Canal Navigation.

XXXVI. Provided always, and be it enacted, That it shall not be lawful for the Commissioners, in exercising any of the Powers conferred on them by this Act, to take, use, or interfere with any of the Water in the Canals belonging to the said Company of Proprietors of the *Birmingham* Canal Navigations, or in any Manner to impede the Navigation thereof, or to take, divert, or interfere with any of the Brooks, Streams, Feeders, or Watercourses by which the said Canals are now supplied with Water, (which Description, however, is not to include *Bilston Brook*, herein-before mentioned,) or to injure any of the Works or Property of the said Company of Proprietors, without their Consent under their Common Seal first had and obtained.

Commissioners to have Power to purchase or take the Works of the Bilston Gaslight and Coke Company.

XXXVII. And be it enacted, That it shall be lawful for the Commissioners to purchase from the *Bilston* Gaslight and Coke Company, and for the said Company to sell to the Commissioners, all their Machinery and Plant, and the Pipes and Mains and other Property belonging to them; and that for that Purpose it shall be lawful for the Commissioners to enter into any Contracts, Agreements, or Arrangements with the said *Bilston* Gaslight and Coke Company, and that for the Purpose aforesaid it shall be lawful for the said *Bilston* Gaslight and Coke Company to enter into any Contracts, Arrangements, or Agreements with the Commissioners; and that any such Contract, Arrangement, or Agreement made between the said

Commissioners and the said *Bilston* Gaslight and Coke Company, and sealed with the Seals of the Commissioners and the said Company, shall be valid and effectual to all Intents and Purposes whatsoever: Provided always, and it is hereby enacted, that in the Absence of any Contract, Arrangement, or Agreement between the Commissioners and the said *Bilston* Gaslight and Coke Company, it shall be lawful for the said Commissioners, at any Time after the passing of this Act, to take and use all the Machinery and Plant, and the Pipes and Mains and other Property of the said *Bilston* Gaslight and Coke Company, paying for the same to the said Company, in manner herein-after mentioned, a Price to be settled by Arbitration in the same Manner in all respects as if the Question as to the said Price had been a Question of disputed Compensation between the said Commissioners and the said Company, within the Meaning of the "Lands Clauses Consolidation Act, 1845," and had by that Act been authorized or required to be settled by Arbitration: Provided also, that without a previous Release from the said *Bilston* Gaslight and Coke Company to the Commissioners of the Protection intended to be conferred on the said Company by this Clause, such Release to be by Deed under the Company's Common Seal, it shall not be lawful for the Commissioners to commence any Work, or to enter into any Contract, Arrangement, or Agreement for supplying Gas, under the Powers vested in them by this Act, unless they shall have previously purchased or taken from the Company, under the Powers herein-before contained, the Machinery, Plant, Pipes, and Mains and other Property of the said Company.

How Compensation to the Gas Company is to be paid and applied.

XXXVIII. And be it enacted, That the Compensation payable to the *Bilston* Gaslight and Coke Company for their Machinery and Plant, and the Pipes and Mains, when so purchased as aforesaid, shall be paid to the Chairman and any Three Directors for the Time being of the said Company, whose joint Receipt shall be a sufficient Discharge for the same to the said Commissioners; and that such Compensation Money when so paid shall be applied, first, in paying such Expenses as the said Company may have incurred in or about such Sale as aforesaid, and, secondly, in Payment of Mortgage Debts and other Debts of the said Company, and that the Balance thereof shall be distributed among the Persons appearing on the Books of the said Company to be Shareholders of the said Company, in proportion to their Interest in the Capital Stock of the said Company: Provided that the Portion of such Balance which may be payable to any Person or Persons not absolutely entitled to such Shares for his or their own Benefit shall be held by such Person or Persons upon and for the same Trusts, and with, under, and subject to the same Intents and Purposes, as those on, for, with, under, and subject to which the Shares were held in respect of which such Payment was made: Provided

vided also, that upon Payment to the said Chairman and Three Directors, in manner aforesaid, of the said Compensation Money, the said *Bilston* Gaslight and Coke Company shall, whenever required so to do by the Commissioners, by Deed duly stamped, in which the Consideration for the same shall be truly stated, duly convey and assign to the said Commissioners all such Machinery and Plant, Pipes, Mains, and other Property as aforesaid, which Conveyance or Assignment shall be effectual for the Purpose of vesting the same in the said Commissioners; and that if the Company refuse so to convey and assign, or if the Company, for a Week after the Commissioners shall, by Notice under their Common Seal left at the Company's Office, have signified their Readiness to pay such Compensation, refuse to accept the same, it shall be lawful for the said Commissioners, if they think fit, to execute a Deed Poll under their Common Seal, reciting the Purchase or taking of the said Machinery and Plant, Pipes and Mains, for the Purposes of this Act, and the Payment or Tender in respect thereof, and stating the Fact of such Default having been made, and which Deed shall be duly stamped for denoting the Payment of the full and proper Stamp Duty payable by Law in respect of the aforesaid Purchase Money, and thereupon all the Estate and Interest of the said *Bilston* Gaslight and Coke Company in such Machinery and Plant, Pipes, Mains, and other Property, shall vest absolutely in the Commissioners, and as against the *Bilston* Gaslight and Coke Company, and all Persons claiming under them, the Commissioners shall be entitled to the immediate Possession of such Machinery, Plant, Pipes, Mains, and other Property.

Power of Commissioners over Property purchased of the Gas Company.

XXXIX. And be it enacted, That the Machinery and Plant, Pipes and Mains, of the said *Bilston* Gaslight and Coke Company, when vested in the Commissioners by the Means aforesaid, shall be held by the Commissioners in the same Manner and with the same Powers in all respects as if the same had been constructed, made, or purchased by the Commissioners under the Powers and for the Purposes of this Act; and that the Commissioners shall, excepting only as regards Mortgage and other Debts, which under the last preceding Section ought, as between the Company and the Commissioners, to be paid out of the Compensation payable by the Commissioners to the Company, be bound by the Company's Contracts and Engagements with Third Parties, in the same Manner as if such Contracts and Engagements had been made by the Commissioners under this Act, and shall have the same Power of enforcing against Third Parties Contracts or Engagements made with the Company as the Company itself would have had.

Gas Company to be dissolved

XL. And be it enacted, That after the Execution of such Conveyance or Deed Poll as aforesaid, and the Distribution in manner aforesaid

aforesaid of the said Price, the said *Bilston* Gaslight and Coke Company shall stand and be absolutely dissolved and at an End for all Intents and Purposes whatsoever. after Purchase.

As to the Disposition of Money belonging to missing or incompetent Shareholders of the Gas Company.

XLI. And be it enacted, That in case any of the Persons who may appear on the Books of the said *Bilston* Gaslight and Coke Company to be Shareholders, and entitled as such to participate in the Distribution of the Compensation Money herein-before mentioned, or who may appear on such Books entitled to any Arrear of Dividends in respect of any Shares in the said Company, shall be absent, or incapable of receiving any Part of such Money, or shall refuse the same, or be undiscoverable, then and in such Case it shall be lawful for the said Chairman and Three Directors of the said *Bilston* Gaslight and Coke Company, acting with respect to the Distribution of such Money, to pay all such Monies as would have been payable to such Persons as aforesaid, if known and present, and capable and willing to receive the same, with the Privity of the Accountant General of the High Court of Chancery, to the Account of such Accountant General, "In the Matter of the dissolved *Bilston* Gaslight and Coke Company," in trust to attend the Orders of the said Court; and such Chairman or One of such Directors shall, previously to or at the Time of such Payment, file an Affidavit, stating, with regard to each Part of the Sum so paid in by them, on what Account the same is paid in, and who on the Books of the said *Bilston* Gaslight and Coke Company appears to be entitled thereto, with any other necessary Particulars as to the same which may be known to the Person making such Affidavit, by means of such Books or otherwise; and the Receipt of One of the Cashiers of the said Bank for the Money so paid shall be a sufficient Discharge to the Chairman and Board of Directors for the same.

Power of the Court of Chancery over such Money.

XLII. And be it enacted, That such Orders as shall seem fit shall be from Time to Time made by the High Court of Chancery in respect of the Monies so paid in or any Part thereof, and for the Investment and Payment of any such Monies or any Part thereof, upon a Petition to be presented in a summary Way to the Lord Chancellor (which Term shall for the present Purpose include a Lord Keeper or Lords Commissioners of the Great Seal for the Time being) or to the Master of the Rolls, without Bill, by such Party or Parties as to the Court shall appear to be competent and necessary in that Behalf, and Service of such Petition shall be made upon such Person or Persons as the Court shall see fit and direct; but it shall not in any Case be necessary that Service thereof shall be made on such Chairman and Three Directors as aforesaid, or on the Commissioners; and every Order made upon any such Petition shall have the same Authority and Effect, and shall be enforced, and subject to

Re-hearing and Appeal, in the same Manner as if the same had been made in a Suit regularly instituted in the Court; and if it shall appear that any such Funds cannot be safely distributed without the Institution of One or more Suit or Suits, the Lord Chancellor or Master of the Rolls may direct any such Suit or Suits to be instituted.

Commissioners to exercise Powers which the Gas Company might have exercised.

XLIII. And be it enacted, That after the Purchase by the Commissioners in manner aforesaid of the Works and Property of the *Bilston* Gaslight and Coke Company, the Commissioners shall and may, over and above the Powers and Authorities given to them by this Act or any Act incorporated herewith, have and exercise all such Powers and Authorities and do all such Acts and Things whatsoever as the said Company might have done with reference thereto: Provided, that the Commissioners shall not do with reference to such Gasworks and Property anything contrary to the Provisions of this Act or of any of the Acts incorporated herewith.

Power to Commissioners to lay Pipes for lighting Buildings.

XLIV. And be it enacted, That, subject to the Provisions in this and the incorporated Acts contained, it shall be lawful for the Commissioners to lay any Pipe, Branch, or other Apparatus from any Main or Branch Pipes, into, through, or against any Building, for the Purpose of lighting the same, and to provide and set up any Apparatus necessary for securing to any Buildings a proper and complete Supply of Gas, and for measuring and ascertaining the Extent of such Supply.

Rate at which Gas is to be supplied.

XLV. And be it enacted, That the Rate at which Gas shall be supplied by the Commissioners shall not exceed Seven Shillings for every Thousand Cubic Feet of Gas.

Application of Payments for Gas.

XLVI. And be it enacted, That all Payments made to the Commissioners in respect of Gas supplied by them under the Powers of this Act shall be applicable, in the first instance, to the Payment of the Expenses connected with such Supply of Gas, and that so much of any of those Payments as may not be required for that Purpose shall fall into and become Part of the General Improvement Rate herein-after mentioned, and shall be applicable as Part thereof.

Providing for Interference with certain Pipes belonging to the Commissioners.

XLVII. And be it enacted, That if and as often as at any Time hereafter the Company of Proprietors of the *Birmingham* Canal Navigations shall have Occasion to raise, rebuild, or alter any Bridge belonging to the said Company within the Township of *Bilston* over which any Pipes may have been carried by the Commissioners under the Powers of the Act, the Alteration of such Pipes made necessary by the raising, rebuilding, or altering of every such Bridge shall be made, and

and the Pipes shall be replaced, by and at the Expense of the Commissioners, and the said Company shall not be liable to make Compensation for any Damage, Loss, or Injury occasioned thereby; provided that Notice in Writing of the said Company's Intention to raise or rebuild any such Bridge or make any Alteration therein by which any Pipe of the Commissioners may be affected shall be delivered to the Clerk for the Time being of the Commissioners Seven Days at least before such raising, rebuilding, or Alteration is commenced by the said Company, unless the Navigation of the said Canal shall be stopped or impeded for Want of such raising, rebuilding, or Alteration, in which Case only it shall be lawful for the Canal Company to do without Notice, or before the Expiration of a Notice, such Works only as may be necessary to remove such Stoppage or Impediments.

Commissioners may take certain Turnpike Roads, vested in Trustees under 10 G. 4. c. 76., under their Control.

XLVIII. And be it enacted, That it shall be lawful for the Commissioners, at any Time and from Time to Time after the passing of this Act, to take under their own exclusive Control the whole or any particular Part or Parts of the Turnpike Roads within the Township of *Bilston* now vested in or being under the Control of the Trustees appointed under an Act of Parliament passed in the Tenth Year of His late Majesty King *George* the Fourth, intituled *An Act for repairing certain Turnpike Roads leading to and from* Bilston *in the County of* Stafford: Provided, that the Election of the Commissioners so to take such Roads or any Portions thereof under their exclusive Control shall be determined at a Meeting specially called for that Purpose, and attended by not less than Nine elected Commissioners competent to vote on the Question, and in case there shall not be Nine elected Commissioners competent to vote on the Question, then by all the elected Commissioners competent so to vote; and that such Election shall be notified to the said Trustees by Writing under the Commissioners Seal, to be delivered to or left with the Clerk or One of the Clerks of the said Trustees at least Thirty Days before the Day on which the Commissioners exclusive Control is to commence; and that after the Day named in any such Notice for the Commencement of the Commissioners exclusive Control over the Roads or Portions of Road affected by the Notice, the same Roads or Portions of Road shall become vested in the Commissioners to all Intents and Purposes whatsoever, and all the Trustees Estate and Interest in, and Right, Authority, Power, and Jurisdiction to or over, such Roads or Portions of Road shall absolutely cease and determine: Provided also, that no Person whatsoever having any Mortgage secured on any such Roads or Portions of Road, or on the Tolls thereon, shall be in any Manner prejudiced or affected by the Transfer in manner aforesaid to the Commissioners of such Roads or Portions of Road, but that as between the Commissioners

missioners on the one hand, and the Road Trustees on the other, any Mortgage which may affect Roads or Portions of Road taken by the Commissioners as aforesaid, and also Roads or Portions of Road retained by the Trustees, shall be considered as apportioned rateably between the Roads or Portions of Road so taken and the Roads or Portions of Road so retained, according to their Productiveness as compared with the Cost of maintaining them, such Apportionment, in case of Difference between the Commissioners and the Trustees, to be settled by Arbitration in the same Manner in all respects as if the same had been a Question of disputed Compensation between the said Commissioners and the Trustees within the Meaning of the "Lands Clauses Consolidation Act, 1845," and had by that Act been authorized or required to be settled by Arbitration: Provided also, that the rateable Proportion of any such Mortgage Debts which may by virtue of the preceding Provisions be payable by the said Commissioners shall be considered as if the same had been Money borrowed on the Highway Rate herein-after authorized to be levied, and that the Principal and Interest thereof respectively shall be payable in the same Manner in all respects as if the same had been Money so borrowed: Provided lastly, that it shall be lawful for the Commissioners on the one Part, and the Trustees on the other, to make with each other from Time to Time any Contracts, Arrangements, and Agreements for the better effectuating the Purposes of this Clause, or for the better Maintenance of the said Roads, or for any Contribution by the Commissioners towards the Expense of maintaining the Roads remaining under the Trustees Control, or *vice versâ*, or otherwise, as to the Commissioners and Trustees may from Time to Time appear fit; and that any such Contract, Arrangement, or Agreement made between the Commissioners and the Trustees for the Time being under the said *Bilston* Turnpike Act, and sealed with the Seal of the said Commissioners, shall be valid and effectual to all Intents and Purposes whatsoever.

Commissioners may take Part of Sedgeley Roads under their Control.

XLIX. And be it enacted, That it shall be lawful for the Commissioners, from Time to Time and at any Time after the passing of this Act, to take under their exclusive Control the whole or any particular Part or Parts of the Turnpike Roads within the Township of *Bilston* now vested in or being under the Control of the Trustees appointed under an Act of Parliament passed in the Fourth and Fifth Years of the Reign of Her present Majesty, intituled *An Act for repairing and improving the Roads commonly called the* Sedgeley Roads *in the County of* Stafford, *and for making a new Line of Road connected therewith in the said County*, and for the Trustees under the last-mentioned Act to transfer such Roads or Part or Parts of Roads to the Commissioners, in consideration of a Price to be agreed on between the Commissioners on the one hand and the *Sedgeley* Roads

4 & 5 Vict. c. 103.

Roads Trustees on the other, and to be paid by the Commissioners to the said last-mentioned Trustees: Provided, that in the Absence of any such Agreement it shall be lawful for the Commissioners to take such Roads or Portions of Road without the Trustees Consent, paying for the same to the said Trustees in manner herein-after mentioned a Price to be settled by Arbitration in the same Manner in all respects as if the Question of such Price had been a Question of disputed Compensation between the said Commissioners and the said Trustees within the "Lands Clauses Consolidation Act, 1845," and had by that Act been authorized or required to be settled by Arbitration.

How the Sum payable to the Sedgley Turnpike Trustees is to be paid and applied.

L. And be it enacted, That the Sum payable to the Trustees under the said *Sedgley* Turnpike Act for any Portion of their Roads taken by the said Commissioners under the preceding Powers shall be paid to the Treasurer or Clerk for the Time being of such Trustees, whose Receipt shall be a sufficient Discharge for the same to the said Commissioners; and that such Sum when so paid shall be deemed and taken to be and shall be applicable to the Payment of Mortgage Debts or other Debts of the said Trustees, or to any other Purpose to which Money raised by the said Trustees for the Purposes of their Act would be applicable; and that upon Payment or Tender to the said Treasurer or Clerk in manner aforesaid of the said Sum, all the Estate and Interest of the said Trustees in, and Right, Authority, Power, and Jurisdiction to and over, such Portions of Road, shall vest absolutely in the Commissioners, freed and absolutely discharged from all Mortgage Debts and other Incumbrances of the said Trustees, and as against the Trustees, and all Persons claiming under them, the Commissioners shall be entitled to the immediate and exclusive Possession of such Portions of Road.

All public Roads within the Limits to be considered as Streets.

LI. And be it enacted, That all public Roads now existing or at any Time hereafter to exist within the Limits of this Act, which may for the Time being be vested in or under the exclusive Control of the Commissioners, shall be considered as Streets within the Meaning of the "Towns Improvement Clauses Act, 1847."

Commissioners Powers over Roads, and Exception as to levying Tolls.

LII. And be it enacted, That after any such Portions of Turnpike Roads as aforesaid shall have become vested in or subject to the exclusive Control of the said Commissioners, in manner herein-before mentioned, the said Commissioners shall be at liberty to exercise with respect thereto, in addition to the Powers with respect thereto conferred on them by this Act or the incorporated Acts, whatever Power or Authority (not being inconsistent with this Act or the incorporated Acts) might have been exercised with regard thereto by the said Trustees respectively if this Act had not been made, excepting

excepting only the Right of levying Tolls under the said Acts respectively, which Right shall not be exercised by the Commissioners, but in lieu thereof it shall be lawful for the Commissioners, for the Purpose of defraying the Expenses of and incident to the acquiring such Portions of Turnpike Roads as aforesaid, and for the maintaining, repairing, paving, cleansing, and keeping in order the Roads, Streets, and Ways under their Control, and for securing and paying any Money which shall be borrowed for such Purposes, and the Interest thereof, to make, assess, and levy such equal separate Rate, to be called the "Highway Rate," as may be necessary for the Purposes aforesaid, not exceeding in One Year One Shilling in the Pound of the full net annual Value of the Property included in such Rate.

Liability of Trustees to repair Roads to cease under certain Conditions.

LIII. And be it enacted, That when any Roads or Portions of Road shall have become vested in or under the exclusive Control of the Commissioners under this Act, all Liability on the Part of the Trustees from whom such Roads or Portions of Road may have been acquired by the Commissioners to repair or maintain such Roads or Portions of Roads only shall cease and determine; but the Rights and Powers of any such Trustees to take Tolls in respect of or otherwise with regard to the Roads or Portions of Road remaining from Time to Time under the Control of such Trustees, and their Liability to repair and maintain the Roads or Portions of Road so remaining under their Control, shall not be affected by anything contained in this Act or any of the Acts incorporated herewith.

Application of Highway Rate.

LIV. And be it enacted, That all Monies which shall come to the Hands of the Commissioners from the said Rate, or which shall be raised by any Mortgage or Security thereof created by the said Commissioners, shall be applied and disposed of as follows:

First, in paying the Interest of all Monies borrowed and which shall from Time to Time be due and owing on the Credit of the said Rate:

Secondly, in repairing, paving, cleansing, and keeping in order the Roads, Streets, and Ways under the Control of the Commissioners:

Thirdly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated in Payment off of the Principal Sums which shall have been borrowed or secured on such Highway Rate: And,

Lastly, in paying off the Principal of all Monies due on the Credit of the said Rate.

Power to Commissioners to take Market established

LV. And be it enacted, That it shall be lawful for the Commissioners, at any Time after the passing of this Act, to serve Notice in Writing under their Common Seal on the Clerk or Treasurer for the Time being of the Trustees under an Act of Parliament of the Fifth

Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for establishing and regulating a Market and for erecting a Town Hall and Market Place in the Township of* Bilston *in the County of* Stafford, that the Commissioners intend upon and from a certain Day, to be specified in such Notice, and not to be less than Six Calendar Months after the Day of the Service of such Notice, to take the Market Place under their exclusive Control; and that on and after the Day mentioned in such Notice for the Commencement of such exclusive Control, if the Interests of all the Mortgagees of the said Market Place and Tolls shall then have been purchased or redeemed by the Commissioners in manner herein-after mentioned, or if the same shall not then have been purchased or redeemed, then as soon as the same shall be so purchased or redeemed, the said Market Place, and all other the Buildings, Lands, Tenements, Hereditaments, and Conveniences, Materials, Articles, Matters, and Things, vested in the Trustees under the said last-mentioned Act, and all the Tolls and Profits arising from them or from any of them, and all the Rights of the said Trustees thereto or therein, shall vest in the said Commissioners, subject nevertheless to the other Contracts, Debts, and Liabilities of the said Trustees in respect of the said Market: Provided, that after such Property shall have become vested in the Commissioners by the Means aforesaid the several Bye Laws, Orders, and Regulations then in force with respect to the said Market Place and other Property, and the Powers of the several Officers and Persons acting with respect to such Market Place and Property under Authority from the said Market Trustees, shall remain in force until specially revoked, abrogated, or altered by the said Commissioners. under 5 G. 4. c. 51. under their Control.

LVI. And be it enacted, That it shall be lawful for the Commissioners, at any Time after giving the Notice mentioned in the last preceding Clause, to purchase or redeem the Interest of any Mortgagee of the said Market Place or the Tolls thereof; and that all the Provisions of the "Lands Clauses Consolidation Act, 1845," with respect to the Purchase or Redemption of the Interests of Mortgagees of Lands, shall be applicable to any Purchase or Redemption to be made by the Commissioners under the Power last herein-before given to them. Power to redeem Mortgages.

LVII. Provided always, and it is hereby enacted, That as regards the Period intervening between the Acquisition by the Commissioners of any Mortgagee's Interest and the absolute vesting in the Commissioners of the said Market Place and other Property, the Rights and Powers of the Commissioners as to the Payment of Interest on and otherwise with respect to any Mortgage Debt so acquired by them shall be the same to all Intents and Purposes as those of their Transferror would have been if no such Transfer had been made. As to Rights of Commissioners during Period of Acquisition and absolute vesting in them of Mortgagees Interest.

LVIII. And

Power to enter into any Contract with the Market Trustees.

LVIII. And be it enacted, That it shall be lawful for the Commissioners to enter into any Contract, Arrangement, or Agreement with the said Market Trustees, and for the said Market Trustees to enter into any Contract, Arrangement, or Agreement with the Commissioners, for the better carrying out the Purposes of this Act, with reference to the Acquisition by the Commissioners of the said Market Place or other Property or any Part thereof, or otherwise with relation thereto.

Tolls to be taken for the Markets.

LIX. And be it enacted, That after the said Market shall have become vested in the said Commissioners it shall be lawful for the Commissioners from Time to Time to demand from any Persons occupying or using any Stand, Stall, Shed, Pen, or Place in the Market Place or Buildings, or Ground connected therewith, or bringing into such Market Place or Buildings, or Ground, any marketable Commodities specified in the Schedule (B.) to this Act annexed, such Stallages, Rents, and Tolls as the Commissioners shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the said Schedule (B.)

Tolls for the Cattle Market.

LX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to demand in the Cattle Market, from any Person bringing therein any Cattle or other Live Stock specified in the Schedule (C.) to this Act annexed, such Stallages, Rents, and Tolls as the Commissioners shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the said Schedule (C.)

Tolls for Slaughter-houses.

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

Tolls for weighing and measuring.

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

Tolls for weighing Carts.

LXIII. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Machines for weighing Carts within the Township of *Bilston* to demand from the Person requiring the same to be weighed such Tolls as the Commissioners may appoint, not exceeding in any Case the Amount set forth in the Schedule

Schedule (F.) to this Act annexed, and such Tolls shall be paid before any Waggon, Cart, or Carriage in respect of which the same are payable shall be weighed.

Tolls from Market, &c. how to be applied.

LXIV. And be it enacted, That all Payments made to the Commissioners in respect of Tolls or Stallage of or otherwise arising from the said Markets or Slaughter-houses, or from any such weighing or measuring as aforesaid, shall be applicable, in the first instance, in Payment of the Commissioners Expenses with reference to such Markets, Slaughter-houses, weighing or measuring, or incident thereto, and that so much, if any, of such Payments as shall not be required for that Purpose shall fall into and become Part of the General Improvement Rate herein-after mentioned, and shall be applicable as Part thereof.

Bye Laws to be confirmed.

LXV. And be it enacted, That no Bye Law made under any of the Powers for that Purpose herein or in any Act incorporated herewith contained, for the Regulation of the said Markets or Slaughter-houses, or with regard to such weighing or measuring as aforesaid, (except such as relate only to the Officers and Servants of the said Commissioners,) shall be of any Force until the Expiration of Forty Days after the same or a Copy thereof shall have been sent, sealed with the Seal of the Commissioners, to One of Her Majesty's Principal Secretaries of State, and shall have been published once in Two of the Newspapers circulating within the said Township; and if at any Time within the said Period of Forty Days Her Majesty, with the Advice of Her Privy Council, shall disallow the same Bye Laws or any Part thereof, such Bye Laws, or the Part thereof disallowed, shall not come into operation: Provided also, that it shall be lawful for Her Majesty, if She think fit, at any Time within the said Period of Forty Days, to enlarge the Time within which any Bye Law (if allowed) shall come into force, and no such Bye Law shall in that Case come into force until after the Expiration of such enlarged Time.

Evidence of Bye Laws.

LXVI. And be it enacted, That a Copy of any such Bye Law, under the Seal of the Commissioners, with a Declaration signed by Two of the Commissioners that the same hath been sent, sealed as aforesaid, to One of Her Majesty's Principal Secretaries of State, and published in Two of the Newspapers aforesaid, and that no Part thereof hath been disallowed by such Secretary of State, and that the same is in force, shall be received as Evidence of any such Bye Law, and of the sending and publishing thereof as aforesaid, in all Courts of Law and Equity and before all Justices.

Bye Laws to be printed and published.

LXVII. And be it enacted, That any Bye Laws made in pursuance of this Act or any Act incorporated herewith, for the Regulation of the Markets or Slaughter-houses, or with regard to such weighing or measuring as aforesaid, (except such as relate only to the Officers and Servants of the said Commissioners,) shall be printed, and a Copy thereof shall be affixed and continued in every Justice Room or Office in which any Justice shall sit for the Administration of Justice; and Copies of such Bye Laws shall be delivered by the Clerk of the Commissioners to any Person who may apply for the same, on the Payment of such Sum as the Commissioners shall think fit to fix as the Price of such Bye Laws.

Penalty on Clerk refusing to deliver Copies of Bye Laws, and on Persons refusing Inspection of them when affixed in Police Office.

LXVIII. And be it enacted, That if the said Clerk of the said Commissioners shall not, upon the Payment or Tender of such Sum as the Commissioners shall direct to be paid for the same, deliver to any Person applying for the same at the Office of the said Clerk a printed Copy of all or any Bye Laws made in pursuance of this Act, with regard to such Markets or Slaughter-houses, or such weighing or measuring as aforesaid, he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds; and if the Person for the Time being having the Care of any Police Office or any Justice Room where any Justice shall sit for the Administration of Justice shall not permit the printed Copy of any such Bye Laws affixed in such Office or Room to be inspected at all reasonable Times by any Person who may require to be permitted to inspect the same, the Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Part of the Cemeteries to be set apart for the Established Church.

LXIX. And be it enacted, That a Part of the Cemeteries authorized to be constructed by this Act shall be set apart for Burial according to the Rites of the Established Church.

Cemeteries not to be constructed within 300 Yards of any House of the annual Value of 50*l.*, &c.

LXX. And be it enacted, That no Part of the Cemeteries authorized to be constructed by this Act shall be constructed within Three hundred Yards of any House of the annual Value of Fifty Pounds, or having a Plantation or ornamental Garden or Pleasure Ground occupied therewith, except with the Consent of the Owner, Lessee, and Occupier thereof in Writing.

Reserving Rights of Incumbents.

LXXI. And be it enacted, That the Commissioners shall pay in respect of every Corpse which shall be interred in the Part of the Cemeteries set apart for Burial according to the Rites of the Established Church, to the Incumbent of any Parish or Ecclesiastical District in which the said Person shall have died, the same Fees as such Incumbent would have been entitled to receive if such Corpse had

had been buried in the Parish or Ecclesiastical District of which he is the Incumbent, in respect of such Interment: Provided, that no such Incumbent shall be entitled to receive any such Fees unless he shall (and for that Purpose he is hereby empowered so to do) perform or cause to be performed over such deceased Person by some Clergyman of the Established Church whom he may from Time to Time appoint, the Burial Service according to the Rites of the Established Church: Provided also, that all Payments made by the Commissioners in respect of such Fees as aforesaid shall be considered as Payments made for maintaining the Cemetery.

Payments for Cemeteries, how to be applied.

LXXII. And be it enacted, That all Payments made to the Commissioners in respect of Fees or otherwise arising from the Cemeteries hereby authorized to be constructed shall be appropriated in the same Manner as is herein-after directed with reference to the Cemetery Rate herein-after mentioned, and shall fall into and be considered as Part of the Monies to be raised by means of that Rate: Provided, that if the Amount of such Payments shall at any Time exceed what is required for the Purposes to which the Cemetery Rate is herein-after made applicable, such Excess shall fall into and become Part of the General Improvement Rate herein-after mentioned, and shall be applicable as Part thereof.

Cemeteries to be subject to any future general Act, and Orders of the General Board of Health.

LXXIII. And be it enacted, That, notwithstanding anything in this Act contained, all Cemeteries constructed under the Powers of this Act shall be subject to the Provisions of any general Act for the Regulation of Interments which may be passed in this or any subsequent Session of Parliament, and shall also, with reference to the sanitary Regulation thereof, be subject to any Orders which may be made by the General Board of Health with reference to such Cemeteries or any of them.

Power to levy a Sewer Rate.

LXXIV. And be it enacted, That for the Purpose of purchasing, building, and repairing Sewers within the Limits of this Act, and for the Purpose of making, executing, and maintaining the Sewage Works and Works connected with *Bilston Brook*, including the Purchase of Lands for the Purposes of such Works, and for the securing and paying of any Monies which may be borrowed for such Purpose, and the Interest thereof, it shall be lawful for the Commissioners to make, assess, and levy within the Limits of this Act such Rate, to be called the Sewer Rate, as may be necessary for the Purposes aforesaid, not exceeding in any One Year One Shilling in the Pound of the full net annual Value of the Property included in such Rate: Provided nevertheless, that the Sewer Rate to be assessed and levied on any Property which would not have been rateable to a Special District Rate made for the same Purposes under the Powers

of

of the Public Health Act, 1848, shall be less by Three Fourths in proportion to the Value of such Property than the Sewer Rate to be assessed and levied on the other Property rateable within the Limits of this Act: Provided also, that no Occupier of any Lands or Buildings within the Limits of this Act shall be entitled to have any Deduction from the Sewer Rates hereby or by any incorporated Act authorized to be levied, on the Ground that such Lands or Buildings were sufficiently drained before the making of any new Sewer to be made under this Act.

Application of Sewer Rate.

LXXV. And be it enacted, That all Monies which shall come to the Hands of the Commissioners from the said Sewer Rate, or which shall be raised by any Mortgage or Security thereof granted by the said Commissioners, shall be disposed of as follows:

First, in paying the Interest of all Monies borrowed and which shall from Time to Time be due and owing on the Credit of the said Rate:

Secondly, in purchasing, building, and repairing Sewers within the Limits of this Act, and in making, executing, and maintaining Sewage Works and Works connected with *Bilston Brook*, including Purchase of Lands:

Thirdly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated in Payment off of the Principal Monies which shall have been borrowed or secured on the said Sewer Rate:

And, lastly, in paying off all Principal Monies due on the Credit of the said Sewer Rate.

Power to Commissioners to levy Waterworks Rate.

LXXVI. And be it enacted, That for the Purpose of purchasing, making, and maintaining Waterworks under the Powers of this Act it shall be lawful for the Commissioners to make, assess, and levy, within the Limits of this Act, such Rate, to be called the Waterworks Rate, as may be necessary for the Purposes aforesaid, not exceeding in any One Year Seven-pence in the Pound of the full net annual Value of the Property included in such Rate.

Application of the Waterworks Rate.

LXXVII. And be it enacted, That all Monies which shall come to the Hands of the Commissioners for the said Waterworks Rate, or which shall be raised by any Mortgage or Security thereof granted by the said Commissioners, shall be disposed of as follows:

First, in paying the Interest of all Monies borrowed and which shall from Time to Time be due and owing on the Credit of the said Rate:

Secondly, in purchasing, making, and maintaining Waterworks under the Powers of this Act:

Thirdly,

Thirdly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated in Payment off of the Principal Monies which shall have been borrowed or secured under the said Waterworks Rate:

And, lastly, in paying off all Principal Monies due on the Credit of the said Waterworks Rate.

Power to Commissioners to levy Cemetery Rate.

LXXVIII. And be it enacted, That for the Purpose of purchasing Sites for constructing, making, and maintaining a Cemetery or Cemeteries, under the Powers of this Act, it shall be lawful for the Commissioners to make, assess, and levy, within the Limits of this Act, such Rate, to be called the Cemetery Rate, as may be necessary for the Purposes aforesaid, not exceeding in any One Year Three-pence in the Pound of the full net annual Value of the Property included in such Rate.

Application of the Cemetery Rate.

LXXIX. And be it enacted, That all Monies which shall come to the Hands of the Commissioners from the said Cemetery Rate, or which shall be raised by any Mortgage or Security thereof granted by the said Commissioners, shall be disposed of as follows:

First, in paying the Interest of all Monies borrowed and which shall from Time to Time be due and owing on the Credit of the said Rate:

Secondly, for purchasing Sites for and constructing, making, and maintaining a Cemetery or Cemeteries under the Powers of this Act:

Thirdly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated in Payment off of the Principal Monies which shall have been borrowed or secured on the said Cemetery Rate:

And, lastly, in paying off all Principal Monies due on the Credit of the said Cemetery Rate.

Power to levy a General Improvement Rate.

LXXX. And be it enacted, That, for the Purpose of defraying the Costs and Expenses of carrying this Act and the Powers and Provisions thereof into execution, excepting the Purposes to which any Rates to be made for Highways, Sewers, Waterworks, Cemeteries, and Private Improvements are hereby or by any Act incorporated herewith directed to be applied, and including the Costs and Expenses of making, maintaining, purchasing, and providing such Gasworks, and buying, maintaining, and providing such Markets as herein-before mentioned, and for securing and paying of any Monies which may be borrowed for such Purposes, and the Interest thereof, and for paying the Expenses of and incident to the obtaining this Act, it shall be lawful for the Commissioners from Time to Time to make, assess, and levy such equal Rate, to be called "The General Improvement Rate,"

Rate," as may be necessary for the Purposes aforesaid, not exceeding in any One Year One Shilling and Two-pence in the Pound of the full net annual Value of the Property included in such Rate.

Application of General Improvement Rate.

LXXXI. And be it enacted, That all Monies which shall come to the Hands of the Commissioners from the said Rate called "The General Improvement Rate," or which shall be raised by any Mortgage or Security thereof granted by the said Commissioners, shall be applied and disposed of as follows:

First, in defraying the Charges and Expenses which shall have been incurred in or incident to the obtaining or passing of this Act:

Secondly, in paying the Interest of all Monies borrowed or which which shall have been borrowed and which shall be from Time to Time due and owing on the Credit of the said Rate:

Thirdly, in carrying all the Purposes of this Act into execution, except the purchasing, making, and maintaining Highways and Roads, and the purchasing, building, and repairing Sewers, and the purchasing Sites for and constructing, making, and maintaining Cemeteries, and the purchasing, making, and maintaining Waterworks:

Fourthly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated in Payment off of the Principal Monies which shall have been borrowed or secured on the said Improvement Rate:

And, lastly, in paying off the Principal of all Monies due on the Credit of the said Improvement Rate.

Composition for Rates upon Tenements under the Value of 6*l.* 10*s.*

LXXXII. And be it enacted, That when the net Value of any Premises liable to Assessment under this Act does not exceed the Sum of Six Pounds Ten Shillings, or whenever any Premises liable to such Assessment are let to weekly Tenants or in separate Apartments, and the Rents become payable or are collected at any shorter Period than quarterly, the Commissioners may from Time to Time, if they shall think fit, compound with the Owner of such Premises for the Payment of any of the Rates to be made under this Act, upon such reduced Estimate of the net annual Value, not being less than Two Thirds of the net annual Value at which the Premises are then assessed, as the Commissioners shall think reasonable, and the Amount of such Composition shall be recoverable in the same Manner in all respects as the Rates in respect of which it may have been made; provided that such Composition shall be payable whether the Premises are occupied or not.

Company of Proprietors of the Bir-

LXXXIII. And be it enacted, That the Company of Proprietors of the *Birmingham* Canal Navigations shall not, in respect of any Property

Property of the said Company within the Limits of this Act, be rateable to or be liable to pay any Rates by this Act authorized to be levied, except Sewer Rate, Waterworks Rate, and Highway Rate; and the said Company shall be assessed to the said last-mentioned Rates in respect of the same Property in the Proportion of One Fourth Part only of the net annual Value thereof.

mingham Canal Navigations to be exempt from certain Rates.

LXXXIV. And whereas the *Birmingham, Wolverhampton, and Stour Valley* Railway Company are Owners and Occupiers of Lands within the Limits of this Act which were purchased and are used for the Purposes of their Undertaking: Be it enacted, That nothing in this Act contained shall prejudice, lessen, or defeat the Rights or Interests of the said *Birmingham, Wolverhampton, and Stour Valley* Railway Company otherwise than by this Act expressly provided; and that the said *Birmingham, Wolverhampton, and Stour Valley* Railway Company shall not, in respect of the Railway, Works, and Property of the said Company within the Limits aforesaid, be rateable or be liable to pay any Rates by this Act authorized to be levied, except Sewer Rate, Waterworks Rate, and Highway Rate; and the said Company shall be assessed to the said last-mentioned Rates in respect of the same Railway, Works, and Property in the Proportion of One Fourth Part only of the net annual Value thereof.

Act not to prejudice the Rights of the Birmingham, Wolverhampton, and Stour Valley Railway Company.

LXXXV. And be it enacted, That no Commissioner who shall be a Shareholder of the *Dudley* Waterworks Company, the *Wolverhampton* Waterworks Company, or the *Bilston* Gaslight and Coke Company, shall be entitled to vote at any Meeting of Commissioners which may be held for the Purpose of discussing or concluding any Contract, Arrangement, or Agreement with the Company in which he is a Shareholder, or shall be a Member of any Sub-Committee appointed for the Purpose of negotiating with such Company; and that no Commissioner who may be a Trustee of any Road of which a Portion is hereby authorized to be taken by the Commissioners, or of the said Market Place, shall be entitled to vote at any Meeting of Commissioners which may be held for the Purpose of discussing or concluding any Contract, Arrangement, or Agreement with or giving any Notice to the Body of Trustees of which he may be so a Member, or shall be a Member of any Sub-Committee appointed for the Purpose of negotiating with such Body of Trustees.

Shareholders in Companies and Trustees of Roads, &c. not to vote as Commissioners in certain Cases.

LXXXVI. And be it enacted, That nothing in the "Waterworks Clauses Act, 1847," or the "Gasworks Clauses Act, 1847," shall oblige the Commissioners under this Act to make up or send to the Clerk of the Peace any Account of their Receipt or Expenditure of Rates or Monies levied under the Powers of this Act.

Commissioners not obliged to send annual Accounts to Clerk of the Peace.

LXXXVII. And

Exceptions as to noxious or offensive Trades.

LXXXVII. And be it enacted, That, within the Limits of this Act for Improvement Purposes, the Trade or Occupation of an Iron-founder, Tinplate Worker, Japanner, or Burner or Calciner of Coke, Coal, or Stone, shall not be deemed to be a noxious or offensive Trade or Occupation within the Meaning of the "Public Health Act, 1848," or the "Towns Improvement Clauses Act, 1847."

Police may destroy Dogs at large after Notice.

LXXXVIII. And be it enacted, That the Commissioners may authorize and empower any Police Officer, or any other Person that they may think proper, to destroy within the Limits of this Act for Improvement Purposes any Dog which the Commissioners may think dangerous, and which may be found at large Twenty-four Hours after Notice in Writing shall have been given to the Owner or reputed Owner thereof not to allow such Dog to be at large; and such Police Officer or other Person so authorized shall not, nor shall the said Commissioners, be in any way made liable for the Destruction of such Dog.

Houses unfit for human Habitation may be closed.

LXXXIX. And be it enacted, That, on Complaint of the Inspector of Nuisances that any House within the Limits of the Act for Improvement Purposes is unfit for human Habitation, the Commissioners, being satisfied of such Unfitness by such medical or other Evidence as they may think fit, may give Notice to the Owner and Occupier of the Unfitness of such House for human Habitation; and if after Fourteen Days Notice such House shall be still occupied the Commissioners may summon the Occupier and Owner before Two Magistrates, who, upon Proof to their Satisfaction of such Unfitness as aforesaid, may order the Tenant to be forthwith ejected, and the House to be no more used as a Place for human Habitation until so altered as in the Opinion of Two Magistrates the same shall be made habitable: Provided also, that for the Purpose of serving such Notice or Summons on the Owner it shall be sufficient to affix the same on the outer Door of the aforesaid House.

Persons properly working Mines not to be liable for Injury to Sewers, &c.

XC. And be it enacted, That nothing in this Act contained shall prevent the Persons for the Time being entitled to work any Mines under any Land in or upon or which the Commissioners are by this Act or any Act incorporated herewith authorized to construct or lay any Sewers or Pipes, or to make any Tank or Reservoir, from properly working such Mines, or shall make them liable to pay any Damages or make any Compensation in respect of any Injury done in the Course of such working to any such Sewer, Pipe, Tank, or Reservoir.

Produce of superfluous Lands.

XCI. And be it enacted, That all Monies which shall come to the Hands of the Commissioners in consequence of the Sale of any

superfluous Lands under the Provisions of this and the said "Lands Clauses Consolidation Act, 1845," shall be applied and disposed of in paying off any Principal Monies at the Time due and owing on the Credit of the said General Improvement Rate.

If Commissioners take certain Lands, they may also be required to purchase the Mines, &c.

XCII. And be it enacted, That if under the Powers of this Act the Commissioners shall purchase or take for the Purposes of this Act or any of them the whole or any Part of certain Pieces of Land situate in *Bilston* in the County of *Stafford*, and now vested in *Richard Thompson* and *John Etheridge*, as Trustees under the Will of *Thomas Brueton* deceased, and referred to in the Schedule (A.) hereto annexed, and which Pieces of Land are commonly called or known by the Name of "*Pigsty Oak*," and if the said *Richard Thompson* and *John Etheridge*, or the Survivor of them, or other the Person or Persons for the Time being entitled to the said Pieces of Land, shall require the Commissioners to purchase the Mines and Minerals lying under the Land so purchased or taken, and the Shafts, Pits, Engines, Machinery, Tools, Implements, Utensils, Gear, and Materials made, used, or provided for working such Mines and Minerals, the Commissioners shall and they are hereby required to purchase the same accordingly; and the Clauses and Provisions of the "Lands Clauses Consolidation Act, 1845," as to ascertaining the Compensation for Lands purchased or taken, shall apply as well to the said Mines, Minerals, Shafts, Pits, Engines, Machinery, Tools, Implements, Utensils, Gear, and Materials, as to the Land so taken.

Repeal of the Dudley Waterworks Act, 4 & 5 W. 4. c. 42., so far as regards Bilston, on Commissioners taking Company's Mains, &c.

XCIII. And be it enacted, That if the Commissioners shall purchase or take the Mains, Pipes, and Plant of the *Dudley* Waterworks Company within the said Township of *Bilston*, all the Powers and Authorities which are given and granted to the said Company by an Act of Parliament passed in the Fourth Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for better supplying the Borough of* Dudley *in the County of* Worcester, *and the Neighbourhood thereof, with Water*, for the Purpose of supplying the said Township of *Bilston* with Water, shall, from and after the vesting in the Commissioners of such Mains, Pipes, and Plant, be and the same are hereby repealed, so far only as relates to the said Township.

Public Act.

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

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

Land and Buildings to be taken, situate within the Township of Bilston in the Parish of Wolverhampton in the County of Stafford.

Description.	Owner or reputed Owner.	Occupier.
Spoil Banks and Colliery Ground.	Richard Thompson, John Etheridge, and Sophia Brueton, Trustees under the Will of the late Thomas Brueton.	Richard Thompson, John Etheridge, and Sophia Brueton.
Cholera Hospital -	Richard Thompson, John Etheridge, and Sophia Brueton, Trustees under the Will of the late Thomas Brueton.	Board of Guardians for Wolverhampton Union.
Garden - -	Richard Thompson, John Etheridge, and Sophia Brueton, Trustees under the Will of the late Thomas Brueton.	Samuel Turner.
Tramroad leading from Hall Park Colliery to Millfield Furnaces.	Richard Thompson, John Etheridge, and Sophia Brueton, Trustees under the Will of the late Thomas Brueton.	William Riley.
Occupation Road -	Richard Thompson, John Etheridge, and Sophia Brueton, Trustees under the Will of the late Thomas Brueton.	William Riley.
Occupation Road -	Richard Thompson, John Etheridge, and Sophia Brueton, Trustees under the Will of the late Thomas Brueton.	William Riley.
Occupation Road -	William Riley - - -	William Riley.
Garden - - -	Executors of the late Edward Wingfield Dickenson.	John Beard.
Colliery Ground -	Executors of the late Edward Wingfield Dickenson.	John Gettings.
Coal Pit - -	Executors of the late Edward Wingfield Dickenson.	John Gettings.
Ironstone Pit - -	Executors of the late Edward Wingfield Dickenson.	John Gettings.
House - - -	Executors of the late Edward Wingfield Dickenson.	Mary Vernon.
House and Yard -	Executors of the late Edward Wingfield Dickenson.	John Beard.

The Bilston Improvement Act, 1850.

Description.	Owner or reputed Owner.	Occupier.
House and Garden -	William Riley, John Latty Bickley -	William Grimmett.
House and Garden -	William Riley, John Latty Bickley -	George Holding.
House and Garden -	William Riley, John Latty Bickley -	George Jenks.
Workshops - -	William Riley, John Latty Bickley -	William Riley.
Garden - -	William Riley, John Latty Bickley -	George Jenks.
Timber and Storeyard	William Riley, John Latty Bickley -	William Riley.
Brick-works, with Buildings, Tramroads, Sheds, Stores, Kilns, Flats, Engines, and other Machinery connected with Brick-making.	William Riley, John Latty Bickley -	William Riley.
Housc - -	William Riley, John Latty Bickley -	David Baggott.
House and Garden -	William Riley, John Latty Bickley -	James Steele.
Watercourse - -	William Riley, John Latty Bickley -	William Riley.
Cleared Ground -	John Latty Bickley, William Riley -	William Riley.
Land and Spoil Banks	John Latty Bickley - - -	Thomas Bagnall, Samuel Barnett, Thomas Randle Andrews, and James Bartholomew Pidgeon, Executors of the late William Ward.
Land and Spoil Banks	John Latty Bickley - -	Thomas Bagnall, Samuel Barnett, Thomas Randle Andrews, and James Bartholomew Pidgeon, Executors of the late William Ward.
Pigstye Lane - -	Sir Edward Dolman Scott, Lady Emily Foley, Executors of the late Edward Wingfield Dickenson, Diana Briscoe, John Latty Bickley, and William Riley.	William Riley.
House - - -	John Latty Bickley - - -	Andrew Howell.
Pigstye Lane -	Sir Edward Dolman Scott, Lady Emily Foley, Executors of the late Edward Wingfield Dickenson, Diana Briscoe, John Latty Bickley, and William Riley.	William Riley.
House - -	Trustees under the Will of the late Job Hartshorn.	Sarah Turner.
House - -	Trustees under the Will of the late Job Hartshorn.	Hannah Turner.
House - -	Stephen Cole - - -	Stephen Cole.

SCHEDULE (B.)

List of Tolls to be taken.

	£	s.	d.
For every covered Shed, Stall, Bulk, Block, Tressel, Standing Place or Station, used by any Person for exposing to Sale Flesh Meat, Cheese, Bacon, Pickled Pork, Fish, or any other live or dead Victuals, Fruit, Glass, Earthenware, or other Goods, Articles, Commodity, or Thing whatsoever (except as herein otherwise specifically charged), where such covered Shed, Stall, Bulk, Block, Tressel, Standing Place or Station shall not exceed Six Feet in Length to the Front, per Day, the Sum of - -	0	1	0
If above Six Feet and not exceeding Eight Feet in Length to the Front, per Day, the Sum of - - -	0	1	3
If above Eight Feet in Length to the Front, per Day, the Sum of - - - - -	0	1	9
For every Stall, Bulk, Block, Tressel, Standing Place or Station, not being covered, used by any Person for exposing to Sale Flesh Meat, Cheese, Bacon, Pickled Pork, Fish, Pigs, or any other live or dead Stock or Victuals, Fruit, Glass, Earthenware, or other Goods, Article, Commodity, or Thing whatsoever (except as herein otherwise specifically charged), where such uncovered Stall, Bulk, Block, Tressel, Standing Place or Station shall not exceed Six Feet in Length to the Front, per Day, the Sum of -	0	0	6
If above Six Feet and not exceeding Eight Feet in Length to the Front, per Day, the Sum of - - -	0	0	9
If above Eight Feet in Length to the Front, per Day, the Sum of - - - - -	0	1	0
For every Cart used by any Person for exposing or in which shall be exposed to Sale any Article, Commodity, or Thing, if drawn by One Horse, per Day, the Sum of - - -	0	0	9
If drawn by Two or more Horses, per Day, the Sum of -	0	1	0
For every Waggon used by any Person for the like Purposes, per Day, the Sum of - - - - - -	0	1	6
For every Basket, Parcel, or Quantity of Butter not exceeding Six Pounds, the Sum of - - - -	0	0	1
For ditto, exceeding Six Pounds and not exceeding Twelve Pounds, the Sum of - - - - -	0	0	2
For every additional Six Pounds, the Sum of - -	0	0	1
For Poultry, including Fowls, Chickens, and Ducks, Wild Fowls, Pigeons, and Rabbits, not exceeding Half a Dozen, the Sum of	0	0	1
For ditto, for each additional Half Dozen, the Sum of -	0	0	1
For every Turkey, Goose, or Sucking Pig, the Sum of - -	0	0	1
For every Basket, Parcel, or Quantity of Eggs under One Dozen, the Sum of - - - - - - -	0	0	0½
And for each additional Dozen, the Sum of - - -	0	0	0½

For

For every Basket, Hamper, Parcel, or Quantity of any other Goods, Commodity, Article, or Thing exposed or offered for Sale, not before specifically charged or enumerated, or falling within any of the preceding Heads, and not containing more than One Bushel, the Sum of	0	0	1
And for every additional Half Bushel, the Sum of	0	0	$0\frac{1}{2}$

SCHEDULE (C.)

The Cattle Market.

For the Exposure to Sale of Horses or other Beasts, Cattle, or Pigs, as follows; videlicet,	£	s.	d.
For every Horse, Mare, or Gelding not exceeding Thirteen Hands in Height	0	0	3
For every Horse, Mare, or Gelding exceeding Thirteen Hands in Height	0	0	6
For every Colt or Filly	0	0	2
For every Mule or Ass	0	0	2
For every Bull or Ox, Heifer or Steer	0	0	4
For every Calf	0	0	2
For every Sheep or Lamb	0	0	1
For every Pig	0	0	1
For every Sucking Pig	0	0	$0\frac{1}{2}$

SCHEDULE (D.)

Slaughter-house.

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

SCHEDULE (E.)

Weighing and Measuring.

For weighing every Piece of Meat or Thing weighing not more than Twenty Pounds Avoirdupois	0	0	$0\frac{1}{2}$
For weighing every Piece of Meat or Thing weighing more than Twenty Pounds Avoirdupois and not exceeding One hundred Pounds	0	0	1

And so in proportion for any greater or smaller Quantity than One hundred Pounds Weight over and above One hundred Pounds Weight.

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

SCHEDULE (F.)

Weighing Machines.

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

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