ANNO SECUNDO

GULIELMI IV. REGIS.

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Cap. xc.

An Act for improving and regulating the Township of *Chorlton-upon-Medlock* in the County of *Lancaster*. [23d *June* 1832.]

WHEREAS an Act was passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for lighting and watching, and for regulating the Police, within the Township of* Chorlton Row *in the County of* Lancaster: (3 G. 4. c. 14.) And whereas since the passing of the said Act the said Township of *Chorlton Row* hath greatly increased, and is still increasing, in Trade, Population, and Extent of Buildings; and the Powers and Provisions of the said recited Act are found insufficient for the Purposes intended; and it is expedient that further and additional Powers should be established for improving and regulating the said Township of *Chorlton Row*: And whereas the Powers and Provisions necessary for the Purposes aforesaid might be more conveniently executed if the same were comprised in One Act of Parliament: And whereas there is in the Parish of *Manchester*, within which the said Township of *Chorlton Row* is situate, another Township, called *Chorlton-cum-Hardy*, situate upon the North-easterly Bank of the River *Mersey*, and distant only a Mile and a Half from the said Township of *Chorlton Row*, which is situated upon the Southerly Bank of the River *Medlock*; and it is expedient, and would prevent Confusion, if the Name of the said Township of *Chorlton Row* were changed, and the Name of *Chorlton-upon-Medlock* substituted for the same: But the several Objects aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your

Majesty that it may be enacted; and be it enacted by the King'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 said recited Act of the Third Year of the Reign of His said late Majesty shall from and after the *Tuesday* in the Twelfth Week next after the passing of this Act be and the same is hereby repealed, and null and void to all Intents and Purposes whatsoever; and this Act shall thenceforth commence and take effect in lieu and instead of the said recited Act of the Third Year of the Reign of His said late Majesty.

Recited Act repealed.

Name of Township changed to Chorlton-upon-Medlock.

II. And be it further enacted, That from and after the passing of this Act the said Township of *Chorlton Row* shall be called, known, and distinguished by the Name of *Chorlton-upon-Medlock*, and that the said Name of *Chorlton Row* shall from thenceforth cease and be for ever afterwards discontinued: Provided nevertheless, that whenever the Name of *Chorlton Row* shall have been or shall be used in any Act of Parliament, the same shall be construed to apply to and shall apply to the said Township in such and the like Manner as if the Name of *Chorlton-upon-Medlock* had been used or inserted therein; and no Deeds, Conveyances, Contracts, or other written Documents relating to the Title of Property, Real or Personal, in the said Township of *Chorlton Row*, shall be deemed void or inoperative by reason of the present Name of *Chorlton Row* being inserted and used therein in lieu of the new Name of *Chorlton-upon-Medlock*, through Inadvertence, or Ignorance of the Name hereby enacted.

Commencement of Act as to certain Matters.

III. Provided always, and be it further enacted, That this Act shall commence and take effect from the passing thereof, as to the Elections of the Commissioners for executing the same, and all Matters and Things relating to or connected with such Elections, and as to the Rates hereby authorized from the Twenty-fourth Day of *June* One thousand eight hundred and thirty-two.

Commissioners.

IV. And be it further enacted, That the Chief Constable or Constables for the Time being of the said Township of *Chorlton-upon-Medlock*, and Ninety Male Persons who shall have attained the Age of Twenty-one Years, to be chosen and elected at the Times and in the Manner herein directed, shall be Commissioners for carrying this Act into execution.

All Occupiers of Tenements rated to the Relief of the Poor entitled to vote, &c.

V. And be it further enacted, That all Male Persons who at the Time of the first Election of the said Commissioners, as hereinafter mentioned, for carrying this Act into execution, shall have attained the Age of Twenty-one Years, and shall be severally Occupiers, or who for the Purpose of being rated under this Act shall be treated and considered as the Occupiers of any Tenement within the said Township of *Chorlton-upon-Medlock*, rated in the last Assessment made for the Relief of the Poor of the said Township in the Year ending on the Thirty-first Day of *December* next preceding such first Election, and also rated in the then last Assessment made under the said recited Act passed in the Third Year of the

the Reign of His late Majesty King *George* the Fourth, shall be entitled to vote, in the Manner herein directed, in the first Election of the said Commissioners for carrying this Act into execution; and all Male Persons who at the Time of every future Election of the said Commissioners for carrying this Act into execution shall have attained the said Age of Twenty-one Years, and who shall be severally Occupiers of any Tenement within the said Township of *Chorlton-upon-Medlock*, rated in the last Assessment made for the Relief of the Poor of the said Township of *Chorlton-upon-Medlock* in the Year ending on the Thirty-first Day of *December* next preceding any such future Election, and which shall also be rated in the last Assessment under this Act in the same Year, shall be entitled to vote from Time to Time in the Manner herein directed in all future Elections of the said Commissioners: Provided always, that no Person shall be entitled to vote on the said first Election unless he shall previously to such Election have fully paid the Poor's Rates in which he shall have been rated in the said Township of *Chorlton-upon-Medlock* during such preceding Year, and shall also have paid all the Rates under the said recited Act in which he shall have been rated in the said Township of *Chorlton-upon-Medlock* during such preceding Year; and no Person shall be entitled to vote on any Election of the said Commissioners after the said first Election, unless he shall have fully paid the Poor's Rates in which he shall have been rated in the said Township of *Chorlton-upon-Medlock* during the Year ending on the Thirty-first Day of *December* next preceding every such future Election, and also fully paid the Rates in which he shall have been rated under this Act during such preceding Year.

Persons whose Rates are unpaid not to vote.

VI. And be it further enacted, That all Male Persons who shall have attained the Age of Twenty-one Years, and who shall be severally Occupiers of any Tenement or Tenements within the said Township of *Chorlton-upon-Medlock* which shall be rated or assessed severally or in the whole for the Relief of the Poor of the said Township, or to the Inhabited House Duty, in the last Rate or Assessment next preceding any Election under this Act, at the yearly Value of not less than Twenty Pounds, and all such Male Persons who shall have attained the said Age, and who shall be severally resident within the said Township of *Chorlton-upon-Medlock*, and shall also (in their own Right or in Right of their late or their present Wives) be then Owners, and in the actual Possession or Enjoyment or Receipt of the Rents and Profits of any Tenements or Hereditaments within the said Township of *Chorlton-upon-Medlock*, of the yearly Value of Fifty Pounds at the least, clear of Reprizes and Incumbrances, and which under such last Assessment or Duty shall be rated or assessed severally or in the whole at the yearly Value of not less than Fifty Pounds, shall be eligible to be Commissioners for carrying this Act into execution.

Persons eligible to be Commissioners.

VII. Provided always, and be it enacted, That in case of any Assessment on Tenements or Hereditaments occupied by Two or more Persons in Partnership, every Person constituting such Partnership may (subject to the Provisions herein contained) vote in the Election

In Cases of Partnership all Parties may vote, &c.

tion of Commissioners; and every Person constituting such Partnership shall be eligible to be a Commissioner under this Act so far as the Amount of the Assessment upon such Tenements or Hereditaments, according to the Election Lists herein-after mentioned, and so far as every such Partner's Share and Interest therein will extend.

Election Lists.

VIII. And be it further enacted, That for the Purposes of the first Election of Commissioners under this Act the Commissioners for executing the said recited Act, or their Treasurer or Clerk, shall and they and he are hereby required to prepare an alphabetical List, to be called "The Election List," of the Names, Residences, and Descriptions of the several Persons who under the Provisions of this Act may be respectively eligible as Commissioners for carrying this Act into execution; and the said List shall, on or before the Fifth *Friday* next after the passing of this Act, be printed, and put up in such public Places as the said Commissioners for executing the said recited Act shall deem requisite, and also in some conspicuous Place in the Town Hall in *Chorlton-upon-Medlock* aforesaid; and if the Name of any Person eligible as a Commissioner shall be omitted in such List, it shall be lawful for the Person whose Name shall be so omitted, or for any Person entitled to vote at any of such Elections, to give Notice thereof in Writing under his Hand, stating the Name, Residence, and Description of the Person whose Name is so omitted, to the said Treasurer or Clerk, or One of the Commissioners for executing the said recited Act, on or before the Seventh *Friday* after the passing of this Act; and such Commissioners, or their Treasurer or Clerk, shall and they and he are and is hereby required, in case of any such Omission, and upon Proof by the Production of the Collector's Charge or Receipt for the inhabited House Duty for the then current or preceding Year, or upon Proof by the Assessment made for the Relief of the Poor of such Person's being qualified, to prepare a List, to be called "The Supplementary Election List," of the Names, Residences, and Descriptions of the Person or Persons whose Name or Names shall have been so omitted, and such Supplementary List shall be in like Manner and in like Places put up on or before the Eighth *Friday* next after the passing of this Act; but no Election of any Person as a Commissioner under this Act whose Name shall be inserted in either of the said Lists, and who shall be duly qualified to be a Commissioner on any Election whatsoever of Commissioners, shall be void or voidable by reason of the Name of any other Person duly qualified to be elected a Commissioner under and according to the Provisions of this Act being or having been omitted in any of such Lists.

First Election of Commissioners.

IX. And be it further enacted, That it shall be lawful for the Persons entitled to vote as aforesaid, and they are hereby required, on the Tenth *Friday* after the passing of this Act, to assemble at the Town Hall or at some other convenient Place within the said Township of *Chorlton-upon-Medlock*, to be named by the Clerk of the Commissioners for executing the said recited Act, or by any Two or more of such Commissioners, between the Hours of Eleven o'Clock in the Forenoon and Three o'Clock in the Afternoon, for the Purpose of electing the said Commissioners, Seven Days previous Notice (exclusive

(exclusive of the Day of Notice and the Day of Meeting) having been given by the Clerk of the Commissioners for executing the said recited Act, or by any Two or more of such Commissioners, by Advertisement in One or more of the *Manchester* Newspapers, of the Time and Place at which such Meeting will be held, which said Notice he and they is and are hereby required to give; and so soon as Ten of the Persons so entitled to vote at such Meeting shall be assembled, and the Time appointed for holding such Meeting shall have arrived, then, if both the Constables of the said Township shall be present, the one whose Name shall stand first in their respective Appointments to Office shall be the Chairman thereof; but if only One of the Constables of the said Township shall be present, he shall be the Chairman thereof; and if any such Meeting shall not be attended by either of the said Constables, or if they shall severally refuse to be Chairman of any such Meeting, then the Persons present at such Meeting and entitled to vote shall, by a Majority of Votes, to be testified by a Show of Hands, or by a Division, if necessary, appoint any Person present who shall be willing to be the Chairman thereof; and at the said Meeting Two Hours at the least and no more from the Time of the Election of the said Chairman shall be allowed for receiving Votes as hereinafter mentioned, and any One or more of the Persons entitled to vote, whether present or nor at such Meeting, shall and may vote separately or jointly for any One or more of the said Ninety Commissioners, by delivering or causing to be delivered to the Chairman of such Meeting a Paper to be provided as herein-after mentioned, and to be called a Voting List, which shall contain the Name or Names of any Person or Persons, not being more than the Number to be elected at such Meeting, in either or both of the said Two Lists called the Election List and Supplementary Election List, and then eligible to be elected as a Commissioner or Commissioners under this Act, at the Foot of which Voting List such Person or Persons so entitled to vote shall have previously written his or their Name or Names, and Place or Places of Abode; and at the Expiration of the said Two Hours the Persons only who shall then be present at such Meeting, and entitled to vote for Commissioners under this Act, shall forthwith proceed to elect Two Persons who shall be willing to be Scrutineers, by any Voter nominating a Person, and also writing on a Paper the Name and Residence of such Person so willing as aforesaid; and upon such Nomination being seconded by any other Voter such Paper or Papers shall be handed to the Chairman, who shall propose the Person or Persons whose Name or Names shall be written on such Paper or Papers separately, in Rotation as he shall have received them, and the Two Persons who shall by Show of Hands, or by a Division, if required by any Two Voters, have the greater Number of Votes, shall be elected to be Scrutineers for such Election only, and with the said Chairman shall examine the said Papers and Lists, and shall make out or cause to be made out a List or Lists of the several Persons so voted for, and set against their respective Names the Number of Votes for each such Person; and the Ninety Persons who shall have the greatest Number of Votes shall be the Commissioners for carrying this Act into execution; and in case of an Equality in the Number of Votes the said Scruti-

neers shall select from amongst those Persons for whom the Number of Votes shall be equal so many as shall be necessary to complete the said Number of Ninety Persons to be the Commissioners aforesaid, and if the said Scrutineers shall not agree in such Selection, the said Chairman shall decide between them.

Voting Lists.

X. Provided always, and be it further enacted, That the said Commissioners under the said recited Act, shall prepare or cause to be prepared for the First Election of Commissioners under this Act a Paper to be called a Voting List, and sufficient for the Purpose, which shall be headed "*Chorlton-upon-Medlock*—Voting Lists;" and which shall be signed by the Clerk to the said Commissioners, or any other Person by them appointed for that Purpose, and shall bear Date within at least Seven Days prior to such Election, and shall be delivered *gratis* to any Voter applying for the same at the said Town Hall or other Public Office of the said Commissioners, at all seasonable Times within the said Seven Days, but not earlier; and the said Commissioners under this Act shall in like Manner prepare and cause to be delivered similar Lists for the future Elections of Commissioners under this Act; and if any Person entitled to vote as aforesaid shall sign more than One such Voting List at any Election to take place under this Act, the Votes of such Person shall as to such Election be altogether void and of no Effect.

List of Commissioners to be delivered to the Clerk within Ten Days, and published within Sixteen Days.

XI. And be it further enacted, That the Chairman of the said Meeting shall, on the First Election of the said Commissioners for carrying this Act into execution, leave with the Clerk of the said Commissioners for executing the said recited Act, and on every subsequent Election with the Clerk of the said Commissioners under this Act, and within Ten Days after such Elections respectively, a List, signed by such Chairman or either or both of such Scrutineers, of the Names, Residences, and Descriptions of the Persons elected as Commissioners at such Meetings, and shall also cause a true Copy of the same to be entered in the general Book of Proceedings of the Commissioners under this Act; and the said Clerk to whom the same shall be delivered shall as soon as conveniently may be, and at the latest within Sixteen Days after such Elections respectively, cause the same to be published in One or more of the *Manchester* Newspapers, and also cause a Notice to be left at the Residence of each Person named in the same List, informing him of his being elected a Commissioner under this Act, and also of the Place and Time where and when the First Meeting of the said Commissioners is directed to be held.

A correct List of the Commissioners to be kept by the Clerk.

XII. And be it further enacted, That the Clerk or Clerks of the said Commissioners under this Act shall from Time to Time make out and continue a correct List of the several Names of all such Commissioners who shall qualify by taking the Oaths or making the Affirmations required by this Act; and the said Clerk or Clerks shall write the several Residences and Dates of Qualification of such Commissioners opposite their respective Names; and such List shall be hung up in the Public Office of the said Commissioners for the Inspection of any Person rated under this Act.

XIII. And

For remedying Neglect or Default in Elections.

XIII. And be it further enacted, That if at any Time or Times hereafter, in consequence of any Neglect or Omission in the Preparation of the said Election Lists, or in printing and exhibiting the same, or in holding the said Meetings, or any of them, or in electing the said Commissioners at any of such Meetings, the said First or any other Election of such Commissioners shall not be made on the Day or respective Days herein limited for that Purpose, then it shall be lawful for the said Commissioners acting under the said recited Act, or their Treasurer or Clerk, in respect of such First Election, and for the Commissioners, their Treasurer or Clerk acting under this Act, in case of any such Neglect or Omission in any subsequent Election forthwith to appoint other Periods and Days for doing the same, until the said Elections shall be completed according to the true Intent and Meaning hereof; and the Elections or other Acts to be made or done in pursuance of such last-mentioned Appointment or Appointments shall be as good and effectual as if the same had been duly made and completed within the Time or respective Times herein limited for that Purpose.

Period of Office.

XIV. And be it further enacted, That the whole Number of the said Commissioners who shall be first elected as aforesaid shall continue in Office (except in case of Death, Refusal to act, or ceasing to be qualified, or neglecting to take the several Oaths or make the several Affirmations required by this Act,) until the Fourth *Friday* in the Month of *October* One thousand eight hundred and thirty-three, on which Day Thirty of such Commissioners shall go out of Office, and in like Manner on the Fourth *Friday* in the Month of *October* One thousand eight hundred and thirty-four Thirty more of such Commissioners so first elected shall go out of Office, and on the Fourth *Friday* in the Month of *October* One thousand eight hundred and thirty-five the Remainder of the said Commissioners so first elected shall go out of Office; provided always, that the Number of such Commissioners as shall have died, refused to act, or ceased to be qualified, or neglected to take the several Oaths or make the several Affirmations required by this Act, in the Course of the Years ending on each such Fourth *Friday* in *October* One thousand eight hundred and thirty-three and One thousand eight hundred and thirty-four, shall be taken and reckoned as Part of the Thirty Commissioners going out of Office at those Periods respectively; and upon such Fourth *Friday* in every such Month of *October*, and always afterwards on the Fourth *Friday* in the Month of *October* in every succeeding Year, or within Seven Days immediately preceding, Thirty new Commissioners shall be elected in manner hereinafter provided to supply the Places of the Thirty Commissioners going out of Office; and such new Commissioners to be so respectively elected at the several Periods aforesaid shall continue in Office for the Space of Three Years respectively from the Time of such their Election, (except in case of Death, Refusal to act, or ceasing to be qualified, or neglecting to take the several Oaths, or make the several Affirmations required by this Act,) and no longer: Provided always, that in each succeeding Year all or any of the Thirty Commissioners going out of Office may be re-elected.

XV. And

For determining the Routine of quitting Office by first elected Commissioners.

XV. And be it further enacted, That in order to determine which of the said Commissioners first elected shall make up the Number of Thirty going out of Office in the Months of *October* in the Years One thousand eight hundred and thirty-three and One thousand eight hundred and thirty-four, after reckoning such Commissioners as shall have died, refused to act, or ceased to be qualified, or neglected to take the several Oaths or make the several Affirmations required by this Act, the Clerk of the said Commissioners is hereby authorized and required, at a Meeting of the said Commissioners to be by them for that Purpose held on the first *Friday* in the Month of *September*, or within Ten Days afterwards, in each of the said Years, to write the Names of the said Commissioners first elected upon distinct Pieces of Paper of equal Sizes, each Paper containing the Name of One of such Commissioners only, and all the said Papers shall be rolled up in the same Form as near as may be, and shall be put in a Box or Wheel, and the requisite Number of Papers to make up the Number of retiring Commissioners shall be drawn out of such Box or Wheel by such Clerk One by One, and those of the said Commissioners whose Names shall be upon the Papers so drawn out shall complete the Number of Thirty Commissioners going out of Office on such Fourth *Friday* in each such Month of *October* in the Years One thousand eight hundred and thirty-three and One thousand eight hundred and thirty-four respectively.

For filling up Vacancies.

XVI. And be it further enacted, That for the Election of the Commissioners to supply the Places of those annually going out of Office, or dying, refusing to act, or ceasing to be qualified, or who shall have neglected to take the several Oaths or make the several Affirmations required by this Act as aforesaid, the said Commissioners or their Clerk shall annually, and in manner by this Act directed with respect to the said First Election of the said Commissioners, prepare a List, to be called "The Election List," of Persons respectively eligible to be elected Commissioners; and such List, shall, by or under the Direction of the Clerk of such Commissioners, be printed, and put up in such public Place or Places as the said Commissioners shall deem requisite, and also in some conspicuous Place in the Town Hall or other Public Office of the said Commissioners, on or before the Fourth *Friday* in the Month of *September* in each and every Year; and if the Name of any Person eligible as a Commissioner shall be omitted in such List, and Notice thereof in Writing, signed by the Party giving the same, stating the Name, Residence, and Description of the Person so omitted, shall be given to the said Clerk, or left at the Office of the said Commissioners, on or before the *Friday* in the Week next after the Fourth *Friday* in the Month of *September* in any Year, then the said Commissioners or their Clerk shall annually, in manner by this Act directed with respect to the said Supplementary Election List, make out a List of the Persons so omitted; and such Supplementary List shall, within Two Weeks next after such Fourth *Friday* in the Month of *September* in every Year, be publicly exposed in such Manner as the said Commissioners shall direct; and all Elections of the said Commissioners for supplying the Places of those annually going out of

Office, or dying, refusing to act, or ceasing to be qualified, or having neglected to take the several Oaths or make the several Affirmations required by this Act as aforesaid, shall in all other respects be effected in like Mode as is by this Act directed for the First Election of the said Commissioners for carrying this Act into execution, or as near thereto as Circumstances will admit of.

Reasonable Expences of Elections to be paid out of Rates.

XVII. And be it further enacted, That the reasonable Costs and Expences to be from Time to Time incurred in and about the Preparation and putting up and delivering the said Lists, the printing thereof, and the necessary Expences attending such Elections as aforesaid, shall be paid and discharged by and out of the Monies to be from Time to Time raised and received under and by virtue of this Act.

Commissioners being Occupiers not to act until they have taken an Oath.

XVIII. And be it further enacted, That no Person, being an Occupier only, shall be capable of acting as a Commissioner until he shall have taken and subscribed, before any Five or more of such Commissioners, at a Meeting to be holden by virtue of this Act, an Oath, or, being a Quaker, until he shall have made and subscribed an Affirmation in the Form or to the Effect following; that is to say,

'I *A. B.* do swear, [*or, being one of the People called Quakers,* do solemnly affirm,] That I am actually an Occupier of a Tenement or Tenements situated in [*naming the Street or Place*], within the Township of *Chorlton-upon-Medlock* in the County Palatine of *Lancaster,* of the yearly Value of not less than Twenty Pounds, and that I will truly and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities reposed in me by virtue of an Act passed in the Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*]. So help me GOD.'

[*Or, being Quakers, omit the Words* 'So help me God.']

Commissioners being Residents and also Owners not to act until they have taken an Oath.

XIX. And be it further enacted, That no Person being an Owner as aforesaid shall be capable of acting as a Commissioner until he shall have taken and subscribed, before any Five or more of such Commissioners, at a Meeting to be holden by virtue of this Act, an Oath, or, being a Quaker, until he shall have made and subscribed an Affirmation, in the Form or to the Effect following; (that is to say,)

'I *A. B.* do swear, [*or, being one of the People called Quakers,* do solemnly affirm,] That, in my own Right or in the Right of my present [*or* late] Wife, I am the Owner and in the actual Possession and Enjoyment or Receipt of the Rents and Profits of Tenements or Hereditaments situate in [*naming the Street or Place*], within the said Township of *Chorlton-upon-Medlock,* of the yearly Value of Fifty Pounds at the least, clear of Incumbrances, and that I will truly and impartially, according to the best of my Skill and Judgment, execute all and every the Powers and Authorities reposed in me by virtue of an Act passed in the Year of the Reign of His Majesty King *William* the Fourth, intituled [*here set forth the Title of this Act*]. So help me GOD.'

[*Or, being Quakers, omit the Words* 'So help me God.']

And the said Commissioners under this Act shall and they are hereby required to cause an Entry or Memorandum to be made in the Book of their Proceedings, of the taking, making, and subscribing of the said Oaths or Affirmations.

Commissioners not to act if personally interested.

XX. Provided also, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act during the Time he shall hold any Office or Place of Profit.

Penalty on Persons not qualified acting as Commissioners.

XXI. And be it further enacted, That if any Person, not being qualified according to the Directions of this Act, or not having taken and subscribed such Oaths as aforesaid, or, being a Quaker, not having made and subscribed such Affirmations as aforesaid, shall presume to act as such Commissioner in the Execution of the Powers hereby given, or any of them, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered on the Information or Prosecution of any Person or Persons whomsoever, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparlance, shall be allowed; and every Person so sued or prosecuted by reason of not being so qualified shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act; and the Money so to be received shall, after Payment of the Costs and Expences attending the Recovery thereof, be paid and apportioned as follows; (that is to say,) one Moiety thereof to the Informer or Prosecutor, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied to the Purposes of this Act: Provided always, that all Acts and Proceedings of any Person or Persons acting as a Commissioner or Commissioners in the Execution of this Act, although not duly qualified as aforesaid, previous to his or their being convicted of any such Offence, shall notwithstanding such Conviction be as good, valid, and effectual as if such Person or Persons had been duly qualified to act as a Commissioner or Commissioners according to the Directions of this Act.

Commissioners to be a Corporation.

XXII. And be it further enacted, That the said Commissioners under this Act, together with the Two Constables for the Time being of the said Township of *Chorlton-upon-Medlock*, shall be a Body Corporate and Politic by the Name of "The Constables and Burgesses of the Township of *Chorlton-upon-Medlock*," and by that Name shall and may have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, and the several Lands, Buildings, Tenements, and Hereditaments, Properties, Monies, Articles, Matters, and Things belonging or to belong to the said Commissioners under the said recited Act of the Third Year of the Reign of His said late Majesty, or under this Act, shall be and the same are hereby vested in the Commissioners under this Act.

XXIII. And

Lands, Lamps, &c. vested in Commissioners.

XXIII. And be it further enacted, That the Right and Property of, in, and to all the Land, Ground, and Buildings purchased by the said Commissioners under the said recited Act, or to be purchased or held by the said Commissioners under this Act; and all Gasometers, Apparatus, Machinery, Mains, Pipes, Lamps, Lamp Irons, Posts, Pillars, Pilasters, and all Materials, Matters, and Things purchased and provided by the said Commmissioners under the said recited Act, or which shall be purchased or provided under the Authority of this Act, for the Purpose of lighting the said Township of *Chorlton-upon-Medlock*, or the Neighbourhood or Environs thereof, or any public or private Buildings or other Places therein, either by or by the Order of the said Commissioners under this Act, or by any Gas Light Company, or other Person or Persons as aforesaid, in pursuance of any Contract or Contracts between the said Commissioners under this Act and such Gas Light Company or other Person or Persons, and of and in all public Clocks, and all Fire Engines, and Pipes, Buckets, Materials, Implements, and other Things belonging to the Use or Practice thereof, and of, in, and to all the Horses, Carts, Carriages, Tools, Clothes, Arms, Implements, and Materials purchased and provided by the said Commissioners under the said recited Act, or to be purchased, provided, or gotten for the Watchmen, Scavengers, Firemen, or other Persons employed under the Authority of this Act, and of, in, and to all other Articles, Matters, and Things whatsoever purchased and provided by the said Commissioners under the said recited Act, or to be purchased or provided by the said Commissioners under this Act, for the Purposes of this Act, and also of, in and to all the Dust, Dirt, Dung, Ashes, and other Filth to be swept, gathered, seized, and collected under the Authority of this Act, shall be held and deemed to belong to and to be the Property of and the same are hereby vested in the said Commissioners for the Time being; and the same Commissioners shall and may cause any Action or Actions to be brought, or direct any Bill or Bills of Indictment to be preferred, as the Case may require, against any Person or Persons who shall trespass upon, deface, damage, injure, or destroy the said Ground or Buildings, or who shall steal, take, or carry away, detain, deface, damage, injure, or destroy, any of the said several other Articles and Things so hereby vested in the said Commissioners as aforesaid, or any of them, or any Part or Parts thereof; and the said Commissioners under this Act shall have full Power and Authority from Time to Time to sell, by public Auction or otherwise, all or any Part of the said Articles, Matters, and Things which shall not be wanted for the Purposes of this Act, and the Money arising therefrom shall be applied to the Purposes of this Act.

Old Officers to continue until new Ones appointed.

XXIV. And be it further enacted, That every Treasurer, Clerk, Collector, and other Officer appointed under and by virtue of the said recited Act shall hold and enjoy such their respective Offices and Employments until removed therefrom by the Commissioners for executing this Act; and each and every such Treasurer, Clerk, Collector, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations, in all

respects

respects whatsoever, as if he had been appointed by virtue of this Act.

All Arrears of Rates under former Act may be recovered by new Commissioners.

XXV. And be it further enacted, That all and every Persons and Person from whom any Arrears of Rates laid or assessed or payable by virtue of the said recited Act in the said Township of *Chorlton-upon-Medlock* shall remain and be liable to the Payment thereof in all respects as such Persons and Person were or was liable before the passing of this Act, or would have been liable if the said recited Act of the Third Year of the Reign of His said late Majesty had not been repealed and were still in force; and all such Rates and Arrears of Rates shall be paid to and received by the said Commissioners under this Act, or their Collector or Collectors, appointed or to be appointed as herein mentioned, and shall and may be recovered in the same Manner and by the same Ways and Means as if such Rates or Arrears of Rates had been laid or assessed, or had accrued or become due under and by virtue of this Act, and as the Rates under this Act may be recovered and levied by virtue of this Act; and

Treasurer, &c. to pay over Money to new Commissioners.

each and every Treasurer, Collector, or other Person in whose Hands, Custody, or Controul any Money received or collected under or by virtue of the said recited Act, at the Time this Act shall be carried into execution, shall be and remain liable to pay and account for the same to the said Commissioners for executing this Act as if such Money had come to their or any of their Hands by virtue of this Act, under the like Penalties as are by this Act inflicted in like Cases in respect of the several Persons receiving any Moneys by virtue of this Act; and

Books, &c. under former Act to be given up to new Commissioners.

all Persons who shall have been employed under the said recited Act, and all other Persons, who shall have in their Custody or Possession any Books, Accounts, Papers, Writings, Articles, Matters, or Things belonging to the said Commissioners under the said recited Act, shall deliver over the same to the said Commissioners under this Act in like Manner, and under the like Penalties as are by this Act inflicted in like Cases in respect to the several Persons having the Possession of any Books, Writings, Articles, Matters, or Things under or by virtue of this Act; and all Bonds, Covenants, Agreements, Contracts, Stipulations, and Securities made to or by or entered into on account of the Commissioners acting by or under the said recited Act, by any Person or Persons, to or with the same Commissioners, according to the Provisions of the same Act, shall notwithstanding such Repeal of the said Act subsist and continue, and shall remain in full Force, and be carried into effect by and with the said Commissioners under this Act, and shall be and continue available in all Courts of Law and Equity, for such Term and Terms and in such Manner as, according to the Tenor thereof respectively, the same would have subsisted and continued and ought to have been carried into effect by and with the said Commissioners under the said recited Act; and that all Bargains, Contracts, Agreements, or Notices, made, entered into, or given by the said Commissioners acting by or under the said recited Act, with or to any Person or Persons, for any Purpose relating to the Execution of the said recited Act, shall remain in full Force and Effect, and shall be observed and kept by the said Commissioners under this Act, and by the other respective Parties to such Contracts, Agreements,

or Notices, according to the Terms, Stipulations, and the true and equitable Intent and Meaning thereof, notwithstanding such Repeal as aforesaid of the said recited Act.

Books under former Act to be Evidence under this Act.

XXVI. And be it further enacted, That all Books of the said Commissioners under the said recited Act, kept for entering the Proceedings at Meetings of the same Commissioners, and all Entries therein, kept according to the Directions or Provisions of the said Act, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Act had not been repealed.

First and other Meetings of Commissioners.

XXVII. And be it further enacted, That the First Meeting of the said Commissioners to be elected as aforesaid shall be held at the Town Hall or at some other convenient Place in the Township of *Chorlton-upon-Medlock* aforesaid, to be appointed by the Clerk or Clerks to the said Commissioners acting under the said recited Act for the said Township of *Chorlton-upon-Medlock*, on the *Friday* in the Third whole Week next after they shall be so elected, at the Hour of Eleven of the Clock in the Forenoon, at which Meeting, so soon as Five or more of such Commissioners shall have assembled, a Chairman shall be elected, and such Chairman shall take or make and subscribe before the other of such Commissioners present at such Meeting the Oath or Affirmation hereinbefore prescribed and after he shall have so taken or made and subscribed the same he shall and may administer the like Oath or Affirmation to the other of such Commissioners present at such Meeting; and when such Chairman, and any other Four or more of such Commissioners, shall have so taken or made and subscribed such Oath or Affirmation qualifying them to act as such Commissioners under this Act as aforesaid, the said Commissioners or any Five or more of them shall and may proceed to carry this Act into execution; and the said Commissioners present at their said First Meeting or at any subsequent Meeting for the Execution of this Act shall and may from Time to Time adjourn themselves, and appoint their next Meeting to be holden at any future Day and Time, not exceeding Two Calendar Months from the last Day of Meeting, and at the same or any other convenient Place in the said Township of *Chorlton-upon-Medlock*; and if at any Time or Place appointed for any Meeting there shall not be within One Hour of such Time and at such Place a sufficient Number of the said Commissioners to act, then and in such Case the said Commissioners or Commissioner present shall adjourn to some other Time, and to the same or some other Place; and in case no Commissioner shall attend, or in case the Commissioners assembled at any Meeting shall omit to adjourn, then and in every such Case any Five or more of the said Commissioners, or their Clerk or Clerks, shall and may appoint a Meeting to be holden at such Time, and at such Place within the said Township of *Chorlton-upon-Medlock*, as they or he may think proper (it being hereby expressly enacted that such Clerk or Clerks shall and he and they is and are hereby directed to appoint and convene every such Meeting when required by any Five or more of the said Commissioners): Provided always, that no Meeting of the

said Commissioners pursuant thereto, subsequent to the said Meeting to be held on the said *Friday* in the said Third whole Week next after they shall be elected as aforesaid shall be held, unless a Notice thereof, signed by some Five or more of the said Commissioners, or their Clerk or Clerks, shall be given by Advertisement in One or more of the *Manchester* Newspapers at least Three Days (exclusive of the Day of Notice and Day of Meeting) before the holding thereof, and that the said Commissioners shall at all their Meetings defray their own Expences.

All Acts, &c. of Commissioners to be done at Meetings, Five Persons present being a Quorum.

XXVIII. And be it further enacted, That all Acts, Rules, Orders, Resolutions, and Proceedings of the said Commissioners in the Execution of this Act, which shall be had, made, or done at any Meeting or Meetings to be held in pursuance of this Act, at which Five or more of the said Commissioners shall be present, and in which the Majority of such Five or more Commissioners shall concur, shall be as valid and effectual as if all the Commissioners for executing this Act had been present at such Meeting, and had concurred therein (except such Acts, Rules, Orders, Resolutions, and Proceedings as are by this Act particularly directed to be executed or done by any other Number of Commissioners or in any other Manner); and all Powers and Authorities granted to or vested in the same Commissioners, or directed to be done by them shall and may from Time to Time be exercised, done, or transacted by the major Part of them present at their respective Meetings to be holden in pursuance of this Act, the whole Number present not being less than Five (except such Powers or Authorities as are by this Act particularly directed or authorized to be executed or done by any other Number of Commissioners or in any other Manner); and if at any such Meetings respectively for putting this Act into execution One of the Two Constables of *Chorlton-upon-Medlock* shall be present he shall be the Chairman thereof, but if both of the said Two Constables shall be present at such respective Meetings then he whose Name shall stand first in their respective Appointments to Office shall be the Chairman thereof; and if any such Meeting shall not be attended by either of the said Constables, or if they shall severally refuse to be Chairman of any such Meeting, then such One of the Commissioners present at any such Meeting as the said Commissioners shall by a Majority of Votes appoint shall be the Chairman thereof (it being hereby enacted that the Votes of the Commissioners in all Cases under this Act shall be testified by Show of Hands, or, if necessary, by Division); and if upon any Question there shall be an Equality of Votes of the Commissioners assembled, including the Chairman's Vote, then the Chairman shall have and give another or casting Vote; and at every other Meeting to be held in pursuance of this Act the Chairman of such Meeting, or any One of the Commissioners under this Act, shall and he is hereby authorized and required to administer to such of the Commissioners as shall not have taken or made and subscribed the Oaths or Affirmations before, the Oaths or Affirmations hereby required to be taken or made and subscribed by the said Commissioners; and no Order, Rule, Resolution, or Proceeding had, made, or done at any Meeting held in pursuance of this Act, at which there shall have been Five or more of the said Commissioners

sioners present, shall be revoked, suspended, or altered at any subsequent Meeting (except at a Special Meeting to be called for that express Purpose), unless Notice of the Intention to make such Revocation, Suspension, or Alteration shall have been given by some One of the Commissioners under this Act at a previous Meeting of the said Commissioners, and shall have been entered in their Book of Proceedings, nor unless Notice of such Intention shall have been given by Advertisement in One or more of the *Manchester* Newspapers Three Days (exclusive of the Day of Notice and the Day of Meeting) at the least before the Meeting at which such Revocation, Suspension, or Alteration is intended to be made, nor unless Five at least of the said Commissioners present at such last-mentioned Meeting shall concur in such Revocation, Suspension, or Alteration.

Meetings on Emergencies.

XXIX. Provided nevertheless, and be it further enacted, That if after any Adjournment of any Meeting of the said Commissioners it shall on any Emergency be considered necessary or advisable that a Special Meeting shall be appointed for an earlier Day than the Day for which any Meeting shall stand by Adjournment as aforesaid, then and in such Case it shall be lawful for the said Commissioners, or any Five or more of them, or for their Clerk or Clerks, on Application in Writing of any Five or more of the same Commissioners (and which he and they is and are hereby required to do on such Application) to appoint such Special Meeting for such earlier Day, and of which Meeting, and of the Time and Purpose thereof, Three Days previous Notice (exclusive of the Day of Notice and Day of Meeting) shall be given by Advertisement in One or more of the *Manchester* Newspapers; and that no other Business shall be transacted at any such Special Meeting than what shall have been specified in such Notice as aforesaid.

Proceedings to be entered in Books.

XXX. And be it further enacted, That the Clerk or Clerks to the said Commissioners shall cause fair and regular Entries to be made in a Book or Books to be kept at the public Office of the said Commissioners for that Purpose, of all the Acts, Orders, Resolutions, and Proceedings of the said Commissioners, relative to the Execution of this Act; and the Chairman of every Meeting, and the said Clerk or Clerks to the Commissioners, shall always subscribe their Names at the End of the said Proceedings; and the said Clerk or Clerks shall enter in the said Book or Books the Names of at least Five of the Commissioners who are actually present at any such Meeting; and all Entries in such Book or Books, being signed as aforesaid, shall be deemed Originals, and shall be admitted in Evidence in all Courts and upon all Occasions whatsoever; and at all seasonable Times such Book or Books shall be open to the Inspection of all and every the said Commissioners, and all and every other Person and Persons rated and assessed for the Purposes of this Act; and any of the said Commissioners, and all and every Person and Persons rated and assessed for the Purposes of this Act, and all Creditors on the Rates hereby authorized to be made, or any of them, shall at all seasonable Times be permitted to have Copies of any of the Entries in such Books, paying for such Copies after the Rate of Sixpence for every One hundred Words.

XXXI. And

Commissioners may appoint Officers, taking Security.

XXXI. And be it further enacted, That it shall be lawful for the said Commissioners, at any of their Meetings, from Time to Time to nominate and appoint One or more Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors of the Rates hereinafter mentioned, and such other Officers as the said Commissioners shall think necessary for the Execution of this Act; and the said Commissioners shall and may take such Security for the due Execution of the respective Offices by such Person or Persons as aforesaid as they shall think proper; and it shall be lawful for the said Commissioners from Time to Time to remove or suspend any of such Officers, and to appoint another or others in the Room of any of them who shall be so removed, or who shall die, or decline such Offices, or become incapable of acting therein, and also out of the Monies to be raised as hereinafter mentioned to make and pay such Salaries or other Allowances to the said Officers respectively, and also to such other Person or Persons as shall be aiding and assisting to the said Commissioners in the Execution of this Act, as to the said Commissioners shall seem reasonable: Provided always, that on the Removal, Death, or Resignation of every Clerk, Treasurer, and Collector, Notice be previously given of the Time and Place of Meeting, for the Purpose of filling up the Vacancy or Vacancies thereby occasioned, in Two at least of the *Manchester* Newspapers at least Ten Days before the Election and Appointment of every such Clerk, Treasurer, and Collector as aforesaid.

Same Person not to be Clerk and Treasurer.

XXXII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who has been or may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of any such Clerk or of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner of such Treasurer, to be the Clerk of the said Commissioners; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk or of the Partner of such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer, or the Clerk of or other Person in the Service or Employ of such Treasurer or of the Partner of such Treasurer, shall act or in any Manner officiate as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place or Office of Profit or Trust under the said Commissioners other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Penalty on Officers taking Fees

XXXIII. And be it further enacted, That if any Clerk, Treasurer, or Collector, or other Officer or Person employed by the said Commissioners

missioners for the Purposes of this Act, shall exact, demand, take, or accept any Fee, Emolument, or Reward whatsoever (other than such Salary or Allowance as shall be appointed or allowed by the said Commissioners), for or on account of any thing done by virtue of this Act, or for forbearing to do any thing ordered or directed by the said Commissioners, or on any other Account whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the said Commissioners for the Purposes of this Act (unless with the Consent and Approbation of the said Commissioners), every such Person so offending shall forfeit and pay the Sum of Fifty Pounds for every such Offence to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster* or Court of Common Pleas at *Lancaster*, within Three Calendar Months after the Offence committed, with full Costs of Suit; in which Suit or Prosecution no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

or being concerned in Contracts.

XXXIV. And be it further enacted, That all such Officers and Persons so appointed or to be appointed as aforesaid shall, under their Hands, at such Time and Times and in such Manner as the said Commissioners shall direct, deliver to such Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act, and also of all the Monies which shall have been received by such Officer or Officers, or other Person or Persons respectively, by virtue of and for the Purposes of this Act; and how much thereof hath been paid and disbursed by Order of the said Commissioners, and for what Purposes, together with proper Vouchers for such Payments; and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Officer or Officers, Person or Persons, shall not make and render such Account, or produce and deliver up the Vouchers relating to the same, or make Payment as aforesaid, or shall not deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within One Calendar Month after being thereunto required by the said Commissioners, all Books, Papers, and Writings in his Custody or Power relating to the Execution of their respective Offices, Trusts, and Duties, or shall refuse or neglect to pay such Monies as upon the Balance of any Account or Accounts shall appear to be in their respective Hands, to the said Commissioners, or as they shall direct or appoint, then, in any of the Cases aforesaid, such Commissioners may and they are hereby authorized and empowered to bring or cause to be brought any Action or Actions against the Officer or Officers, Person or Persons, so neglecting or refusing as aforesaid, in order for the Recovery of the Monies that shall be in the Hands of such Officer or Officers, Person or Persons respectively; or if Complaint be made by the said Commissioners, or by any Person or Persons by them appointed, of any such Neglect or Refusal, to any one Justice of the Peace for the said County of *Lancaster*, such Justice may and he is hereby authorized and required,

Officers to account.

by a Warrant or Warrants under his Hand and Seal, to cause the Officer or Officers, Person or Persons, so refusing or neglecting, to be brought before him, and upon his, her, or their appearing, or not being to be found, to hear and determine the Matter of such Complaint in a summary Way; and if upon the Confession of the Party or Parties, or by the Testimony of any credible Witness or Witnesses upon Oath, or, being One of the People called Quakers, upon Affirmation, (which Oath or Affirmation such Justice is hereby required and empowered to administer,) it shall appear to such Justice that any of the Monies which shall have been collected and raised or received by virtue of this Act, or any of such Books, Papers, Accounts, Vouchers, and Writings, shall be in the Hands of such Officer or Officers, Person or Persons, such Justice may and he is hereby authorized and required, upon Nonpayment or Nondelivery thereof, by a Warrant or Warrants under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively, together with the Costs and Charges of such Distress and Sale, to be settled and ascertained by such Justice, and which he is hereby authorized and empowered to settle and ascertain, rendering the Overplus, if any, to the Party or Parties so distrained, or leaving the same at the Place where the Distress shall have been made; and if no Goods or Chattels of such Officer or Officers, Person or Persons, can be found sufficient to answer and satisfy the said Money, and the Charges of selling the Goods and Chattels so distrained, then and in either of the Cases aforesaid such Justice shall commit any such Offender to the Common Gaol or House of Correction for the Hundred of *Salford*, there to remain until he shall make and give a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners, and shall have paid such Composition, in such Manner as they shall appoint, (which Composition the same Commissioners are hereby empowered to make,) or until he shall deliver up such Books, Papers, and Writings as aforesaid, or give Satisfaction in respect thereof to the said Commissioners under this Act: Provided always, that no Person so committed shall be detained in Prison for Want of sufficient Distress only for a longer Space of Time than Three Calendar Months.

Accounts to be kept of Receipts and Disbursements.

XXXV. And be it further enacted, That the said Commissioners shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk or Clerks, Treasurer or Treasurers, for the Time being, in which Book or Books such Clerk or Clerks, Treasurer or Treasurers, shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid, which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Creditor or Creditors on the Rates or Assessments granted by this Act, without Fee or Reward; and the said Commissioners and Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in

case

case the said Clerk or Clerks, Treasurer or Treasurers, shall refuse to permit or shall not permit the said Commissioners or such Creditors, or any of them, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk or Clerks, Treasurer or Treasurers, shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in manner hereinafter directed.

Books to be settled annually, and lie open for Inspection.

XXXVI. And be it further enacted, That after such Accounts shall have been delivered in by such Officer or Officers, Person or Persons, in manner aforesaid, the same shall be respectively examined, audited, and settled, and a General Balance struck by the said Commissioners, on every Twenty-fourth Day of *June* from Year to Year, unless it shall happen to be on a *Sunday*, and in such Case the said Accounts shall be respectively settled and a General Balance struck by the said Commissioners on the Day following; and such Accounts shall be open at the Office of the said Commissioners, or of the Clerk or Clerks, Treasurer or Treasurers of the said Commissioners, or such other convenient Place as such Commissioners shall direct, for the Inspection of any Person or Persons interested in the same, without Fee or Reward, every Day (except *Sunday*) between the Hours of Nine of the Clock in the Forenoon and Four of the Clock in the Afternoon, for the Space of Fourteen Days before the same shall be signed by such Commissioners; and after such Accounts shall have been signed the same shall be final and conclusive in all respects whatsoever, unless an Appeal shall be prosecuted against such Accounts at the General Quarter Sessions of the Peace to be holden in and for the said County of *Lancaster*, or an Adjournment thereof, next after such Accounts shall be signed, nor unless Notice in Writing of such Appeal, stating the Items objected to, and the particular Grounds of Objection, shall be given by the Appellant to the Clerk or Clerks of the said Commissioners Twenty-one Days at least before the Sessions at which such Appeal is intended to be prosecuted, nor unless such Appellant shall, within Three Days next after such Notice shall have been given, cause Recognizances to be entered into before some Justice of the Peace of the said County of *Lancaster*, by himself or herself, and Two sufficient Sureties, in the Sum of Twenty Pounds each, to try such Appeal, and to abide the Order and Award of the Justices at such Sessions thereon, and to pay such Costs as shall be awarded at such Sessions; and thereupon the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine the Subject Matter of such Appeal at such General or Quarter Sessions or adjourned Sessions of the Peace to be holden within the said Hundred of *Salford*, or, if they shall think fit, adjourn the hearing thereof until the next General or Quarter Sessions of the Peace for the said County to be holden by Adjournment within the said Hundred of *Salford*, and then and there determine the same, and shall and may award such Costs to the Party appealing or prosecuting such Appeal, or to the Respondent or Respondents defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions or adjourned Sessions shall be final and conclusive upon all Parties, to all Intents and Purposes whatsoever, and shall not be removable by Certiorari

or

or otherwise into any of His Majesty's Courts of Record at *Westminster* or elsewhere: Provided always, that in case there shall not be Time to give such Notice and enter into such Recognizances as aforesaid before the next Sessions or adjourned Sessions to be holden after such Accounts shall be so signed, then and in every such Case such Appeal may be made at the next following Sessions.

Commissioners to make and publish General Annual Statements.

XXXVII. And be it further enacted, That the said Commissioners shall yearly after the Twenty-fourth Day of *June* in each and every Year, and Forty-two Days at least before the Fourth *Friday* in the Month of *October* in each and every Year, make out a General Statement of their Receipts and Expenditure, and of the Monies due to and owing by them, as well as of the State of the several Matters and Things under their Controul and Management for the Year ending on such Twenty-fourth Day of *June*; and such Statements shall be signed by the Treasurer for the Time being of the said Commissioners, and so signed shall within One Week next after the same shall be so made out and signed be printed, and delivered *gratis* to all Persons rated under this Act, who shall apply for the same at the Office where the Business of the said Commissioners shall be transacted.

For recovering Books, &c. from Executors or Assignees of Officers dying or becoming bankrupt.

XXXVIII. And be it further enacted, That in case of the Death of any such Officer or other Person to be appointed as aforesaid, or of his becoming bankrupt or insolvent, before he shall have delivered up all Books, Papers, Writings, and other Things concerning the Office or relating to the Execution of this Act, then and in every such Case the Executors or Administrators of such respective Officer or other Person, or the Assignees of his Estate and Effects, or other Persons possessing the same, or in whom the same have or hath vested, shall deliver up to the said Commissioners, or to any Person appointed by them, all such Books, Papers, Writings, and other Things; and in case of Non-delivery of such Books, Papers, Writings, and Things for the Space of Ten Days after the same shall be demanded, it shall be lawful for the said Commissioners to commence and prosecute any Action or Actions, Suit or Suits, in any of His Majesty's Courts of Record at *Westminster* or Court of Common Pleas at *Lancaster*, against such Executor, Administrator, Assignee, or other Person or Persons possessing the Estate and Effects which did belong to such deceased Person, or Bankrupt or Insolvent, for Recovery of Damages in lieu of such Books, Papers, Writings, and Things, together with full Costs of Suit.

Commissioners may appoint Committees.

XXXIX. And be it further enacted, That for more effectually carrying this Act into execution it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, out of their own Body, annually or otherwise, from Time to Time, to appoint such and so many Committees, either of a permanent or special Nature, as they the same Commissioners may think fit, and for such Time or Times as they shall think fit, for any of the Purposes that may arise under this Act which in the Opinion of the said Commissioners will be better managed and regulated by means of such Committees: Provided always, that of the proposed Appointment of

any

any Committee of a permanent Nature Notice shall be given by the Clerk or Clerks of the said Commissioners in One or more of the *Manchester* Newspapers, Ten Days at least (exclusive of the Day of Notice and Day of Meeting) before the Meeting at which such Appointment shall be proposed to be made.

Commissioners to prescribe Regulations for Committees, &c.

XL. And be it further enacted, That the said Commissioners upon every Appointment of such Committees shall declare how many shall be competent to act, and shall also then, and from Time to Time afterwards, prescribe such Rules, Orders, and Regulations for the Government thereof respectively, and for the Periods of their respectively continuing in Office, and for supplying any Vacancy or Vacancies which may from Time to Time arise in such Committees respectively, as to them the same Commissioners may appear requisite or proper; and all such Committees, immediately upon their respective Appointments, shall have full Power and Authority to act in the several Matters confided to them according to the Provisions of this Act, and the Rules, Orders, and Regulations to be from Time to Time prescribed by the said Commissioners; and all Acts and Proceedings of such Committees respectively in the Execution of this Act, pursuant to such Rules, Orders, and Regulations, shall be as valid and effectual as if the same had been done at any General Meeting or Meetings of the said Commissioners.

Committees at First Meetings to appoint a Chairman and a Deputy Chairman.

XLI. And be it further enacted, That the said Committees so to be appointed as hereinbefore directed shall at their First Meeting, and before proceeding to any other Business, respectively appoint out of their respective Bodies a Chairman and a Deputy Chairman for the then current Year, or otherwise, as the Case may require, or the same Committees may think fit, and shall report such Appointments to the said Commissioners at their next General Meeting; and in case any Chairman or Deputy Chairman so appointed shall die, refuse to act, or cease to be qualified, then and so often as the same shall happen the Commissioners surviving or remaining upon such Committees shall at the Meeting next after such Event from Time to Time supply the Place or Places of him or them so dying, refusing to act, or ceasing to be qualified, by another Appointment or other Appointments.

Committees to enter Proceedings and to report.

XLII. And be it further enacted, That at all Meetings of the said Annual and other Committees the Chairman to be appointed as aforesaid, being present, shall preside; and if not, then the Deputy Chairman, being present, shall preside; but if neither the Chairman nor Deputy Chairman shall be present, or, being present, shall decline to take the Chair, then and in every such Case the said Committees respectively shall by a Majority of Votes appoint One of their respective Bodies to be Chairman of the Day; and all the said Committees shall duly enter their Proceedings in a proper Book or Books to be by them respectively kept for that Purpose; and such Proceedings shall be signed by the Chairman presiding at the Meetings of the said Committees respectively when such Proceedings may have been had; and all such Books shall at all reasonable Times be

be open to the Inspection of all or any of the said Commissioners; and any of such Commissioners, although not appointed on such Committee, shall be at full Liberty to be present at all or any of the Meetings of the said Committees, but shall not be entitled to vote on any Question to be determined by them, or to take any Part in their Proceedings; and the said Committees respectively shall from Time to Time, when and so often as they may be required by the said Commissioners, and not less often than yearly and every Year, and not later than Ten Days after their going out of Office, report in Writing to the said Commissioners the whole of their Proceedings during the preceding Year, or such shorter Time as such Committees respectively may have been appointed for.

All Monies arising under this Act to be paid to the Treasurer; and no Sums to be disbursed by him without the Order of the Commissioners.

XLIII. And be it further enacted, That all Monies whatsoever which shall be raised and collected by Order of the said Commissioners, or which shall be by them for the Purposes of this Act borrowed on Mortgage, or which shall be otherwise payable to them under any of the Provisions of this Act, shall from Time to Time be paid into the Hand or Hands of the Treasurer or Treasurers of the said Commissioners; and no Sum or Sums of Money shall be disbursed or paid by such Treasurer or Treasurers, on behalf or on account of such Commissioners, without some general or special Order in Writing, signed, at a Meeting of such Commissioners to be held in pursuance of this Act, by the Chairman of such Meeting.

Commissioners may enter into Contracts.

XLIV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to enter into any Contract or Contracts for doing any of the Works by this Act authorized to be done, or for furnishing any Materials, Labour, or other necessary Matters and Things whatsoever for the Performance thereof, or for any other of the Purposes of this Act, with any Person or Persons who shall be willing to undertake and engage in the same: Provided always, that no such Contract or Contracts shall be made for a longer Time than Seven Years from the making thereof, and that before any Contract or Contracts shall be entered into Ten Days Notice shall be given in One or more of the *Manchester* Newspapers, expressing the Purpose or Purposes of the Contract or Contracts intended to be made, in order that Persons willing to undertake the same may make Proposals to the said Commissioners, at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done and the Prices to be paid for the same, and the Time or Times when the said Works are to be completed, together with the Penalties to be incurred in case of Non-performance thereof; and the same shall be signed by some Five or more of the said Commissioners, and shall be signed by the Person or Persons so contracting to perform such Works respectively; and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose, by the Clerk or Clerks of the said Commissioners.

Commissioners may compound

XLV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to compound and agree with any Person or Persons, or Body or Bodies Politic or Corporate, who

who shall have entered into any Contract or Contracts with such Commissioners, in pursuance or under the Authority of this Act, for any Penalty or Penalties contained in any such Contract or Contracts, or in any Bond or Bonds or other Security or Securities for the Performance thereof, or for or on account of any Breach or Nonperformance of any such Contract or Contracts, Bond or Bonds, or other Security or Securities, for such Sum or Sums of Money or other Recompence as the said Commissioners shall think proper. for Breach of Contracts.

XLVI. And be it further enacted, That nothing in this Act, or in any Deed, Contract, Lease, or other Instrument hereby authorized to be entered into or made by the said Commissioners or any of them, shall extend to charge the Person or Persons of all or any of the Commissioners executing any such Deed, Contract, Lease, or other Instrument, or the Heirs, Executors, or Administrators of the same Commissioners, or any of them, or their or any of their own proper Lands and Tenements, Goods and Chattels, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in the same Deed, Contract, Lease, or other Instrument contained, on the Part of the same Commissioners or any of them, but the Amount of all Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit or Suits at Law or in Equity, against them the said Commissioners or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of any such Deed, Contract, Lease, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners shall bear, pay, expend, or be put to, or which shall be occasioned to them, for or by reason or means of any such Deed, Contract, Agreement, Lease, or other Instrument, or any Covenant, Condition, and Agreement therein contained, or any Action or Actions, Suit or Suits to be brought or prosecuted by or against them or any of them thereupon, shall respectively be paid and discharged by and out of the Monies to be raised or to arise or be received by virtue of this Act. Commissioners exempt from personal Responsibility in Contracts, &c.

XLVII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered, from Time to Time and at any Time or Times hereafter, to cause the Streets, Squares, Highways, Lanes, Roads, Paths, Passages, and Places in the said Township of *Chorlton-upon-Medlock*, or any of them, although the same or any of them shall not be public Highways, or repaired or liable to be repaired by the Inhabitants of the same Township, to be well and sufficiently lighted with Oil or with Gas, or in some other Manner, and for that Purpose to use and employ all Lamp Posts, Lamp Irons, Lamps, and all other Articles, Matters, and Things which at the Time of the Commencement of this Act shall be used for this Purpose, and vested in the same Commissioners by virtue of this Act; and from Time to Time hereafter to purchase and provide such and so many Glass Lamps, of such Sorts and Sizes, and also such and so many Lamp Irons and Lamp Posts, as they shall judge necessary, and to direct the same respectively Provision for lighting the Streets, &c.

tively to be or remain affixed or set up upon or against the Walls, Posts, or Palisades of all or any of the several Houses or Buildings, or upon or against any other Walls, or in or upon such other Places within the said Township of *Chorlton-upon-Medlock*, and to be altered, taken down, or renewed in such Manner as they shall think fit, and to cause such Lamps or any of them to be lighted either with Gas or with Oil, or otherwise, at such Times and Seasons of the Year and on such Evenings, and on such Hours of the Evening, and to be kept burning for so many Hours, as to them shall seem necessary or proper, for the well and sufficiently lighting of all or any of the said Streets, Squares, Highways, Lanes, Roads, Paths, Passages, and Places within the said Township of *Chorlton-upon-Medlock*; and it shall be lawful for the said Commissioners from Time to Time to contract with any Gas Light Company now or hereafter to be established within the said Township of *Chorlton-upon-Medlock*, or in the Neighbourhood thereof, or with any other Person or Persons, Body or Bodies Politic or Corporate, for lighting the said Township of *Chorlton-upon-Medlock* with Gas or with Oil, or otherwise, for any Number of Years or other Time (not exceeding Seven Years at any One Time), and upon such Terms and Conditions in all respects, as the said Commissioners shall from Time to Time think proper.

Power to contract for lighting.

Commissioners may erect Gas Works, &c.

XLVIII. And be it further enacted, That if the said Commissioners shall at any Time hereafter deem it expedient to establish a Manufactory or Manufactories for lighting the said Streets, Squares, Highways, Lanes, Roads, Paths, Passages, and Places within the said Township of *Chorlton-upon-Medlock* with Gas, then it shall be lawful for the same Commissioners, with the Consent in Writing of Two Thirds at least of such of the said Commissioners for the Time being as shall then be duly qualified to be such Commissioners, and as shall then have actually taken or made and subscribed the Oaths or Affirmations by this Act required to be taken or made or subscribed by the said Commissioners, (such Consent in Writing to be given or obtained either at a Meeting of the same Commissioners, or at any other Time or in any other Manner,) and with the Consent and Approbation of Two General Meetings of the Inhabitants of the said Township of *Chorlton-upon-Medlock* (the Second of such Meetings not to be held within less than One Calendar Month next after the First of such Meetings), to set up and establish a Manufactory or Manufactories of Gas, with all necessary Gasometers, Boilers, Retorts, Works, and Apparatus requisite for the same, and to purchase from any Person or Persons, Body or Bodies Politic or Corporate, who shall be willing to sell the same, any Buildings, Lands, Tenements, or Hereditaments whatsoever within the said Township of *Chorlton-upon-Medlock* or the Environs thereof, for the Purpose of erecting and making suitable and necessary Erections, Buildings, Works, and Apparatus for the manufacturing or preparing of Gas, for the Purpose of lighting the said Streets, Squares, Highways, Roads, Lanes, Passages, and Places in the said Township of *Chorlton-upon-Medlock*, and the Neighbourhood and Environs thereof; and that the said Commissioners shall and may manufacture and produce, and contract with any Person or Persons, Bodies Politic or Corporate, for the Manufacture and Production of Inflammable Air, Carburetted Hydrogen, Oil Gas, Coal Gas, Coke, Oil, Tar, Pitch,

Asphaltum, Ammoniacal Liquor, and Essential Oil, and, for lighting with Gas the said Township of *Chorlton-upon-Medlock* and the Neighbourhood and Environs thereof, shall and may purchase and make Contracts for purchasing Materials, Goods, and Chattels for those Purposes, and also shall and may from Time to Time make Contracts with any Trustees or Surveyors of Highways, or other Persons, or Body or Bodies Politic, Corporate, or Collegiate, who may be willing to contract or agree with the said Commissioners for lighting any public Streets, Highways, Roads, Squares, Courts, Yards, Passages, Bridges, Lanes (not under the Care and Management of the said Commissioners), public Buildings, Manufactories, Warehouses, Shops, or private Houses or Buildings, of whatever Denomination the same may be, or any of them, within the said Township of *Chorlton-upon-Medlock* or the adjoining Township of *Rusholme*, or the Neighbourhood or Environs thereof, or each or any of them, and to sell and dispose of such Coke, Oil, Tar, Pitch, Asphaltum, Ammoniacal Liquor, and Essential Oil, and other Products as aforesaid, and to make, enforce, rescind, compound, or compromise all Contracts or Bargains touching or concerning the same several Purposes.

Separate Accounts to be kept of Gas Works.

XLIX. And be it further enacted, That the said Commissioners shall and they are hereby required, from Time to Time and at all Times after such Manufactory or Manufactories of Gas shall be set up and established by them as aforesaid, to order and direct a Book or Books to be provided and kept by their Treasurer or Treasurers, or Clerk or Clerks for the Time being, in which Book or Books such Treasurer or Treasurers, or Clerk or Clerks shall enter or cause to be entered true and regular Accounts (separate and distinct from the general Accounts directed to be kept by this Act) of all Sums of Money which shall be received, paid, laid out, and expended in pursuance of the Powers and Provisions of this Act, by, for, or on account of the said Commissioners, in respect of the said Gas Works and Manufactory or Manufactories of Gas, and of the several Articles, Matters, and Things for which such Sums of Money shall have been received, paid, laid out, and expended; and the said Commissioners shall and may from Time to Time include and charge in the general Accounts to be kept under the Directions of this Act, and take Credit for in the said separate Account relative to the said Manufactory or Manufactories of Gas, such Price or Prices, or Sum or Sums of Money, for supplying with Gas the said Lamps for lighting the said Streets, Squares, Highways, Roads, Lanes, Passages, and Places within the said Township of *Chorlton-upon-Medlock*, to be lighted by them under the Directions of this Act, as the same Commissioners shall consider reasonable and proper.

Power to Commissioners to break up Pavements, lay Pipes, &c.

L. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby fully authorized and empowered (subject to the Restrictions and Provisions herein mentioned), by their Servants, Agents, Workmen, and others, from Time to Time to break up the Soil, Flaggings, Pitchings, Pavements, and Materials of any of the Streets, Squares, Highways, Lanes, Roads, Ways, Passages, and Places, now made or laid out or that may be hereafter made or laid out within the said Township of *Chorlton-upon-Medlock*, or the Environs

Environs thereof, whether the same or any of them shall or shall not be public Highways, or repaired or liable to be repaired by the Inhabitants of the same Township, and to dig and sink Trenches and Drains, and to lay Mains or Pipes, and put Stop Cocks, Syphons, Plugs, or Branches from such Pipes, in, under, across, and along the same Streets, Squares, Highways, Lanes, Roads, Paths, Passages, and Places, or any of them, and from Time to Time to alter the Position of, and to repair, relay, and maintain such Pipes, Stop Cocks, Syphons, and Plugs or Branches, and also, with the Consent and Permission of the Occupiers, to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus from any Main or Pipe laid in any Street, Square, Highway, Lane, Road, Path, Passage, or Place in the said Township of *Chorlton-upon-Medlock*, against, into, or through any Dwelling Houses, Manufactories, public or private Buildings, for the Purpose of lighting any public or private Lamp, from any of such Mains or Pipes, and to erect, fix, and set up any Machine or other Apparatus necessary or requisite for securing to any Dwelling Houses, Manufactories, public or private Buildings, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply, and also to alter or amend any bad or imperfect Work which shall have been so placed, or any Work which shall be injured or damaged, and to do all such Acts, Matters, and Things as shall from Time to Time be or become necessary and convenient for completing, amending, repairing, improving, supplying, and using the same, provided a proper Compensation be made for any Damage which may be done thereby: Provided always, that nothing herein contained shall authorize or empower the said Commissioners to carry or lay any Pipe or Pipes against, into, or through any Dwelling House, Manufactory, public or private Building, Yard, or Ground, for the Purpose of lighting the said Streets, Squares, Highways, Lanes, Roads, Paths, Passages, and Places, or any of them, or to continue the same, without the Consent of the Occupier of every such Dwelling House, Manufactory, public or private Building, Yard, or Ground, against, through, or into which any such Pipe or Pipes may be carried or laid for the Purposes aforesaid.

Commissioners not to lay Pipes against, &c. private Property, without Consent of Occupiers.

Owners or Occupiers may remove Pipes, if Commissioners neglect to do it.

LI. Provided always, and be it further enacted, That if at any Time hereafter any Owner or Occupier of any Dwelling House, Manufactory, or public or private Building, in or through which any Pipe or Pipes, Cock or Cocks, or Branch or Branches, that may have been laid with any such Consent as aforesaid, shall be desirous that the same should be removed or discontinued, and shall give or cause Notice thereof to be given to the Clerk or Clerks of the said Commissioners, and such Commissioners shall neglect to remove and discontinue such Pipe or Pipes, Cock or Cocks, or Branch or Branches, within Fourteen Days after receiving such Notice, it shall be lawful for the Person or Persons into or through whose Dwelling House, Manufactory, or public or private Building or Premises, such Pipe or Pipes, Cock or Cocks, Branch or Branches, shall be laid, and he, she, and they is and are hereby authorized to remove and discontinue the same.

Commissioners to remove Pipes

LII. Provided also, and be it further enacted, That the said Commissioners shall at their own Expence, on the Expiration or Determination

mination of the Tenancy or Tenancies of any Occupier or Occupiers giving Consent as aforesaid, or within Fourteen Days after the Expiration or Determination of such Tenancy or Tenancies, upon receiving Notice in Writing for that Purpose, from or on behalf of the Owner or Owners or the succeeding Occupier or Occupiers of any such Dwelling House, Manufactory, public or private Building as aforesaid, remove, take, and carry away, or cause to be removed, taken, and carried away, any Pipe or Pipes, Cock or Cocks, or Branches from any Main or Pipe which shall have been introduced or laid by such Commissioners into or through any such Dwelling House, Manufactory, public or private Building or Premises as aforesaid, pursuant to the Powers for that Purpose hereinbefore contained, and repair and make good all Damages done thereby to such Dwelling House, Manufactory, public or private Building and Premises, into or through which the same shall have been so introduced, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof it shall be lawful for such Owner or Owners, or such new Occupier or Occupiers, as the Case may require, or any other Person or Persons acting under his or their respective Authority or Authorities, to cause such Pipes, Cocks, or Branches to be removed, taken, and carried away; and the reasonable Costs and Charges for so doing shall be immediately paid by the said Commissioners, or their Treasurer for the Time being, to such Owner or Owners, Occupier or Occupiers, as the Case may require; and if such reasonable Costs and Charges be not paid within Twenty-one Days next after Demand shall be made by such Owner or Owners, Occupier or Occupiers, (Proof of such Demand being made by the Oath, or Affirmation if a Quaker, of One credible Witness, before One or more Justice or Justices of the Peace for the County of *Lancaster*,) all such reasonable Costs and Charges shall and may be recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, together with the Costs and Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of One or more Justice or Justices of the Peace of the same County, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs and Charges shall be paid to such Owner or Occupier, or Owners or Occupiers, as the Case may require.

&c. when Tenants quit, if required.

LIII. Provided also, and be it further enacted, That in laying down any Pipes or other Apparatus for conveying Gas over or across or upon any public Bridge within or adjoining the said Township of *Chorlton-upon-Medlock*, or within or under the Roads belonging to any such Bridge, such Pipe or other Apparatus shall be conveyed under the Footpaths, over such Bridge or Roads, and within Brick or Stone Soughs, and set in Lime Mortar, and covered with sufficient Flags to form the Surface of such Footpaths.

For Protection of public Bridges.

LIV. Provided always, and be it further enacted, That the Workmen employed in laying or repairing any such Mains, Pipes, Plugs, Cocks, Stop Cocks, Drain Boxes, Branches, or other Apparatus shall do as little Damage as may be, and shall forthwith fill in the Trenches and make good the Pavements, Roads, Ways, and Footpaths, and carry away the Rubbish occasioned by such Works, and repair any Damage arising

Commissioners to make good Pavements, &c. damaged by them.

arising from any Drains, Sewers, or Cuts, which may be made for carrying off the Washings or waste Liquids to be produced from the said Works, without any Delay; and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages, and set up Lamps or Lights at or near the same, during the Night, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages: Provided also, that if there shall be any wilful or negligent Delay in the said Commissioners, or in any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, in filling any such Ground, or removing Rubbish, or making good any such Pavements or Roads as aforesaid, or in fencing, guarding, and lighting the Place where any such Ground shall be opened as aforesaid, then and in every such Case it shall be lawful for the Surveyors of the Highways in the said Township of *Chorlton-upon-Medlock*, or any other Person or Persons acting by or under their Authority, as to any Street, Square, Highway, Lane, Road, Path, or other public Passage or Place within their Jurisdiction, so broken up, and for the Owner or Owners of the Soil for the Time being in all other Places, to fill in such Ground and remove such Rubbish, and repair and make good any Pavement or Road so broken up, and repair any such other Damage, and to fence, guard, and light such Place so opened as aforesaid, and the reasonable Costs and Charges thereof shall be paid by the said Commissioners or their Treasurer to the said Surveyors or Owner or Owners, as the Case may require; and in default of Payment thereof for Ten Days next after Demand shall be made by the said Surveyors, or by such Owner or Owners, Proof of such Demand being made by Oath, or Affirmation if a Quaker, of any credible Witness, before One or more Justice or Justices of the Peace for the said County of *Lancaster*, all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty for every Offence in any of the Cases aforesaid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Commissioners, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace of the same County, which Warrant such Justice or Justices is and are hereby empowered to grant.

Act not to protect Persons, &c. lighting with Gas from being indicted for a Nuisance.

LV. Provided always, and be it further enacted, That the Powers and Provisions in this Act contained shall not extend or be construed to extend to protect the said Commissioners, or any Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or any Person or Persons, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Township for lighting any Street, Highway, or other Place, or any House, Manufactory, or other Building therein, or any of the Servants or Officers or Workmen of the said Commissioners, or of any such Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, from any Indictment or Prosecution for a public or private Nuisance, in respect of any Works, or the Means which shall be employed by them in making the said Gas, or using the same, or furnishing any such Gas Light, nor from any Action

Action or Actions for any Injury or Damage sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

For Recovery of Gas Rents.

LVI. And be it further enacted, That in case any Person or Persons who shall contract or agree with the said Commissioners to take or shall use or enjoy the Benefit of the said Gas in his, her, or their private Dwelling House, Shop, Inn, Warehouse, or other public or private Building or Manufactory, shall refuse or neglect, for the Space of Ten Days after Demand in Writing, to pay the Sum or Sums of Money then due for the same to the said Commissioners, their Treasurer, Collector, or other Person duly authorized to receive the same, it shall be lawful for the said Commissioners, or their Clerk or Clerks, Treasurer or Treasurers, or Collector or Collectors, or other Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Lancaster*, to levy the said Sum or Sums, in respect whereof any such Refusal or Neglect shall happen, rendering the Overplus, if any, on Demand, to such Person or Persons so refusing or neglecting, after the necessary Charges of such Warrant and other Proceedings, and of making such Distress and Sale, shall be deducted, or the same, with full Costs of Suit, may be recovered in any of His Majesty's Courts of Record at *Westminster*, or in the Court of Common Pleas for the said County of *Lancaster*, or in any other Court or Courts whatsoever, by Action of Debt or on the Case, Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Commissioners may take away the Gas from Persons offending.

LVII. And be it further enacted, That in every Case of Non-payment of Gas Rent to the said Commissioners for the Space of Ten Days after the same shall have become due and been demanded, and of every Offence created or declared by this Act which shall be committed against the said Commissioners, it shall be lawful for the said Commissioners, over and above the Remedies and Penalties provided in each respective Case, and notwithstanding any existing Contract, to take off the Gas from the House and Premises of every Person who, using Gas supplied by the said Commissioners, shall so be in arrear for Gas Rent, or offend.

Penalties on Persons supplying others with Gas, or using Gas other than contracted for, &c.

LVIII. Provided always, and be it further enacted, That if any Person or Persons whosoever supplied with Gas by virtue of this Act shall supply any other Person or Persons whomsoever with any Part of such Gas, or if any Person or Persons becoming the Occupier or Occupiers of any House, Shop, Building, or Place previously supplied with Gas by the said Commissioners for any former Occupier or Occupiers, or for any other Person or Persons, shall use, consume, or burn, or begin to use, consume, or burn any Gas supplied by such Commissioners before he, she, or they shall have given Notice in Writing to the Clerk or Clerks of the said Commissioners of his, her, or their Intention so to do, then and in every such Case all and every

every Person or Persons so offending shall for every such Offence forfeit and pay to the said Commissioners any Sum not exceeding Five Pounds, in addition to the Value of such Gas, or to such Rent or Sum or Sums of Money for such Gas as shall or may have been contracted to be paid by the last preceding Occupier of the said Premises, in proportion to the Time the same shall be so used, consumed, or burned, such Value, Rent, or Sum or Sums of Money to be ascertained by any Justice or Justices of the Peace of the said County of *Lancaster*.

Clerks, &c. of Commissioners may inspect Houses, &c. lighted with Gas supplied by them.

LIX. And be it further enacted, That it shall be lawful for any Clerk or other Person employed by the said Commissioners, between the Hours of Nine of the Clock in the Morning and Ten of the Clock in the Evening of any Day, to inspect all Buildings and Places lighted with Gas supplied by the said Commissioners, in order to ascertain whether in any such Buildings or Places a greater Number of Jets or Lights of Gas supplied by the said Commissioners shall be used than shall have been agreed for with such Commissioners, and whether any Aperture or Apertures shall be wider than agreed for with the said Commissioners, and whether the Meter or Meters which may be used for ascertaining the Quantity of Gas consumed or supplied shall be in anyways injured or destroyed.

Penalty on Persons laying Pipes of Communication without Consent, or using more Gas than agreed for.

LX. Provided always, and be it further enacted, That if any Person or Persons shall place or cause to be placed any Pipe or Burner to communicate with any Pipe belonging to the said Commissioners, without the Consent of the said Commissioners by means of their Clerk or other Officer for that Purpose appointed first had and obtained, or shall knowingly use any Burner or Burners of larger Dimensions, or of a different Form, or more in Number, or for a greater Space of Time than he, she, or they respectively shall contract or pay for, so as to waste or improperly increase the Consumption of Gas, he, she, or they shall forfeit and pay to the said Commissioners any Sum not exceeding the Sum of Five Shillings a Day for every Day each such Pipe or Burner shall so communicate, or each such Burner or Burners of larger Dimensions, or of a different Form, or more in Number than contracted for shall be used, or such Excess shall be so committed; and if any Person shall wilfully or maliciously remove, destroy, damage, or injure any or any Part of any Pipe, Plug, or other Apparatus, Matter, or Thing belonging to the said Commissioners, or to any Company or Companies of Proprietors, or Body or Bodies Politic or Corporate, or other Person or Persons whomsoever, or shall wilfully injure or destroy any Meter or Meters which shall be placed or used in any House, Warehouse, Building, or other Place, for ascertaining the Quantity of Gas supplied by the said Commissioners which shall be used in such House, Warehouse, Building, or other Place, any Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and shall forfeit and pay to the said Commissioners, or to the Party or Person injured, Three Times the Amount of the Damage done or occasioned by such Conduct, the same to be ascertained by any Justice or Justices, and such Penalty and Damage, together with reasonable Costs, shall be

levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any), on Demand, to the Owner of such Goods and Chattels, or such Offender shall or may be committed to the Common Gaol or House of Correction of the Hundred of *Salford*, there to remain for any Time not exceeding Three Calendar Months.

Penalty on Commissioners conveying Washings into any Canal, &c.

LXI. Provided always, and be it further enacted, That if the said Commissioners, or any Body Politic or Corporate, or any Contractor or Contractors, or any other Person or Persons whosoever, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever which shall arise or be produced in the Prosecution of any Gas Works, or in the Manufacture or Process of making or procuring such Gas, into any Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Act or Thing to the Water contained in any such Canal, Reservoir, Aqueduct, Feeder, Pond, Pool, or Spring Head, Well, Drain, Sewer, or Ditch, whereby the said Water or any Part thereof shall be spoiled, fouled, or corrupted, then, and in each and every such Case, the said Commissioners, or such Body Politic or Corporate, or such Contractor or Contractors, or other Person or Persons, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, or Court of Common Pleas for the said County of *Lancaster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and the whole thereof shall be paid to the Person annoyed, injured, or damaged by any such Proceeding as aforesaid, who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months from the Time that such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any Canal, or any Reservoir, Aqueduct, Feeder, Pond, Pool, Spring Head, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any other Person or Persons whomsoever, to the said Commissioners, or Body Politic or Corporate, or Contractor or Contractors, or Person or Persons, and the said Commissioners, or Body Politic or Corporate, or Contractor or Contractors, or Person or Persons, shall not, within Twenty-four Hours after such Notice shall have been given to them or him as aforesaid, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or

or Things, from being drained, emptied, conducted, or conveyed, or from running or flowing, in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, or Body Politic or Corporate, Contractor or Contractors, or Person or Persons, shall forfeit and pay the Sum of Twenty Pounds for each and every Day during which such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to any Person annoyed, injured, or damaged by any such last-mentioned Act, who shall be the Informer, or to such other Person or Persons as, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

For Prevention of the Escape of Gas.

LXII. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners, or by any Company or Companies of Proprietors, or Body or Bodies Politic or Corporate, or any other Person or Persons whomsoever, making, furnishing, or supplying any Gas used, burnt, or consumed within the said Township, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, the said Commissioners, Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall, immediately after Notice of any such Escape of Gas given to them or him in Writing by any Inhabitant or Inhabitants within the said Limits, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners, or the Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall not, within Twenty Four Hours next after such Notice given, effectually stop and prevent any further Escape, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, or the Company or Companies of Proprietors, Body or Bodies Politic or Corporate, or other Person or Persons as aforesaid, shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice during which the Gas shall be suffered to escape as aforesaid; which Penalty shall be from Time to Time recoverable in a summary Way on the Oath (or Affirmation if a Quaker) of One or more credible Witness or Witnesses before One or more Justice or Justices of the Peace for the said County of *Lancaster*, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of such Commissioners, Contractor or Contractors, or Person or Persons, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted

granted in like Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered, and shall be paid to the Person or Persons who in the Judgment of the Justice or Justices before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage thereby.

Gas Pipes to be laid Four Feet from the Water Pipes, and in a particular Manner.

LXIII. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street, Square, Highway, Lane, Road, Path, or other Passage or Place in the said Township of *Chorlton-upon-Medlock*, or the Neighbourhood or Environs thereof, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street, Square, Highway, Lane, Road, Path, or other Passage or Place will allow thereof, at the Distance of Four Feet at least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Squares, Highways, Lanes, Roads, Paths, Passages, or other Places in the said Township of *Chorlton-upon-Medlock*, or the Neighbourhood or Environs thereof, unless in Cases where it shall be unavoidably necessary to lay the Pipes for the Conveyance of Gas across any Water Pipes, in which Cases the said Pipes for the Conveyance of Gas shall, if practicable, be laid at a Distance of at least Six Inches under or over such Water Pipes, and in such Cases the said Pipes for the Conveyance of Gas so crossing the said Water Pipes shall be at least Six Feet in Length, so that no Joint of any of the said Pipes for the Conveyance of Gas shall be nearer to any Part of the said Water Pipes than Three Feet at least, and in laying down the said Pipes for the Conveyance of Gas the Person or Persons to whom the same shall belong shall in no Case join Two or more Pipes for the Conveyance of Gas together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom or from any Part thereof, upon pain of forfeiting for every such Offence the Sum of Five Pounds, which shall be paid to any Person annoyed or damaged by any such last-mentioned Act, who shall be the Informer, or to any other Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed, and which shall be levied and recovered as any other Penalty is by this Act directed to be levied and recovered.

Commissioners to prevent the Escape of Gas, and

LXIV. And be it further enacted, That whenever the Water of any Company of Proprietors of Waterworks shall be contaminated or affected by the Gas of the said Commissioners, such Commissioners shall forfeit and pay for every such Offence a Sum not exceeding

Contamination of Water.

Twenty Pounds, to be sued for and recovered as any Penalty is hereby directed to be sued for and recovered, and the same shall be applied to and for the Use and Benefit of the Company of Proprietors affected thereby; and in case any such Water shall be contaminated or affected by Gas in anyway whatsoever, then and in every such Case and Cases the said Commissioners shall, within Twenty-four Hours next after Notice thereof in Writing, signed by the Manager or Chief Clerk for the Time being of and for such Company, to be left at the usual Office or Place of transacting the Business of the said Commissioners, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting such Water; and in case the said Commissioners shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof such Notice shall be given as aforesaid, that then and in every such Case the said Commissioners under this Act shall, on each and every Complaint whereof Notice shall be given as aforesaid, forfeit and pay to the Treasurer for the Time being of the Company of Proprietors affected, for the Use and Benefit of the same Proprietors, over and above the before-mentioned Penalty of Twenty Pounds, to be recovered as aforesaid, the Sum of Ten Pounds for each and every Day during which the Water of the said Company shall be and remain contaminated, tainted, or affected by the Gas of the said Commissioners; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information, to be exhibited on the Oath, or Affirmation if a Quaker, of One credible Witness, by and in the Name of the Treasurer of the same Company, before any Justice of the Peace for the said County of *Lancaster*, with Costs, to be assessed by such Justice, and to be levied and recovered as any other Penalty is by this Act directed to be levied and recovered; and such Penalty or Penalties, and Costs, when so levied, shall be paid to the Treasurer for the Time being of such Company of Proprietors.

For ascertaining if the Water is contaminated.

LXV. And whereas it may be or become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall be lawful for any Company of Proprietors of Waterworks to dig to and about and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners; and if it shall appear that the said Water has been contaminated by any Escape of Gas from any of the Mains, Pipes, Conduits, or Apparatus of the said Commissioners, the Costs and Expences of the said Digging, Search, Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed shall be borne and paid by the said Commissioners; which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act:

Act: Provided always, that if upon Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, Conduits, or Apparatus of the said Commissioners, then and in such Case the said Water Company shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners under this Act any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners, in and by such Search or Examination, and also to the Pavement of the said Streets so broken or disturbed in such Search or Examination; the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

Penalty for breaking of Lamps, &c.

LXVI. And be it further enacted, That if any Person or Persons whosoever shall wilfully, wantonly, or maliciously remove, take away, break, throw down, or destroy, or otherwise deface, damage, or injure, any Lamp, Lantern, Pipe, Post, Pillar, Pilaster, Lamp Iron, Lamp Cover, or Furniture thereof, or other Article, Matter, or Thing already set up by the Commissioners under the said recited Act, or that shall be set up by virtue of this Act, by Order of the said Commissioners under this Act, or in pursuance of any Contract made by such Commissioners, or by any Person or Persons at his, her, or their own Expence, under the Authority of this Act, or any Pipe, Post, Pillar, Pilaster, Lamp Iron, Cover, or other Furniture thereof, or any Plug or other Apparatus, Matter, or Thing belonging to the said Commissioners, or the Property of any other Person or Persons, and by such Person or Persons placed or fixed for or in respect of his, her, or their Use of Gas furnished by the same Commissioners, or shall wilfully, wantonly, or maliciously extinguish the Light or Lights of any such Lamp or Lamps, Lantern or Lanterns, or wilfully or maliciously waste any of the Gas supplied by the same Commissioners, it shall be lawful for any Justice or Justices of the Peace for the said County of *Lancaster*, and he and they is and are hereby required, upon Oath made (or upon Affirmation if made by a Quaker) of the Commission of any such Offence, to issue a Warrant for apprehending the Party or Parties accused; or it shall be lawful for any Person or Persons who shall see any such Offence committed to apprehend, and for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice or Justices of the Peace for the said County; and upon the Party or Parties accused being brought before such Justice or Justices, such Justice or Justices shall proceed to examine upon Oath (or being a Quaker upon Affirmation) any Witness or Witnesses who shall appear to give Evidence touching such Offence or Offences; and if the Party or Parties so accused shall be convicted of any such Offence or Offences, either upon Confession or upon such Evidence as aforesaid, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, together with the Costs of Conviction, and the Offender or Offenders shall also make Satisfaction to the said Commissioners for the Damages so done; and

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in case such Offender shall not upon such Conviction pay such Forfeiture or Forfeitures by him or her incurred as aforesaid, and make such Satisfaction as aforesaid, the Justice or Justices before whom such Offender shall be convicted is and are hereby empowered to commit him or her to the Common Gaol or House of Correction for the Hundred of *Salford*, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months.

Damages to be paid for Lamps broken accidentally.

LXVII. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, throw down, or damage any of the said Lamps or Lanterns already hung or set up, or to be hereafter hung or set up as aforesaid, or the Irons or other Furniture thereof, or any Pipe, Post, Pillar, Pilaster, Cover, or other Furniture thereof, or any Plug or other Apparatus, Matter, or Thing belonging to the said Commissioners, or the Property of any other Person or Persons, and by such Person or Persons placed or fixed for or in respect of his, her, or their Use of Gas furnished by the same Commissioners, or in pursuance of any Contract made by the same Commissioners with any other Person or Persons, Bodies Politic or Corporate, and shall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in every such Case it shall be lawful for any One or more of the Justices of the Peace for the said County of *Lancaster*, upon Complaint thereof to him or them made by One or more credible Person or Persons, to summon before such Justice or Justices the Party or Parties who shall be complained of for doing such Damage as aforesaid; and upon hearing the Allegations and Proofs on both Sides, or Non-appearance of the Party or Parties so complained of, to award such Sum or Sums of Money as the Damage to be proved shall amount unto, together with the Costs of such Summons and the Conviction thereon; and in case of Refusal or Neglect to pay any of the Sums of Money so awarded, and the said Costs, within Five Days after Demand, to cause the same to be recovered in such Manner as Fines, Penalties, and Forfeitures are by this Act directed to be recovered.

Commissioners may provide Watch-houses and employ Watchmen, &c.

LXVIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered and required, from Time to Time, when and as often as they shall think it expedient, to provide and set up Watch-houses and Watchboxes, in such Situations as they shall judge proper and expedient, in any of the Streets, Squares, Highways, Lanes, Roads, Paths, and other Passages or Places in the said Township of *Chorlton-upon-Medlock*, and to appoint and employ a sufficient Number of able Men as Watchmen, Patrols, Superintendants, and Beadles, as well for the Day as Night, as they shall judge expedient and necessary to be employed for the Security and good Order of the same Township; and all such Watchmen, Patrols, Superintendants, and Beadles shall be sworn in by any One of His Majesty's Justices of the Peace for the said County of *Lancaster* to act as Constables for preserving the Peace, and for preventing Robberies and other Felonies, and apprehending Offenders against the Peace; and the Men so sworn in shall, within the said Township of *Chorlton-upon-Medlock*, have all such Powers, Authorities, Privileges, and Advantages, and be liable to all such

Duties and Responsibilities as any Constable duly appointed now has or hereafter may have within his Constablewick, by virtue of the Common Law of this Realm, or of any Statutes made or to be made, and shall obey all such lawful Commands, Orders, Rules, and Regulations as they may from Time to Time receive from the said Commissioners for conducting themselves in the Execution of their Office.

Commissioners may fix Wages, &c. of Watchmen, &c.;

LXIX. And be it further enacted, That the said Commissioners under this Act shall and may from Time to Time fix what Wages or other Allowances shall be paid or given to such Watchmen, Patrols, Superintendants, and Beadles, and frame such Orders and Regulations as such Commissioners shall deem expedient relative to the general Government of the Men so to be appointed, the Places of their Residence, the Classification, Rank, and particular Services of the several Members, their Distribution and Inspection, the Description of Arms, Accoutrements, and other Necessaries to be furnished to them, and which of them shall be provided with Horses for the Performance of their Duty, and all such other Orders and Regulations relative to the said Watchmen, Patrols, Superintendants, and Beadles, as the said Commissioners shall from Time to Time deem expedient, for preventing Neglect or Abuse, and for rendering such Establishment efficient in discharge of all its Duties; and the said Commissioners may at any Time suspend or dismiss from their Employment any Man belonging to the said Establishment whom they shall think remiss or negligent in the Discharge of his Duty, or otherwise unfit for the same; and when any Man shall be so dismissed, and Notice thereof in Writing from the Clerk or Clerks or other Officer or Officers of the said Commissioners shall be given to or left for him at his last or usual Place of Abode, he shall cease to belong to the said Establishment, and all Powers vested in him as a Constable by virtue of this Act shall immediately cease.

and dismiss them for Misbehaviour.

Duties of Watchmen, &c.

LXX. And be it further enacted, That the said Watchmen, Patrols, Superintendants, and Beadles shall and they are hereby required, during the Time they shall respectively be on Duty, to apprehend all loose, idle, and disorderly Persons whom they shall find disturbing the public Peace, or whom they shall have just Cause to suspect of any evil Design, and all Persons whom they shall find between Sun-set and the Hour of Six of the Clock in the Morning lying in any Street in the said Township of *Chorlton-upon-Medlock*, or loitering therein, and not giving a satisfactory Account of themselves, and to detain and lodge them in the Common Gaol or House of Correction for the Hundred of *Salford*, or in any Watch-house or other Place of Security within the said Township of *Chorlton-upon-Medlock* which shall be provided or appointed for that Purpose by the said Commissioners, to be there safely kept and detained until they can be carried before some Justice of the Peace to be examined and dealt with according to Law, or until they shall give Bail for their Appearance before a Justice of the Peace, if the Two Constables for the Time being of the said Township of *Chorlton-upon-Medlock*, or any or either of them, or the Deputy for the Time being of such Con-

Constables, shall deem it expedient to take Bail in the Manner hereinafter mentioned.

Constables may take Recognizances in certain Cases.

LXXI. And be it further enacted, That it shall be lawful for either of the Constables for the Time being of the said Township of *Chorlton-upon-Medlock*, or their Deputy, on having an Appointment in Writing from the said Constables for that Purpose, and they and he are and is hereby required, to take Recognizances, without any Fee or Reward, from all or any Person or Persons who shall be brought before them or any of them at any Time, upon any Charge not amounting to Felony, for the Appearance of such Persons or Person before any Justice or Justices of the Peace for the said County of *Lancaster* at such Place to be specified in the Recognizance, at any given Time within the Space of Seven Days next after such Recognizance shall be taken; and every Recognizance so taken shall be of equal Obligation on the Parties entering into the same, and liable to the same Proceedings for the estreating thereof, as if the same had been taken before a Justice of the Peace; and such Constables or either of them, or their Deputy, as aforesaid, shall enter in a Book to be kept for that Purpose the Names, Residences, and Occupations of the Parties, and their Sureties, if any, entering into such Recognizances, together with the Conditions thereof, and the Sums respectively acknowledged, and shall lay the same before such Justice as shall be present at the Time and Place when and where the Parties are required to appear; and if the Parties do not appear at the Time and Place required, or within One Hour after, the Justice shall cause a Record of the Recognizance to be drawn up, to be signed by such Constable or Deputy as aforesaid, and shall return the same to the next General or Quarter Sessions, or the Adjournment thereof, for the Hundred of *Salford*, with a Certificate at the Back thereof, signed by such Justice, that the Parties have not complied with the Obligation therein contained; and the Clerk of the Peace for the said County of *Lancaster*, or his Deputy, shall make the like Extracts and Schedules of every such Recognizance as of Recognizances forfeited in the Sessions of the Peace; and if the Parties not appearing shall apply, by any Person on their Behalf, to postpone the hearing of the Charge against them, and the Justice shall think fit to consent thereto, the Justice shall be at liberty to enlarge the Recognizances to such further Time as he shall appoint; and when the Matter shall be heard and determined, either by the Dismissal of the Complaint or by binding the Parties over to answer the Matter thereof at the Sessions, or otherwise, the Recognizances for the Appearance of the Parties before a Justice shall be discharged without a Fee.

Penalty on Watchmen, &c. for Neglect of Duty.

LXXII. And be it further enacted, That if any of the said Watchmen, Superintendants, Patrols, or Beadles so appointed or employed as aforesaid shall not observe and perform all the Orders, Rules, and Regulations made by the said Commissioners for their Conduct and Government in their aforesaid Employment, or shall in any other Manner neglect their Duty, or misbehave, every Person so offending shall forfeit and pay for every such Offence a Sum not exceeding Five Pounds; and it shall be lawful for any One or more Justice or Justices

Justices of the Peace for the said County of *Lancaster*, upon Complaint against any such Watchman, Patrol, Superintendant, or Beadle, of any such Neglect or Misconduct, to commit any such Watchman, Patrol, Superintendant, or Beadle to the Common Gaol or House of Correction for the Hundred of *Salford*, there to remain for any Time not exceeding Three Calendar Months.

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

LXXIII. And be it further enacted, That if any Victualler or Keeper of any House, Shop, Room, or other Place for the Sale of any Liquors, whether spirituous or otherwise, shall knowingly harbour or entertain any such Watchman, Patrol, Superintendant, or Beadle as aforesaid, or permit any such Watchman, Patrol, Superintendant, or Beadle to remain in his or her House, Shop, Room, or other Place during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper as aforesaid shall, on Conviction before any One or more Justice or Justices of the Peace for the said County of *Lancaster*, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Power to reward disabled Watchmen, &c.

LXXIV. And be it further enacted, That it shall be lawful for the said Commissioners to give such Rewards in Money to the Watchmen, Patrols, Superintendants, and Beadles respectively to be appointed as aforesaid, who may conduct themselves with any particular Merit, or who may be disabled or wounded in the Execution of their Office, as such Commissioners shall think reasonable, such Money to be paid out of the Monies to be raised by virtue of this Act.

Commissioners to appoint or contract with Scavengers.

LXXV. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby required, from Time to Time, to appoint and employ any Person or Persons to be and act as Scavenger or Scavengers, and to purchase or hire any Cart or Carts, or other Carriage or Carriages, and also any Horse or Horses, for cleansing the Streets, Squares, Places, Highways, Lanes, Roads, Paths, and other public Passages and Entries within the said Township of *Chorlton-upon-Medlock*, and for carrying all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil away from the same, and from Time to Time to order and direct on what Days and at what Times in every Week the particular Streets, Squares, Places, Highways, Lanes, Roads, Paths and other public Passages and Entries within the same Township shall be cleansed, and the Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil carried away therefrom, and how and in what Manner the same shall be carried away, and where the same shall be deposited, and to give such Orders and Directions to any such Scavenger or Scavengers as shall appear necessary to such Commissioners; or otherwise it shall be lawful for the same Commissioners, from Time to Time, to contract with any Person or Persons willing to act as such Scavenger or Scavengers, for the cleansing of the same Streets, Squares, Places, Highways, Lanes, Roads, Paths and other public Passages and Entries within the same Township, and for carrying all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil away from the same, at such Times and in such Manner as shall appear expedient to such Commissioners.

LXXVI. And

Scavengers Duty.

LXXVI. And be it further enacted, That the Person or Persons employed by or contracting with the said Commissioners for cleansing the several Streets, Squares, Places, Highways, Lanes, Roads, Paths and other public Passages and Entries within the said Township of *Chorlton-upon-Medlock*, or the Person or Persons employed by or acting under the Directions of such Person or Persons so contracting with the said Commissioners, shall, on such Days and at such Times as such Commissioners shall from Time to Time appoint, sweep and collect together all Dirt, Dust, Dung, Ashes, Rubbish, Filth, and Soil in such Streets, Squares, Places, Highways, Lanes, Roads, Paths and other public Passages and Entries, as the said Commissioners shall think fit, and also all public Footways within the said Township of *Chorlton-upon-Medlock*, and shall also bring or cause to be brought a Cart or other proper Carriage or Carriages into such Streets, Squares, Places, Highways, Lanes, Roads, Paths and other public Passages and Entries within the said Township of *Chorlton-upon-Medlock* where such Cart or other Carriage can pass, and shall immediately take the Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil from such several Streets, Squares, Places, Highways, Lanes, Roads, Paths and other public Passages and Entries within the said Township of *Chorlton-upon-Medlock*, and put the same into such Cart or Carriage; all which Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil such Person or Persons shall then immediately, or as soon as may be, carry away, or cause to be carried away, to the Place or Places appointed by the said Commissioners for the depositing the same, upon pain of forfeiting and paying any Sum not exceeding Five Pounds for every Offence or Neglect therein; and the Person or Persons so employed or contracting as aforesaid shall cause the Words "Scavenger's Cart" to be painted in large Roman Letters on the Front or on some conspicuous Part of every Cart or Carriage used for the Purpose aforesaid, on pain of forfeiting and paying any Sum not exceeding Twenty Shillings for every Neglect therein.

Penalty on casting Rubbish into the Streets.

LXXVII. And be it further enacted, That if any Person or Persons whosoever shall lay, place, deposit, throw, or cast, or cause or permit to be laid, placed, deposited, thrown, or cast, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth whatsoever into or in any Street within the said Township of *Chorlton-upon-Medlock*, (with the Exception of such Ashes as may be laid down upon any Foot Pavement in Time of Frost for the Prevention of Accidents, and with such further Exceptions as are hereinafter specified,) every such Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Shillings; or if any Person or Persons whosoever shall throw or cast, or caused to be thrown or cast, any such Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth, or any Animal or Carcass, or any noxious or offensive Materials or Ingredients, or any other Substance whatsoever, into any Common Sewer, Drain, Sink, public or private Well, Pump, Canal, Pond, Pool, or Reservoir for Water within the said Township of *Chorlton-upon-Medlock* (except such Night Soil or other Filth as may be conveyed into any Common Sewer or Sewers from any Water Closet or Water Closets within the said Town-

Township of *Chorlton-upon-Medlock*), every such Person shall for every such Offence forfeit and pay the Sum of Forty Shillings.

Penalty not to extend to Rubbish occasioned by building.

LXXVIII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to subject any Person whomsoever to any Penalty by this Act inflicted for or on account of any Dirt or Rubbish, or Materials for building, being laid or placed in any such Street as aforesaid, in the Course of erecting, pulling down, altering, or repairing any Building or Buildings, so as there be full and sufficient Space, in the Opinion of the said Commissioners under this Act, left in or at the Side of the Street where such Dirt or Rubbish, or Materials, shall lie or be placed, for Carriages to pass and repass, and a sufficient Way be kept clean for Foot Passengers, by the Person or Persons laying or causing such Dirt or Rubbish, or Materials, to be laid or placed as aforesaid, and so as a sufficient Light be, at the Expence of such Person or Persons, set and maintained at the Place where such Dirt or Rubbish, or Materials, shall be so laid or placed, from Sunset to Sunrise, to prevent any Accident to Passengers or Cattle, and so as such Dirt or Rubbish, or Materials, be enclosed and fenced about in such Manner and within such Time as the said Commissioners, or any Officer or other Person appointed by them in that Behalf, shall, by any Notice to be by them or him given to such Person or Persons, direct or appoint; and so as such Dirt or Rubbish, or Materials, be removed at the Expence of the Person or Persons so laying or causing the same to be laid, within such Time as shall be expressed in any Notice to be in like Manner given by the said Commissioners, or any such Officer or other Person appointed by them in that Behalf; and in case the same shall not be removed according to such Notice, the Person or Persons so making default shall (in addition to any Penalty herein in that Behalf imposed) forfeit and pay the Sum of Twenty Shillings a Day for every Day such Dirt or Rubbish, or Materials, shall be unfenced, or shall continue unremoved, after the Expiration of the Time specified in such Notice, and the Sum of Twenty Shillings for every Night such Light shall not be set or maintained as aforesaid.

No Dirt, &c. to be taken from the Streets, except by the Scavengers.

LXXIX. And be it further enacted, That no Person or Persons shall take or carry away, or cause to be taken or carried away, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth, (other than such Rubbish or Dirt occasioned by Buildings as aforesaid,) out of any of the said Streets (being paved or completed to the Satisfaction of the said Commissioners), except the Person or Persons so to be by the said Commissioners under this Act appointed or contracted with as Scavenger or Scavengers for the Purpose of cleansing the same, upon pain of forfeiting and paying the Sum of Twenty Shillings for every such Offence.

Streets may be watered.

LXXX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all or any of the Streets, Squares, Places, Highways, Lanes, Roads, Ways, Paths, and other public Passages and Entries within the said Township of *Chorlton-upon-Medlock* to be watered at such Seasons and Times as such Com-

Commissioners shall direct, and to provide such Engines, Carts, and Labour for that Purpose as such Commissioners shall think proper.

Power to declare Streets public Highways, when made, &c. on Application of Owners.

LXXXI. And be it further enacted, That when any Streets, Squares, Lanes, Roads, Paths, Courts, Ways, or Passages, already laid out or hereafter to be laid out within the said Township of *Chorlton-upon-Medlock*, shall be well and sufficiently made, soughed, paved, flagged, repaired, amended, supported, and put into good Order and Condition, in such a Manner and with such Materials and with such Drains as shall be to the Satisfaction of the said Commissioners, it shall be lawful for such Commissioners, upon the Application of the Owner or Owners of the Soil of such Streets, Squares, Lanes, Roads, Paths, Courts, Ways, or Passages, or of the greater Part in Value of such Owners, to declare such Streets Squares, Lanes, Roads, Paths, Courts, Ways, or Passages to be Highways, by entering the same in their Book of Proceedings, and by Writing under their Hands, directed to the Surveyor or Surveyors of the Highways of the said Township, to order such Surveyor or Surveyors to repair and keep in good Condition all such Streets, Squares, Lanes, Roads, Paths, Courts, Ways, or Passages; and from and after such Declaration made, and Order to the said Surveyor or Surveyors for the repairing and keeping in good Condition such Streets, Squares, Lanes, Roads, Paths, Courts, Ways, or Passages as aforesaid, the same and every of them shall be deemed and taken to be public Highways to all Intents and Purposes, and shall be repaired and kept in repair by the Inhabitants of the said Township.

Commissioners may cause new Pavements, &c., to be made at the Charges of Owners or Occupiers of Houses, &c.

LXXXII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered to cause all such of the present and future Streets, Squares, Places, Lanes, Roads, Paths, Ways, Courts, or other public Passages and Entries within the said Township of *Chorlton-upon-Medlock* which are now laid out and made, or which shall hereafter be laid out and made, but not paved, flagged, soughed, cleansed, completed, and put into good Order and Condition as aforesaid, or any Part or Portion thereof which shall have any Buildings, Tenements, Yards, or inclosed Places, except such as are used only as Arable, Meadow, or Pasture Land, whether the same shall be in a continuous Line or not, at the Side or respective Sides thereof, to the Extent of One Half Part of the whole of such Streets, Squares, Places, Lanes, Roads, Paths, Ways, Courts, or other public Passages and Entries, or Parts or Portions thereof, (exclusive of any Streets, Squares, Places, Lanes, Roads, Paths, Ways, Courts, or other public Passages or Entries leading into, out of, over, or across the same,) to be freed from Fences, Posts, Rails, Chains, and other Obstructions, and to be paved, flagged, soughed, drained, cleansed, repaired, completed, amended, and put into good Order, in such Manner, and with such Materials, and with such Sewers, Soughs, Gutters, Sinks, Drains, or Watercourses, and on such Levels, and with such Declivities and Falls, as to them the said Commissioners shall seem meet and necessary; and the Charges and Expences attending or in any Manner relating to such new Pavements, Flaggings, Levellings, Drainings, Soughings, Cleansings, Sewers, Soughs,

Soughs, Gutters, Sinks, Drains, or Watercourses, and completing and putting into good Order and Condition, shall be paid and reimbursed to the said Commissioners by the Owners of the Houses, Buildings, Ground, or Land within or adjoining the said Streets, Squares, Places, Lanes, Roads, Paths, Ways, Courts, or other public Passages and Entries so to be new paved, flagged, drained, soughed, cleansed, repaired, completed, amended, and put into good Order and Condition as aforesaid, each such Owner paying an equal Share or Proportion thereof according as such new Pavement, flagging, levelling, draining, soughing, cleansing, completing, amending, or repairing, and such Sewers, Soughs, Gutters, Sinks, Drains, or Watercourses, are or is or shall be either before, behind, or at the Side or Corner of his, her, or their House or Houses, Buildings, Ground, or Land as aforesaid, except as hereinafter mentioned; and such Portions of the said Costs, Charges, and Expences as relate to such levelling, and the necessary Drains and Soughs for conveying the top or surface Water into the Main Sewers, shall and may be charged to such Owners, without reference to the Extent of their respective Premises, in such Proportions as the said Commissioners shall consider fair and reasonable, any thing hereinbefore contained to the contrary thereof in anywise notwithstanding, all such Proportions to be ascertained by the said Commissioners, and to be and become payable by each such Owner immediately on being so ascertained; and if any such Owner shall at any Time neglect or refuse to pay such Charges and Expences when thereto required by the said Commissioners, or their Officer or Agent, the same shall and may be levied by Distress and Sale of the Goods and Chattels of such Owner, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County of *Lancaster*, in like Manner as the Rates herein after directed and required to be raised and levied are directed to be recovered; the Overplus (if any) of the Monies to arise thereby, after deducting such Charges and Expences as aforesaid, and the Costs and Expences attending such Distress and Sale, being returned to such Owner; or it shall be lawful for the said Commissioners to recover such Charges and Expences from every such Owner by Action at Law in any of His Majesty's Courts at *Westminster*, or Court of Common Pleas at *Lancaster*, or in any other Court or Courts whatsoever: Provided nevertheless, that in all Cases where the said Commissioners shall require any Main Sewer to be made deeper or of greater Dimensions than shall be necessary for the sufficient draining of any such Street, Square, Place, Lane, Road, Path, Way, Court, or other public Place, the Owners of Houses, Buildings, Lands, Grounds, or Hereditaments therein or adjoining thereto shall not be required to pay more than the Expences of making such Main Sewer as would be necessary for that Purpose; and the additional Expences incurred by making such larger or deeper Sewer shall be borne by the said Commissioners, and paid out of the Rates to be levied by the Authority of this Act.

Notice to be given to Owners, &c. requiring them to pave

LXXXIII. Provided always, and be it further enacted, That before the said Commissioners shall cause such Streets, Squares, Places, Lanes, Roads, Ways, Paths, Courts, or other public Passages and Entries within the said Township of *Chorlton-upon-Medlock*, not levelled, paved,

before it is done by Commissioners.

paved, flagged, soughed, drained, cleansed, completed, and put into good Order and Condition as aforesaid, or such Part or Portion thereof as aforesaid, to be levelled, paved, flagged, drained, soughed, cleansed, repaired, completed, amended, supported, and put into good Order and Condition, in such Manner, and with such Materials, and Sewers, Soughs, Gutters, Sinks, Drains, or Watercourses, as to them the said Commissioners shall seem just and necessary as aforesaid, they shall in the first place cause their Clerk or Clerks, or other Person or Persons to be appointed by them in that Behalf, to give or leave a Notice in Writing to or with each and every of the Owners and Occupiers of the Buildings, Lands, Grounds, or Hereditaments within or adjoining to the said Streets, Squares, Places, Lanes, Roads, Paths, Ways, Courts, or other public Passages and Entries so to be levelled, paved, flagged, drained, soughed, cleansed, completed, and put into good Order and Condition as aforesaid, requiring such Owners collectively to level, pave, flag, drain, sough, cleanse, repair, amend, complete, and put the same (inclusive of all Streets, Squares, Places, Lanes, Roads, Paths, Ways, Courts, or other public Passages and Entries leading into, out of, over, or across the same,) into good Order and Condition, in such Manner, and with such Materials, Sewers, Soughs, Gutters, Sinks, Drains, or Watercourses, as they shall direct; and if any such House, Building, Land, Ground, or Hereditament shall be unoccupied, or the Owner thereof cannot be found, the said Commissioners shall cause such Notice as aforesaid to be fixed upon such Premises; and in case such Owners shall neglect or refuse, for the Space of Six Calendar Months next after the Receipt of such Notice, to level, pave, flag, drain, sough, cleanse, repair, amend, or otherwise complete and put the same (inclusive as aforesaid) into good Order and Condition, and with such Materials, Sewers, Soughs, Gutters, Sinks, Drains, or Watercourses as aforesaid, pursuant to such Notice, that then and in such Case it shall be lawful for the said Commissioners and they are hereby required to cause the same (inclusive as aforesaid) to be done, and to recover the Costs, Charges, and Expences thereof from such Owner or Occupier, in case of Refusal to pay the same, in such Manner as herein is mentioned; but such Notice as aforesaid to any such Occupier or Owner for the Time being, given, left, or fixed up as aforesaid, shall be available against all future Occupiers and Owners of such Hereditaments respectively; and it shall not be necessary, on account of any Change in the Occupation or Ownership thereof, to give any new or further Notice or Notices for the Purposes aforesaid.

Occupiers to pay their Rents to Commissioners towards paving Expences.

LXXXIV. Provided always, and be it further enacted, That it shall and may be lawful for the said Commissioners to require the Occupiers of any Premises, the Owners of which shall be liable by virtue of this Act to pay any Sum or Sums of Money to the said Commissioners, to pay to them the said Commissioners all Rent which may be or become due from such Occupiers to their respective Landlords, until the whole of the Debt so due to the said Commissioners, together with Interest thereon at the Rate of Five Pounds *per Centum per Annum*, shall be discharged; and the said Commissioners shall and may recover such Rents by Distress and Sale, in such Manner as

if the said Commissioners were the Landlords of such Occupiers respectively; and every such Occupier refusing to disclose to the said Commissioners, or their Officer or Agent, on Demand, the Particulars of the Rents owing and payable by such Occupier, together with the Times of Payment, shall forfeit and pay any Sum not exceeding Twenty Shillings; and if, after Conviction of such Refusal, any such Occupier do not within One Week after the Day of his Conviction deliver a Statement in Writing to the said Commissioners, their Officer or Agent, containing the Particulars aforesaid, such Occupier shall forfeit and pay for such Neglect a further Sum not exceeding Twenty Shillings, and for each succeeding Week's like Neglect a further Sum not exceeding Twenty Shillings; but nothing herein contained shall prevent or hinder the said Commissioners from recovering the whole Amount of such Sum or Sums of Money, with such Interest as aforesaid, or so much thereof as may be due from the respective Landlords of the Premises aforesaid.

Landlords to allow such Payments.

LXXXV. Provided always, and be it further enacted, That all Payments of Rent by Occupiers of Premises to the said Commissioners under and by virtue of this Act shall be deemed and taken to be good and valid Payments and Discharges of such and so much Rent as if the same Payments had been made to the respective Landlords of such Occupiers, who are hereby required to allow the same accordingly; and every Landlord who shall distrain upon his or her Tenant for any Rent which shall have been paid to the said Commissioners under and by virtue of this Act shall forfeit and pay any Sum not exceeding Five Pounds; and such Landlord, and all Persons acting under him in making such Distress, shall be considered as Trespassers, in like Manner as if such Landlord had been a Stranger to the Premises, and shall be liable to pay the Damages sustained by such Tenant in consequence of such Distress; which Damages, having been ascertained by any One Justice of the Peace for the said County, shall and may be recovered from such Landlord, and Persons so acting under him, in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered.

Owners of Land, or of Chief Rents issuing out of Land, adjoining to Streets, &c., not to vote as Commissioners respecting paving such Streets.

LXXXVI. Provided always, and be it further enacted, That no Person, being the Owner or Occupier of any Land or Buildings within or adjoining to any Street, Square, Place, Lane, Road, Way, Path, Court, or other public Passage or Entry proposed to be made a Highway as aforesaid, or within Fifty Yards of the same, or being entitled unto any Chief Rent or other Rent issuing out of any such Land or Buildings, shall be entitled to vote as a Commissioner touching the declaring of any such Street, Square, Place, Lane, Road, Way, Path, Court, or other public Passage or Entry to be a public Highway, or touching the paving, repairing, or soughing the same, or any Part thereof.

Lessees for Lives, &c., to be considered as Owners.

LXXXVII. And be it further enacted, That in all Cases where Houses, Buildings, Tenements, Grounds, Lands, or other Hereditaments are held upon Leases for Lives perpetually renewable, or for the Term of Ninety-nine Years, or any longer Term, whereof Twenty Years shall

shall be unexpired, or shall be in the Possession of any Mortgagee or Mortgagees, the Party or Parties so holding, and such Mortgagee or Mortgagees, shall be deemed and taken to be the Owners of such Premises for the Purposes of this Act.

Act not to discharge Liability of the Parish of Manchester, or of any Parties to repair Roads, &c.

LXXXVIII. And be it further enacted, That nothing herein contained shall extend or be deemed or construed to extend to exempt the Inhabitants of the Parish of *Manchester*, or any other Person or Persons, Body Politic or Corporate, from the Repair of any Highways to the Reparation of which such Inhabitants, Person or Persons, Body Politic or Corporate, were or was, could or might be liable, by any Act or Acts of Parliament, Verdict or Verdicts, in any Court or Courts of Justice, Custom, or other good and lawful Cause of Obligation, but that all such Inhabitants, Person and Persons, and Body Politic and Corporate, shall, notwithstanding any thing herein contained, be charged and chargeable with the Repairs and Maintenance of all such Highways as last aforesaid, in as full and ample a Manner as they could or might be respectively charged with and liable to the same in case this Act had not been passed.

Footways to be laid out according to the Width of the Street.

LXXXIX. And be it further enacted, That in all Streets already or hereafter to be made and laid out within the said Township of *Chorlton-upon-Medlock* there shall be made and laid out on each Side of such Streets good and sufficient Footways of the Width of not less than Six Inches for every Yard of the entire Width of the Street, and in the same Proportion for every fractional Part of a Yard.

Width of Streets how to be computed.

XC. And be it further enacted, That the Width of the said several Streets shall, with respect to the making of any such Footway as aforesaid, be computed from Side to Side, and without and beyond the Limits of all Areas or Cellar Holes, Steps, Windows, and other Projections.

Commissioners may allow Time for Payment of Expences of new Pavements.

XCI. Provided also, and be it further enacted, That in all Cases when any of the said Streets, Squares, Places, Lanes, Roads, Ways, Paths, Courts, or other public Passages and Entries shall have been paved, flagged, soughed, drained, cleansed, and put into good Order, Repair, and Condition, by or under the Direction of the said Commissioners, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, in all Cases where they shall see Occasion, on such Security or Securities being given to them as they shall consider satisfactory, by any Owner or Owners of the several Premises hereby made liable to the Costs, Charges, and Expences of such paving, flagging, soughing, draining, cleansing, and putting into good Order, Repair, and Condition, for Payment of his, her, or their proportionate Part or Parts of such Costs, Charges, and Expences, to allow such Time or Times for Payment thereof, or to receive the same by such Instalments, as the said Commissioners shall under the Circumstances of the Case consider reasonable and proper, so that no greater Time or Times be allowed for Payment thereof than the Periods following, that is to say, for One equal Third Part or Share thereof the End of One Year, for One other equal Third Part or Share thereof the End of Two Years, and for the

the remaining One equal Third Part or Share thereof the End of Three Years next after the respective Amounts of such several Proportions shall be ascertained as hereinbefore mentioned, the Owner towards whom such Forbearance shall be exercised paying Interest on the Amount forborne after the Rate of Five Pounds *per Centum per Annum* during the Period of Forbearance; but such proportionate Amounts shall, notwithstanding the said Commissioners shall have agreed to allow any Time or Times for Payment thereof, or of accepting such Security or Securities for the same as aforesaid, remain and be charged and chargeable upon the several Premises in respect of which the same were originally payable, and shall and may, on the Expiration of the Time or Times so allowed for Payment thereof, be recovered or recoverable therefrom, and from the respective Owners, Proprietors, Tenants, and Occupiers thereof, both present and future, in like Manner as such respective Amounts might have been recovered and would have been recoverable if no such Time had been allowed for Payment thereof, and no such Security had been accepted for Payment of the same.

Commissioners may forbear receiving the entire Rents of Premises.

XCII. And be it further enacted, That in Cases where the said Commissioners shall enter into the Receipt of the Rents of any Lands, Buildings, or Hereditaments, under and by virtue of this Act, it shall and may be lawful for the said Commissioners, as they shall see fit, to forbear from receiving the entire Rents of such Premises for any Period, at the Discretion of the said Commissioners, the Owner in whose Favour such Forbearance shall be exercised paying Interest on the Amount forborne after the Rate of Five Pounds *per Centum per Annum* during the Period of Forbearance.

Power to place Bars across Streets under Repair.

XCIII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Person or Persons to be appointed by them in this Behalf, during such Time as any of the Streets, Squares, Places, Highways, Lanes, Roads, Paths, or other public Passages or Entries within the said Township of *Chorlton-upon-Medlock* shall be under Repair, or during the making or repairing of any Sewers or Drains therein, to cause such and so many Bars, Posts, or Rails, and Chains, or other Obstruction or Obstructions, to be fixed, set up, and placed across or in any of the said Streets, Squares, Places, Highways, Lanes, Roads, Paths, and other public Passages or Entries, to prevent the passing of Carriages, Horses, and Cattle whilst such Works and Repairs are in progress, as to the said Commissioners shall seem proper; the said Commissioners putting or causing to be put up sufficient Lights to guard Passengers against Danger from such Obstructions in the Night-time; and if any Person or Persons shall throw down, break, remove, damage, or injure any of the said Bars, Posts, Rails, or Chains, or other Obstructions, without the Authority or Consent of the said Commissioners, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Power to set up Posts for guarding Footways.

XCIV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to erect and set up, in such Parts of the said Streets, Squares, Places, Highways, Lanes, Roads,

Roads, Paths, and other public Passages and Entries as such Commissioners may think necessary, any Posts, Pillars, Stones, Rails, Bars, Chains, and other Fence or Fences, either permanent or temporary, for the Purpose of preserving any of the Footways within the said Township of *Chorlton-upon-Medlock* clear from any Annoyance by Horses, Cows, Swine, or other Cattle; and for the Purpose of keeping off Carriages from any of the said Footways, for the Prevention of Accidents; and also to paint, repair, and replace any of such Posts, Pillars, Stones, Rails, Bars, Chains, or other Fence or Fences, from Time to Time, whenever it shall be requisite so to do.

Foot Crossings to be repaired by the Commissioners, and paid for out of the Rates.

XCV. And be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, to make, flag, or pave, or cause to be made, flagged, or paved, and to repair, such Foot Crossing or Foot Crossings as shall or may lead to or from the Entrance, Corner, or Termination of any Street, Square, Highway, Lane, Road, Path, or other public Passage or Entry, to any other Street, Square, Highway, Lane, Road, Path, or other public Passage or Entry within the said Township of *Chorlton-upon-Medlock*, as the said Commissioners, or any Five or more of them, shall think proper, and to pay and defray the Costs and Charges attending such making, paving, and repairing by and out of the Monies to be raised by virtue of the Rates and Assessments hereby directed to be made: Provided always, that nothing herein contained shall extend to authorize the Commissioners to pay and defray the Costs and Charges attending any Foot Crossing or Foot Crossings which shall or may be made to lead from one Side of a Street, Square, Highway, Lane, Road, Path, or other public Passage or Entry, to the other Side thereof, or otherwise howsoever (save only as before mentioned).

Pavement of Streets not to be taken up without Consent of Commissioners.

XCVI. And be it further enacted, That from and after any Street, Square, Place, Lane, Way, Road, Path, Court, or other public Passage or Entry shall have become a public Highway by the Authority of this Act, no Person or Persons shall at any Time take up the Pavement, Flags, or other Materials of such Street, Square, Place, Way, Lane, Road, Path, Court, or other public Passage or Entry, or any Part thereof, or make or cause to be made any Alteration in the Form of any such Street, Square, Place, Way, Lane, Road, Path, Court, or other public Passage or Entry, or the Pavement, Flags, or other Materials thereof, within the said Township of *Chorlton-upon-Medlock*, without the Consent and Approbation of the said Commissioners first had and obtained in Writing, upon pain that every Person so taking up the said Pavement, Flags, or other Materials, or any Part thereof, or making such Alteration, without such Consent and Approbation, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in case the Person or Persons so taking up any such Pavement, Flags, or other Materials shall not, within Seven Days after Notice by the Clerk or Clerks, or other Officer or Officers of the said Commissioners under this Act, given to or left in Writing at the last or usual Place of Abode of such Person or Persons, cause the same to be reinstated, it shall be lawful for any Officer of such Commissioners, by their Authority, to reinstate the same; and the

Expence attending the doing whereof shall be borne and paid by the Person or Persons who shall have taken up such Pavement, Flags, or other Materials, the same to be recovered in the like Manner as the Rates or Assessments are by this Act directed to be recovered: Provided always, that nothing in this Act contained shall curtail or prejudice the Privileges and Authorities of any public Company, or other Body or Person, specially authorized by Law to take up the said Pavements, Flags, or other Materials.

Power to make Common Sewers.

XCVII. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time and at all Times hereafter, to cause such and so many Common Sewers, Drains, Vaults, Culverts, and Watercourses, public Wells or Pumps, of such Materials, Dimensions, and Forms as they may think sufficient and necessary, to be constructed and made in, along, or across any of the Streets, Squares, Places, Highways, Lanes, Roads, Paths, or other public Passages or Entries within the said Township of *Chorlton-upon-Medlock*, and also to cause any of the Common Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, which now are or hereafter shall be within the same Township, to be altered, enlarged, repaired, cleansed, or completed, when and so often as the said Commissioners shall deem proper, and also, for any of the said Purposes, from Time to Time to cause to be dug, carted, and carried out of or brought into the said Streets, Squares, Places, Highways, Lanes, Roads, Paths, or other public Passages or Entries, or any of them, such Gravel, Stones, Bricks, and other Materials as they shall think necessary, and also to cause such and so many Gutters or Openings to be made therein, for the carrying off and conveying the Filth, foul and other Waters, from the Houses built or to be built in or adjoining to such Streets, Squares, Places, Highways, Lanes, Roads, Paths, or other public Passages or Entries, into the said Sewers, Drains, and Vaults, as the said Commissioners shall think necessary and expedient for that Purpose; and in case it shall be found necessary for completing any of the aforesaid Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, to carry and continue the same into and through any inclosed Lands or Grounds lying within the said Township of *Chorlton-upon-Medlock*, it shall be lawful for the said Commissioners to carry and continue the same into and through the said Lands or Grounds accordingly, such Lands or Grounds respectively not being occupied as Courts, Yards, Gardens, or Orchards, or as Avenues or Approaches to any Dwelling House: Provided always, that if the Owner or Owners of any such Lands or Grounds into, through, or in which any such Sewer, Drain, Vault, Culvert, or Watercourse, Wells or Pumps, shall be made, carried, or continued by the said Commissioners as aforesaid, shall be injured or damnified thereby, and such Owner or Owners shall refuse to treat or cannot agree with such Commissioners as to the Recompence or Compensation to be paid for such Injury or Damage, then such Owner or Owners may apply to the next or second General Quarter Sessions of the Peace to be holden for the said County of *Lancaster*, or an Adjournment thereof; and the Justices of the Peace at such Sessions shall have Power to direct the Jury which shall attend at such Sessions for the Trial of

If Owners of Land through which Sewers are made be dissatisfied, they may apply to the Quarter Sessions.

Traverses to enquire into and assess the Recompence Money which ought to be paid to such Owner or Owners for such Injury or Damage as aforesaid; and thereupon the Justices in such Session shall adjudge and order such Recompence so found and assessed by the Jury to be paid to such Owner or Owners accordingly, and such Inquiry and Judgment shall be final to all Intents and Purposes; and the said Justices shall and may award, order, and adjudge Costs to either Party as they shall think proper; and all Costs, Charges, and Expences in or about the making, enlarging, widening, raising, altering, removing, repairing, cleansing, or scouring such Sewers, Drains, Vaults, Culverts, and Watercourses, Wells or Pumps, shall be borne and defrayed out of the Monies to be raised by the Rates or Assessments to be made by virtue of this Act.

Consent to be had for turning private Drains into Common Sewers.

XCVIII. And be it further enacted, That it shall be lawful for the said Commissioners to authorize and empower any Person or Persons whomsoever, at any Time or Times hereafter, at his or their own Expence, to turn or carry any new private or Branch Drain into any Common Sewer, Drain, Vault, Culvert, or Watercourse already made or which shall be made by virtue of this Act; but if any Person or Persons shall at any Time hereafter turn or carry any such new private or Branch Drain into any such Common Sewer, Drain, Vault, Culvert, or Watercourse, without the Licence and Consent of the said Commissioners first had and obtained, every Person so offending in the Premises shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Private Drains to be cleansed.

XCIX. And be it further enacted, That all private Drains which now do, or which by Permission of the said Commissioners hereafter shall issue into any of the public Sewers, Drains, or Vaults, shall be made, repaired, or cleansed by or under the Inspection and Direction of the proper Officer or Officers of the said Commissioners, at the Costs and Charges of the Owner or Owners, Occupier or Occupiers of the Lands or Tenements to which the said private Drains do or shall respectively belong; such Costs and Charges, if paid by the said Commissioners, to be recovered by them in like Manner as the Rates to be raised by virtue of this Act are directed to be recovered.

Gutters may be turned.

C. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to direct and cause the Course of any Gutter or Channel running in or through the said Streets, Squares, Places, Highways, Lanes, Roads, Paths, and other public Passages or Entries, or any of them, within the said Township of *Chorlton-upon-Medlock*, to be turned, tunnelled, or covered over or altered in such Manner as they shall think proper, and to direct the Grates already placed or hereafter to be placed over any Sewer to be removed and replaced in such Manner and at such Place or Places as they shall think most proper, all which shall from Time to Time be done at the Expence of such Commissioners, and paid for out of the Money arising by virtue of this Act; any Law, Usage, or Custom to the contrary notwithstanding.

CI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to take away, prejudice, lessen, or affect any of the Powers, Privileges, or Authorities now belonging to the Company of Proprietors of the *Manchester* and *Salford* Waterworks, under or by virtue of any Act or Acts now in force, or otherwise howsoever; and in case by the opening, making, raising, widening, or altering any of the said Streets, Lanes, Passages, or other Places, or by laying Soughs, Sewers, Drains, or any other Thing, it shall become necessary to alter, raise, take up, remove, relay, or repair any of the Trunks, Mains, Pipes, or other Works of the said Company of Proprietors, then and in every such Case the said Commissioners, or their Clerk or Clerks, shall, previously to the Commencement of any such Alteration or Work, give or cause to be given to the said Company of Proprietors Thirty Days Notice in Writing, to be left at the Office of the said Company in *Manchester* aforesaid, in order that full Time and Opportunity may be afforded to the said Company to alter, raise, take up, remove, relay, or repair the said Pipes as aforesaid, and which said Pipes shall be altered, raised, taken up, removed, relayed, or repaired by the said Company out of the Funds arising under this Act; and if there shall be any Dispute between the said Commissioners and the said Company, the same shall from Time to Time be ascertained and settled by a Justice of the Peace for the said County of *Lancaster*, upon the Application of either Party; and in case such Costs, Charges, and Expences shall remain unpaid for the Space of Fourteen Days after the Day on which the same shall have been so ascertained and settled as aforesaid, and Demand made thereof by or on behalf of the said Company of Proprietors from the Treasurer for the Time being of the said Commissioners, the same shall and may be recovered from such Commissioners by the said Company of Proprietors by Distress and Sale of the Goods and Chattels of such Commissioners or of their Treasurer, in manner hereinafter directed; and the Signature of the said Justice to the Amount so by him ascertained and settled as aforesaid shall be conclusive Evidence of the Amount of such Debt or Demand.

For Protection of the Manchester and Salford Waterworks Company.

CII. And be it further enacted, That the said Commissioners under this Act shall and they are hereby required to hold a General Meeting on the Twenty-second Day of *September* in every Year, unless the same shall happen on a *Sunday*, and then on the following Day at which Meeting such Commissioners shall make out a List of the Names of at least Ten Persons living within the said Township of *Chorlton-upon-Medlock* who shall be qualified according to the Provisions contained in the Act passed in the Thirteenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to explain, amend, and reduce into One Act of Parliament the Statutes now in being for the Amendment and Preservation of the public Highways within that Part of* Great Britain *called* England, *and for other Purposes*, to serve the Office of Surveyor of the Highways in the same Township; and such Meeting shall for the Purpose of such List only be deemed and taken to be a Meeting, held in pursuance of the Directions of the same Act, of the Constables, Headborough, Tithingman, Churchwarden, Surveyors, and Householders of the said Township

Commissioners may nominate Surveyors of Highways.

Township of *Chorlton-upon-Medlock*; and the Constables for the Time being of the said Township of *Chorlton-upon-Medlock*, or their Deputy, shall deliver the original List to be made as aforesaid to the Justices of the Peace at their Special Sessions to be held for the Highways for the Division of *Manchester*, or other Division in which the said Township of *Chorlton-upon-Medlock* shall be, in the Week next after the *Michaelmas* Quarter Sessions in every Year, or at such other Time and Place or in such other Manner as shall be conformable to the Directions of the same Act.

Surveyors of Highways to produce their Accounts, &c. yearly to the Commissioners.

CIII. And be it further enacted, That the said Surveyors of the Highways in the said Township of *Chorlton-upon-Medlock* shall yearly and every Year produce all their Books of Account, the Assessments made within the Year, and Lists of all Sums then due from Persons in respect of the Payments, Compositions, Assessments, Penalties, or Forfeitures for the Highways in the said Township, unto the said Commissioners under this Act, at a General Meeting of such Commissioners to be holden (and which Meeting they are hereby required to hold) yearly and every Year within Twenty-one Days before the said Special Session for the Highways in the Week next after the *Michaelmas* General Quarter Sessions, in order that such Accounts, Assessments, and Lists may be inspected by such Commissioners; and such Commissioners shall and they are hereby required, as soon as conveniently may be after such Accounts, Assessments, and Lists shall be so produced, to cause a General Report or Abstract of such Accounts to be printed, and to be distributed *gratis* to such of the Inhabitants of the said Township of *Chorlton-upon-Medlock* as shall apply for the same at the Office where the Business of the said Commissioners under this Act shall be transacted.

Books of Account of Surveyors to be preserved by Commissioners.

CIV. And be it further enacted, That whenever the Accounts of the said Surveyors of the Highways in the said Township of *Chorlton-upon-Medlock* shall have been settled and allowed, or disallowed, by One or more Justice or Justices of the Peace, according to the Directions of the said Act of the Thirteenth Year of the Reign of His Majesty King *George* the Third, the said Books, Assessments, and Lists of the said Surveyors shall, within One Calendar Month then next following, be delivered by such Surveyors to the said Commissioners under this Act, or their Clerk or Clerks for the Time being, to be kept for the Use of the Inhabitants of the same Township; and such of the Inhabitants as are interested therein shall be allowed to inspect the same *gratis* at all seasonable Times at the Office where the Business of the said Commissioners under this Act shall be transacted; and in case the said Surveyors shall neglect to produce or deliver such Accounts, Books, Assessments, and Lists aforesaid, or any of them, pursuant to the Directions of this Act, each and every of them so making default shall forfeit, out of his own Goods and Chattels, any Sum not exceeding Five Pounds nor less than Forty Shillings, to be applied to the general Purposes of this Act: Provided always, that the said Surveyors or any of them shall not be liable to any Penalty or Forfeiture under the said Act of the Thirteenth Year of the Reign of His said Majesty King *George* the Third, for not delivering the Books and Assessments aforesaid to the

Churchwarden or Overseers of the Poor of the said Township of *Chorlton-upon-Medlock*.

Surveyors not to be personally liable.

CV. And be it further enacted, That the said Surveyors of the Highways in the said Township of *Chorlton-upon-Medlock* shall not be personally responsible for any Act done or omitted to be done by them in compliance with any Regulation passed at a General Meeting of the said Commissioners under this Act.

Water from Buildings to be conveyed in covered Pipes.

CVI. And be it further enacted, That no Water shall be permitted to drain from any Building upon the Footpath of any Street, Square, Highway, or public Place, but all such Water shall be conveyed from Buildings in covered Pipes or Tunnels, where practicable, below the Surface of the Pavement or Flagging of the Footpath, and where impracticable, on account of the Level of the Street, in Channels formed in the Pavement or Flagging of the Footpath; nor shall any Water be pumped up or discharged from any Building upon the Footpath of any Street, Square, Highway, or public Place, but the same shall be conveyed over or under the Footpath by Spouts or Trunks to the Drain or Channel of the Street; under the Penalty for each Offence of any Sum not exceeding Forty Shillings.

As to the laying of Pipes, &c. for conveying such Water.

CVII. And be it further enacted, That for the Purpose of laying or forming such Pipes, Tunnels, or Channels as aforesaid it shall be lawful for the Proprietors of any Buildings, at their Expence, to take up so much of the Pavement or Flagging of any Footpath or Carriageway as may be requisite; and the said Pipes, Tunnels, or Channels shall be laid and formed under the Directions of the said Commissioners; and all Damage which may be thereby occasioned to the Flagging or Pavement of the Footpath or Carriageway shall be made good and shall be paid by the said Proprietors of Buildings to the said Commissioners; and in the Event of any Neglect or Refusal to make good or pay the Amount of such Damages, such Amount shall and may be recovered as any Penalties, Rates, or Assessments are by this Act authorized to be recovered.

Names of Streets to be put up, and Houses to be numbered.

CVIII. And be it further enacted, That the said Commissioners shall and may cause to be painted and engraved or otherwise described, and placed in a conspicuous Part of any One or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of every Street, Square, Place, Highway, Lane, Road, Path, Court, and other public Passage and Entry within the said Township of *Chorlton-upon-Medlock*, the Name by which such Street, Square, Place, Highway, Lane, Road, Path, Court, or other public Passage or Entry now is or shall be called or known; and also cause every House and Building in the said several Streets, Squares, Places, Highways, Lanes, Roads, Paths, Courts, and other public Passages and Entries to be marked and numbered with Figures, either on the Door thereof or otherwise, and in such Manner as they shall think most proper for distinguishing the same; and if any Person or Persons shall wilfully destroy, obliterate, deface, remove, or, without the Consent of the said Commissioners for that Purpose first obtained, add to or alter any such Name,

Number, or Figures, or any Part thereof, or cause or procure the same to be so done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Numbers of Houses to be renewed by Occupiers.

CIX. And be it further enacted, That when any such Number or Figures painted or placed on any House or other Building within the said Township of *Chorlton-upon-Medlock*, or on the Door thereof, shall, by Accident, Decay, or otherwise, be defaced or rubbed out, the Occupier or Occupiers of such House or Building shall within Fourteen Days cause the same Number or Figures to be painted or placed on such House or other Building, or on the Door thereof, and in case of Neglect or Refusal to comply therewith every such Occupier shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Directions for the Removal of Annoyances and Encroachments.

CX. And be it further enacted, That the several and respective Occupiers of the Houses and other Buildings situate in the several Streets within the said Township of *Chorlton-upon-Medlock*, and every of them, are and is hereby authorized and required, at their own respective Costs and Charges, within Thirty Days next after their respectively receiving Notice in Writing from the Clerk or Clerks or other Officer or Officers of the said Commissioners, to cause all Signs, Sign Irons, Sign Posts, Barbers Poles, Stalls, Blocks, Bulks, Showboards, Butchers Hooks, and Pipes for supplying Water, which now are or hereafter shall be in anywise affixed or set up against or in front of their respective Houses or other Buildings, and which in the Judgment of the said Commissioners under this Act shall be considered public Annoyances or Nuisances, by reason of their projecting into or encroaching upon or otherwise annoying and endangering the public Passage along any of the Streets within the said Township of *Chorlton-upon-Medlock*, to be taken down, removed, and carried away, or otherwise altered or reformed; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such Sign, Sign Iron, Sign Post, Barber's Pole, Stall, Block, Bulk, Showboard, Butcher's Hook, Water Pipe, or other Projection which shall be so considered an Annoyance as aforesaid, to be taken down, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by any Person or Persons acting under their Authority, and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace of the said County of *Lancaster*, shall and may be recovered from the Occupier of such House or Building in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when so recovered the same shall be paid to the Treasurer of the said Commissioners, to be applied to the general Purposes of this Act; and it shall be lawful for the Occupier of any House or other Building, being a Tenant at Rackrent, and having either paid such Costs and Charges in the first instance or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent; and the Proprietor or

Landlord of every such House or other Building so held at Rack-rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment or Obstruction or Annoyance so removed or altered shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Expence of altering or removing the same.

For Removal of future Projections.

CXI. And be it further enacted, That the several Occupiers of the Houses and other Buildings situate in the several Streets within the said Township of *Chorlton-upon-Medlock*, and every of them, are hereby authorized and required, at their own respective Costs and Charges, within Thirty Days next after their respectively receiving Notice in Writing from the Clerk or Clerks or other Officer or Officers of the said Commissioners to cause all and every the Penthouses, Porches, Sheds, projecting Windows, Palisades, Rails, Posts, Steps, Cellar Windows, Cellar Doors, Hatchways, and Areas, and all Teagles, Cranes, and Windlasses, and the Arms thereof, for raising or lowering any Articles, Matters, or Things, which shall be fixed on or against any Building or Buildings higher than the Wall or Walls of the Ground Floor or Floors thereof, and other Obstructions and Projections whatsoever, not hereinbefore particularly specified, which shall in future be erected, set up, affixed, or laid down against or in front of their respective Houses or other Buildings, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon or over, or otherwise annoying or endangering the public Passage along any of the Streets within the said Township of *Chorlton-upon-Medlock*, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such Penthouse, Porch, Shed, projecting Window, Palisade, Rail, Post, Step, Cellar Window, Cellar Door, Hatchway, Area, Teagle, Crane, Windlass, or the Arm thereof, or any other Obstruction or Projection whatsoever, not hereinbefore particularly specified, which shall in future be so erected, set up, or affixed or laid down against or in the Front of his or her House or other Building, and which shall be so considered an Annoyance or Nuisance as aforesaid, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by any Person or Persons acting under their Authority; and the Costs and Charges attending the same, having been ascertained by any Two Justices of the Peace for the said County of *Lancaster*, shall and may be recovered from the Occupier of such House or Building in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when so recovered the same shall be paid to the Treasurer of the said Commissioners, to be applied to the general Purposes of this Act; and it shall be lawful for the Occupiers of any such House or other Building, being

a Tenant

a Tenant at Rackrent, and having either paid such Costs and Charges in the first instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent; and the Proprietor or Landlord of every such House or other Building so held at Rackrent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been originally occasioned by such Occupier, in which Case he, she, or they shall bear the Expence of altering or removing the same.

Cellar Windows and Grates to be secured.

CXII. And be it further enacted, That if any Cellar Door, Trap-door, Hatchway, or Flap Window, leading into or giving Light or Air to or placed over any Cellar, Vault, or Office under Ground within the said Township of *Chorlton-upon-Medlock*, shall at any Time be left open in the Evening or in the Night, or shall not be effectually and substantially secured so as to prevent Accidents, or if any Gate or other Covering placed over any Opening in the Footpath, Flagway, or Pavement, and used for putting Coals or other Articles into any Cellar or other Place underground, or for any other Purpose, shall at any Hour of the Day or Night be left open, or shall not be well and effectually fastened down and secured, so as to prevent Accidents, then and in each and every of the said Cases the Occupier or Occupiers of such Cellar, Vault, Office, or other Place underground as aforesaid shall for every such Offence forfeit and pay the Sum of Forty Shillings.

Doors and Gates not to open outwards.

CXIII. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the said Township of *Chorlton-upon-Medlock*, and every of them, are hereby respectively authorized and required, at their own Costs and Charges, from Time to Time, within Fourteen Days next after their respectively receiving Notice in Writing from the Clerk or Clerks or other Officer or Officers of the said Commissioners, to cause all the Doors and Gates leading into the several Houses, Buildings, Yards, Gardens, and Lands in their respective Occupations (and not being Cellar Doors or Trap Doors), and which now do or shall hereafter open outwards, and when open shall project into or over any of the Streets within the same Township, to be altered so as that the same Doors or Gates shall not thenceforth open outwards into any of the said Streets; and if any such Occupier of any of the aforesaid Premises shall neglect or refuse to make the Alteration required by such Notice in any such Door or Gate within the Period specified by such Notice, such Occupier making default therein shall forfeit and pay the Sum of Five Shillings a Day for every Day during which any such Gate or Door shall be suffered to remain opening outwards after the Expiration of the Time specified in such Notice: Provided nevertheless, that where the Occupier of any such House, Building, Yard, Garden, or Land shall cause any such Door or Gate to be duly altered, in pursuance of such Notice as aforesaid, it shall be lawful for him or her, if a Tenant at Rackrent, to deduct and retain out of his or her Rent the reasonable Charges of altering the same; and the Proprietor or Landlord of such House, Building, Yard, Garden,

or

or Land is in every such Case hereby required to allow the same accordingly: Provided also, that it shall be lawful for the said Commissioners to allow to such Occupier or such Proprietor all or any Part of the Expence of making any such Alteration, if such Commissioners shall consider it reasonable to do so.

Commissioners may fence ruinous Houses, and cause the Owners to take down and repair the same.

CXIV. And be it further enacted, That in case any House or Building within the said Township shall, upon the View of any Justice or Justices of the Peace for the said County of *Lancaster*, be pronounced to be in a ruinous or dangerous State, then and in every such Case it shall and may be lawful for the said Commissioners to cause the same to be properly fenced and guarded, and to give Notice in Writing to the Owner or Owners of or other Person or Persons interested in the Premises, if he, she, or they can be found in the said Township, and if not, then to cause Notice in Writing to be fixed upon the Premises, requiring him, her, or them to take down or repair such Premises, as the Case may require, within the Space of Twenty Days next ensuing the giving or fixing such Notice as aforesaid; and if the Owner or Owners or other Person or Persons interested as aforesaid shall not take down and repair the same within the said Space of Twenty Days after such Notice as aforesaid, then and in every such Case the said Commissioners are hereby authorized and required to take down or repair the Premises, or cause the same to be done, and the old Materials thereof or of any Part thereof to be sold; and the Costs and Charges of the said Fence, and of taking down and repairing as aforesaid, after deducting the Money to arise from the Sale of such old Materials, shall from Time to Time be paid by the said Owner or Owners, if he, she, or they can be met with in the said Township, to be recovered from him, her, or them, in case of Refusal to pay the same, on Demand, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant of any Justice of the Peace of the said County (which Warrant such Justice is hereby empowered and required to grant); and if such Owner cannot be met with in the said Township, or sufficient Distress of his or her Goods and Chattels cannot be had, then and in such Case the Person or Persons who shall at any Time thereafter occupy such House or Building, or the Ground whereon the same stood, shall pay the same; and he, she, and they is and are hereby authorized to deduct the Amount so paid out of his, her, or their Rent, the same to be recoverable from such Occupier or Occupiers by the like Means as are herein directed for the Recovery thereof from the said Owner or Owners; and such Owner and Owners is and are hereby required to allow every such Occupier and Occupiers all such Costs as he, she, and they may pay or sustain as aforesaid; but in Cases where any such Houses, Buildings, or Grounds are held upon Leases for Lives perpetually renewable, or for the Term of Ninety-nine Years, or any longer Term, whereof Twenty Years shall be unexpired, the Party or Parties so holding shall be deemed and taken to be the Owner or Owners, and not the Party or Parties entitled in Reversion.

Canals, Railways, &c. to be fenced.

CXV. And be it further enacted, That the Proprietors of Canals and Railways within the said Township of *Chorlton-upon-Medlock* shall, when thereunto required by the said Commissioners, and

on Notice from their Clerk or Clerks, well and sufficiently rail and fence off the same to the Height of Four Feet on each Side thereof, except at such Places as shall be used as Wharfs and Landing Places, and in such Manner as the same Commissioners shall appoint; and Owners or Proprietors of all Lands on the Side of every Street, which Land shall be on a lower Level, or have any Hole or Opening therein below the Level of such adjoining Street, shall also well and sufficiently rail and fence off the same to the Height of Four Feet on the Sides thereof, in such Manner as the same Commissioners shall appoint; and in case such Proprietors or such Owners respectively shall not upon such Notice fence off such Canals and Railways or Lands, or shall neglect to keep the Fences of the same in good and sufficient Repair and Condition, upon Notice for the Purpose from the Clerk or Clerks of the said Commissioners, then and in every such Case it shall be lawful for the said Commissioners to cause all such Canals, Railways, and Lands to be fenced in manner aforesaid, or such Fence or Fences to be well and sufficiently repaired, and put into good and sufficient Repair and Condition, by any Person or Persons acting under their Authority; and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace of the said County of *Lancaster*, shall and may be recoverable from such Proprietors or Owners respectively, in like Manner as any Penalties, Forfeitures, Rates, or Assessments are by this Act authorized to be recovered; and when so recovered the same shall be paid to the Treasurer or Treasurers for the Time being of the said Commissioners.

Funnels for conveying Smoke or Steam not to be put on the Outside of Houses, &c. next to any Street.

CXVI. And be it further enacted, That no Iron, Tin, Copper, or other Pipe or Funnel for conveying Smoke or Steam shall at any Time be fixed, nor shall any such Pipe or Funnel already fixed be suffered to remain next to any Street, on the Front or Side of any House or other Building whatsoever within the said Township of *Chorlton-upon-Medlock*; nor shall any such Pipe or Funnel for conveying Smoke be fixed, nor shall any such already fixed be suffered to remain, on the Inside of any such House or other Building nearer than Nine Inches to any Timber or other combustible Material whatsoever; nor shall any Funnel built or made of Brick or Stone, or both, be placed on the Outside of any Front of any House or other Building whatsoever, next to any Street within the said Township of *Chorlton-upon-Medlock*, so as to extend beyond the general Line of the Houses and other Buildings in the Street in which the same shall be erected; and if any such Pipe or Funnel shall be fixed or placed, or suffered to remain, contrary to this Act, then the same shall be deemed a common Nuisance, and the Tenant or Occupier thereof, or in case of no Tenant or Occupier, then the Owner or Owners thereof, is and are hereby respectively authorized and required, at their own Costs and Charges, from Time to Time, within Fourteen Days next after their respectively receiving Notice in Writing from the Clerk or Clerks or other Officer or Officers of the said Commissioners, to cause every such Pipe or Funnel to be removed; and if any such Owner or Occupier shall neglect or refuse to make the Alteration required by such Notice within the Period specified by such Notice, every such Owner or Occupier making Default therein shall

 forfeit

forfeit and pay the Sum of Ten Shillings a Day for every Day during which any such Pipe or Funnel shall be suffered to remain as aforesaid after the Expiration of the Time specified in such Notice: Provided nevertheless, that where the Occupier of any such House or Building shall cause any such Pipe or Funnel to be duly removed in pursuance of such Notice as aforesaid, it shall be lawful for him or her, if a Tenant at Rackrent, to deduct or retain out of his or her Rent the reasonable Charges of altering the same; and the Proprietor or Landlord of any such House or Building is in every such Case hereby required to allow the same accordingly, except only in Cases where the Pipe or Funnel shall have been originally set up by such Occupier, in which Case he or she shall bear the Expence of altering or removing the same: Provided also, that it shall be lawful for the said Commissioners to allow to such Occupier or Proprietor all or any Part of the Expence of removing the same, if such Commissioners shall consider it reasonable and proper.

Commissioners may direct the Construction of Chimneys of Manufactories, &c.

CXVII. And be it further enacted, That all Cotton Spinners, Dyers, Printers, Machine Makers, Velvet Dressers, Brewers, Bakers, Smiths, Founders, Boiler Makers, Soap Boilers, Pipe Makers, and other Artificers and Manufacturers making use of Fires casting up large Quantities of Smoke or Flame within the said Township of *Chorlton-upon-Medlock*, shall construct and build the Chimney or Chimneys of their respective Works of such respective Heights, not exceeding Thirty Yards in Height, as the said Commissioners at any General Meeting or Meetings of such Commissioners shall order and direct, for the Purpose of preventing as much as may be the same respectively being a Nuisance; and the Owner and Owners, Occupier and Occupiers of all and every Engine and Engines within the said Township of *Chorlton-upon-Medlock* shall construct the Fire-places and Chimneys thereof respectively in such Manner as most effectually to destroy and consume the Smoke arising therefrom; and every such Cotton Spinner, Dyer, Printer, Machine Maker, Velvet Dresser, Brewer, Baker, Smith, Founder, Boiler Maker, Soap Boiler, Pipe Maker, or other Artificer or Manufacturer, or such Owner or Owners, Occupier or Occupiers of any such Engine or Engines, who shall neglect or refuse to construct and build his, her, or their respective Chimney or Chimneys, Fire-place or Fire-places, in the respective Ways and Manners aforesaid, for the Space of One Calendar Month after Notice in Writing for that Purpose, signed by the Clerk or Clerks or any other Officer or Officers of the said Commissioners, shall be given to them respectively, or left at his, her, or their respective Dwelling House or last or usual Place of Abode, or within such longer Period of Time as the said Commissioners shall consider reasonable and direct, shall forfeit and pay the Sum of Forty Shillings for every Week that he, she, or they shall neglect or refuse to construct such respective Chimney or Chimneys, Fire-place or Fire-places in the respective Ways and Manners aforesaid; the same to be levied and recovered in such Manner as Penalties and Forfeitures are by this Act directed and authorized to be levied and recovered.

CXVIII. And

Penalty on firing Chimneys.

CXVIII. And be it further enacted, That if any Person or Persons shall set fire to, or cause, permit, or suffer the Chimney of any House, Workshop, Outhouse, or other Building in the said Township of *Chorlton-upon-Medlock* to be on fire, the Person setting fire to the same, or the Occupier of every such House, Workshop, Outhouse, or other Building, or of any Part or Parts thereof from whence such Fire shall commence or happen, shall forfeit and pay for every such Offence any Sum not exceeding Ten Shillings, unless he can prove to the Satisfaction of the Justice before whom he shall have been summoned that the same arose from inevitable Accident, and not for Want of Care or Attention.

Preventing Injury to Chapels, &c.

CXIX. And be it further enacted, That if any Person shall fix up any Handbills or other Papers (other than such Notices as may be directed by Act of Parliament or other competent Authority) against any Church, Chapel, or Place licensed for public Worship, or any School or public Building whatsoever within the said Township, or any Walls, Doors, Railings, or Inclosure thereof, or shall write with Chalk or any other Matter thereon, or shall play at Ball or Fives upon or against the same, or shall deposit any Filth or commit any Nuisance upon, in, about, or against any of the aforesaid Edifices, or the Walls, Doors, or Steps thereof, or in or about any such Churchyard or Burial Ground as aforesaid, he or she shall forfeit for every such Offence any Sum not exceeding Five Shillings.

For Removal of Slaughter-houses, &c.

CXX. And be it further enacted, That if any Slaughter-house, Swinestye, Necessary House, Dunghill, or Sewer, or any Dung, Carrion, Offal, Blood, Soil, Filth, or Rubbish, or any other noisome Matter whatsoever, in or near any of the Streets within the said Township of *Chorlton-upon-Medlock*, shall be considered by any Inhabitants of the same Township as a Nuisance or Annoyance, it shall be lawful for the said Commissioners from Time to Time, upon Complaint thereof being made to them by any such Inhabitant or Inhabitants, to enquire into the Matter complained of, and if they shall deem the same to be a Nuisance or Annoyance, then they are hereby empowered and required, by Notice in Writing under the Hands of their Clerk or Clerks or other Officer or Officers, to order such Nuisance or Annoyance to be removed by the Person or Persons causing or occasioning the same, within such Time as shall be specified in such Notice; and in case the same shall not be removed according to such Notice, the Person or Persons who shall be so ordered to remove the same, and shall neglect so to do, shall forfeit and pay the Sum of Five Shillings a Day for every Day the same shall continue unremoved after the Expiration of the Time specified in such Notice: Provided always, that when any Person or Persons thinking himself, herself, or themselves aggrieved by such Order as aforesaid shall give Notice to the said Commissioners, or their Clerk or Clerks, of his, her, or their Intention to appeal against the said Order, and shall enter into a Recognizance within the Time and in the Manner hereinafter mentioned and provided for in respect of Appeals against any Matter or Thing to be done in pursuance of this Act, such Person or Persons shall not be subject or liable to pay any such Penalty or Forfeiture, until

until the Expiration of Fourteen Days next after the Hearing and Determination of such Appeal, and the Confirmation thereupon of the said original Order of the said Commissioners.

For seizing unwholesome Meat, &c.

CXXI. And be it further enacted, That it shall be lawful for the said Commissioners, or some Person or Persons to be by them appointed from Time to Time, and they and he are and is hereby authorized and empowered, to seize and publicly to destroy any unwholesome Flesh Meat or Fish which shall be brought into or offered for Sale in the said Township of *Chorlton-upon-Medlock*.

For impounding Cattle suffered to stray.

CXXII. And be it further enacted, That if any Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle shall be found straying in any of the Streets within the said Township of *Chorlton-upon-Medlock*, the Owner or Owners thereof shall, for every such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Head of Cattle, forfeit and pay the Sum of Five Shillings; and it shall be lawful for any Officer or Officers appointed by the said Commissioners to impound any such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle found straying as aforesaid, in any Pound such Commissioners may provide, and which they are hereby authorized and empowered to provide and maintain within the said Township of *Chorlton-upon-Medlock*, for common Use by the Inhabitants thereof, or in any other public Pound in the same Township, and to detain the same in such Pound until the said Penalty, and the Expence of impounding, feeding, and keeping the same in Pound, shall be fully paid and satisfied; and if in any such Case the said Penalty and Expences shall not be paid within Three Days after such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle shall be so impounded, it shall be lawful for any Person or Persons who shall be appointed by the said Commissioners for that Purpose to sell or cause the same to be sold; and the Costs and Charges of impounding, feeding, and keeping such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle in Pound, and of selling the same, and the same Penalty, shall be defrayed by such Sale, and the Overplus (if any) of the Monies arising by such Sale shall be paid to the Owner or Owners of the said Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle, upon Demand: Provided always, that whether such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Cattle so found straying shall be impounded as aforesaid, or otherwise, the Owner or Owners thereof shall nevertheless forfeit and pay, for every such Horse, Bull, Cow, Ass, Mule, Swine, Sheep, Goat, or other Beast or Head of Cattle so found straying as aforesaid, the said Sum of Five Shillings.

Punishing Persons guilty of Pound Breach.

CXXIII. And be it further enacted, That in case any Person shall release or attempt to release any Horse, Ass, Swine, or other Live Stock or Cattle which shall be impounded, or seized for the Purpose of being impounded, under the Authority of this Act, or shall pull down, damage, or destroy the Pound in which the same shall be impounded, or any Part thereof, or any Door, Gate, Lock, or Bolt belonging thereto or with which the same shall be fastened, or

shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Horse, Ass, Swine, or other Live Stock or Cattle seized or impounded, or such Distress or Levy is made, shall be discharged by due Course of Law, every Person so offending shall, upon Conviction thereof by any Justice of the Peace for the said County Palatine of *Lancaster*, be committed to the Common Gaol or to the House of Correction for the Hundred of *Salford*, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

For preventing Nuisances.

CXXIV. And be it further enacted, That if any Person or Persons shall, in any of the Streets in the said Township of *Chorlton-upon-Medlock*, expose for Sale or sell, or fodder, any Horse, Ass, Pig, Sheep, Bull, Cow, or other Beast or Cattle, except in such Place or Places or in such Manner as shall be appointed for that Purpose; or exhibit, or place for Exhibition, any Caravan or other Carriage containing any Animal or Animals, or other public Show, or in any other Manner exhibit or cause to be exhibited any public Show, except in such Place or Places as shall be appointed for that Purpose; or expose or show any Stallion, except in such Place or Places as shall be appointed for that Purpose; or shoe, bleed, or farry any Horse or Beast (except in Cases of Accident), or clean or dress any Horse or other Beast; or turn loose or suffer to be at large any Bull Dog, Mastiff, or other ferocious Dog of any other Species, not being muzzled, or permit or suffer any Dog whatsoever to go at large after any public Notice given by the said Commissioners under this Act during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness (and which said Dogs so at large for which Owners cannot be found the said Commissioners under this Act are hereby authorized to destroy and direct and cause to be destroyed); or wash or clean, or make or repair, any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, or which cannot conveniently be removed for that Purpose); or if any Person shall mischievously or wantonly let off or fire any Musket, Gun, or Pistol, or other Fire-arms, except in case of Self-defence; or make or assist in making any Bonfire, or set fire to or let off or throw any Cracker, Squib, Rocket, or other Fireworks or play at Football, or throw any Snowball or Stone or other Missile, or play at the Game called Bat, or run any Race or Races, or play at Pitch and Toss, in any of the said Streets; or burn, dress, or cleanse any Cask or Wheel, or hoop, or fire, cleanse, wash, or scald, any Cask or Tub, or burn, dress, sweep, or cleanse any Piece or Pieces of Cork, or beat, dust, or shake any Soot Bag, or hang out or cause to be hung out any Linen or Clothes in any of the said Streets; or, being a Blacksmith, Whitesmith, or Nail Maker, or other Person occupying a Blacksmith's, Whitesmith's, or Nail Maker's Shop situate in or near any of the said Streets within the said Township of *Chorlton-upon-Medlock*, and having a Door or Doors, or Window or Windows, or other Opening

or

or Openings fronting or opening into or towards the same, shall not, by good and close Doors and Shutters, as the Case may require, every Evening not later than Half an Hour after Sunset, bar and prevent the Light from such Shop shining into or upon any of the said Streets; or if any Person or Persons shall hew, saw, bore, or cut any Timber or Stone, or throw, cast, lay, or place any Hay, Straw, Coals, Stones, Slates, Tiles, Lime, Bricks, Mortar, Timber, Boards, Iron, or other heavy Substance, (except Stones, Lime, Bricks, Mortar, Timber, or other Materials used for building, or Dirt or Rubbish thereby occasioned, which shall be placed or inclosed in manner mentioned in this Act, so as to prevent any Mischief happening to Passengers,) or if any Person shall permit any Coal or Fuel intended to be used in any House or Building to remain in any Street any longer Time than shall be necessary for housing the same, or shall kill or slaughter, or singe, scald, or dress, or shall cause or procure to be killed or slaughtered, or singed, scalded, or dressed, any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any Street within the said Township of *Chorlton-upon-Medlock*, or in any Shop or other Place adjoining and exposed to any such Street, or cause or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughter-house, Shambles, Butcher's Shop, Swinestye, or Dunghill into any of the said Streets within the said Township of *Chorlton-upon-Medlock*; or if any Person, being a licensed Publican or Victualler within the said Township of *Chorlton-upon-Medlock*, shall not erect or construct with Flags or other proper Materials, in some convenient and proper Situation other than to the Front of any public or principal Street or Place, and as little exposed as possible, about such Public House or Victualling House, a Recess or Convenience, with proper Drains from the same, for making Water against; or if any Person or Persons shall, in any of the said Streets within the said Township of *Chorlton-upon-Medlock*, sift, screen, wet, slack, or mix any Lime, or fix up any Flower Pot or Bow Pot or Pots at any upper Window or Windows, without sufficiently guarding the same so as to prevent their being blown or thrown down; or leave open (after Sunset) the Door, Hatchway, or Flap Window, Grate, Stone, Plate, Board, or other Covering giving Light or Air to any Cellar, Coalhole, Vault, Office, or other underground Room or Apartment, or of any Area, without having placed or left a sufficient Light to warn or prevent Persons from falling into such Cellars or other underground Rooms or Apartments or Areas; or leave open, or not effectually fasten and secure, any Grate, Stone, Plate, Board, or other Covering placed over any Opening in any Pavement, and used for putting Coals or other Articles into any Cellar or other Place underground, or shall not well and effectually guard and secure, by a proper and sufficient Arching or other Covering over or by a Wall around his, her, or their disused Coalpit or Shaft within the said Township; or if any Person or Persons shall not well and effectually guard and secure, by a proper and sufficient Arching or other Covering over; or by a Wall, Rail, or Fence around his, her, or their Reservoir, Pond, Dam, or Drain of Water within or near any of the said Streets within the said Township of *Chorlton-upon-Medlock*, so as effectually to prevent Accidents

Accidents to Persons and Cattle by reason of any such Reservoir, Pond, Dam, or Drain being left uncovered or unguardedly open; or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or if any Person or Persons shall cause or instigate any Dog Fight, or aid in or abet any such Dog Fight, or shall fight any pitched or other Battle or Prize Fight, or aid in or abet any such pitched Battle or Prize Fight, or bait or cause to be baited any Bull, Bear, Badger, or other Animal, or aid or abet the same, in any Part of the said Township of *Chorlton-upon-Medlock*; or wilfully wantonly, mischievously, or maliciously break, or abet or assist in breaking, any Glass or Window Pane or Window therein; or shall bathe in any open or exposed Situation in the said Township of *Chorlton-upon-Medlock*, or shall indecently expose his or her Person; or shall write or describe any obscene or indecent Language or Figure on any Wall, Door Post, or public Place within the said Township of *Chorlton-upon-Medlock*, or post or distribute any indecent or obscene Handbill, Notice, or Placard, or expose to Sale or distribute any indecent or obscene Print, Ballad, or Pamphlet within the same Township; or affix any Posting Bill or other Paper to or against any Dwelling House or Shop without the Consent of the Owner or Occupier thereof, or write upon or otherwise deface or mark the same by means of Chalk, Paint, or any other Material; or if any Person shall use any obscene, abusive, or indecent Language to or to the Annoyance of any Person going or passing along any of the said Streets; or if any Person or Persons shall, within the Distance of Five hundred Yards from any Dwelling House situate in or near any Street within the said Township of *Chorlton-upon-Medlock*, burn any Rags or Bones or other offensive Substance for making Manure, Ivory or other Black, or Ammoniac, or for any other Purpose of Trade, Manufacture, or Commerce, to the Annoyance of any Inhabitant of the said Township of *Chorlton-upon-Medlock*, or whereby any such Inhabitant shall be annoyed; or place, deposit, or keep any Night Soil, or the Emptyings, Cleansings, or Filth taken from any Privy, Drain, or Cesspool, or the Refuse, Offal, Garbage, Filth, or Sweepings of any Slaughter-house, or any Soap Lees, Ammoniacal Liquor, or any other noisome or offensive Matter whatsoever, in or upon any open or inclosed Ground within the aforesaid Distance from any such Dwelling House as aforesaid, to the Annoyance of any Inhabitant of the said Township of *Chorlton-upon-Medlock*, or whereby any such Inhabitant shall be annoyed, otherwise than during the Time of the same being removed; or if any Person or Persons shall place or keep any Pigstye, Swinestye, or Hogstye to the Front of any of the said Streets; each and every Person so offending in any of such Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing aforesaid, as the Case may be, (in any of such Cases where the Person actually offending cannot be found or discovered,) or the Person causing any of such Offences, Matters, or Things to be committed or done, shall for each and every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Regulations as to Night Soil, &c.

CXXV. And be it further enacted, That if any Person or Persons shall empty, or begin or continue to empty, or assist in emptying, any Slaughter-house, Swinestye, Boghouse, or Privy in the said Township of *Chorlton-upon-Medlock*, or remove or cause to be removed, any Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter therein, or carry or cause to be carried any Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter in or through any of the Streets within the same Township, except between the Hours of Twelve of the Clock in the Night and Seven of the Clock in the Morning from *Lady Day* to *Michaelmas Day* in every Year, or except between the Hours of Twelve of the Clock in the Night and Nine of the Clock in the Morning from *Michaelmas Day* to *Lady Day* in every Year; or shall leave, or suffer any Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter to remain, either in any Cart or other such Carriage, or otherwise, in any Street in the said Township after the Hour of Seven of the Clock in the Morning on any Day from *Lady Day* to *Michaelmas Day* in every Year, or after the Hour of Nine of the Clock in the Morning on any Day from *Michaelmas Day* to *Lady Day* in every Year; or shall at any Time use any Cart or Carriage, without having a proper Covering or Boards called Flash Boards, for the Removal of such Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter, in order to prevent the same from slopping or spilling, or shall at any Time negligently slop or spill, or shall put, or cause to be put or cast, any Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter, out of any Cart, Tub, or otherwise, in or over any Street in the said Township, or into any Drain or Drains, Sough or Soughs in the same Township, or in any other respect improperly, carelessly, or negligently remove the same, or shall use for any such Purpose, in the same Township, any Cart or Carriage at any Time or Hour, save and except between the Hours of Twelve of the Clock at Night and Seven of the Clock in the Morning on any Day from *Lady Day* to *Michaelmas Day* in every Year, or except between the Hours of Twelve of the Clock in the Night and Nine of the Clock in the Morning on any Day from *Michaelmas Day* to *Lady Day* in every Year; or if any Person or Persons shall at any Time or Times put or place any Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter in any Situation in any of the said Streets, or in any other Situation, public or private, in the same Township, to the Annoyance of any Inhabitant thereof, or whereby any such Inhabitant shall be annoyed; or if any Person or Persons, having been employed in emptying or removing such Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter, shall not well and carefully sweep and cleanse the Place or Places in or upon which such Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter shall have been placed, or over which the same shall have been carried, in any of the said Streets, or in any other Situation, public or private, in the same Township, and remove such Sweepings therefrom before the said Hour of Seven of the Clock in the Morning in any Day from *Lady Day* to *Michaelmas Day* in every Year, and before the Hour of Nine of the Clock in the Morning on any Day from *Michaelmas Day* to *Lady Day* in every Year; every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty

Shillings; and it shall be lawful, in any of the Cases aforesaid for any Officer or Officers, or other Person or Persons employed by the said Commissioners under this Act, (and he and they is and are hereby strictly charged, required, and directed so to do,) without any Warrant or other Authority than this Act, to seize, take, and carry away, or caused to be seized, taken, and carried away, all such Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter which shall be so left in any of the said Streets after such Hours in the Morning as aforesaid, and to apprehend and carry any and every such Offender to any Lock-up-House or other Place of Confinement, and thence convey such Offender, as soon as conveniently may be, before some Justice of the Peace for the said County of *Lancaster*, who, upon Oath or Affirmation made of any such Offence as aforesaid, may convict any such Offender in any Sum not exceeding Forty Shillings; and in case of Nonpayment of such Sum shall commit every such Offender to the House of Correction for the Hundred of *Salford* for any Time not exceeding Thirty Days, to be computed from the Day of Commitment; and the Owner or Owners of any Cart, Carriage, Horse, or Beast employed in and about emptying or removing such Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter, (except within the Hours and with the covered Carts or Carriages above allowed,) or the Employer or Employers of any Person or Persons who shall offend in any of the Cases aforesaid, shall forfeit and pay any Sum not exceeding the Sum of Forty Shillings for every such Offence; and it shall be lawful for any Officer or Officers, or other Person or Persons employed by the said Commissioners, without Warrant or any other Authority than this Act, to seize such Carts or Carriages, or the Horses or Beasts drawing the same, with the Geers, Harness, and Accoutrements, and the Loading thereof, and remove and take such Carts, Carriages, Horses, or Beasts, Geers, Harness, and Accoutrements, and the Loading thereof, to such Place or Places within the said Township as may be by the said Commissioners for such Purposes appointed, or to any other convenient Place or Places in the same Township, there to be detained until the Owner or Owners, Employer or Employers thereof, shall pay the said Penalty, together with any Costs, Charges, and Expences incurred in and about the Seizure, removing, and keeping of such Carts, Carriages, Horses, Beasts, Geers, Harness, and Accoutrements; and in case such Carts, Carriages, Horses, Beasts, Geers, Harness, and Accoutrements shall not be demanded, and the said Penalty, and all such Costs, Charges, and Expences, shall not be paid within Three Days next after such Seizure, then it shall be lawful for the said Commissioners to order the same to be appraised and sold, and the Money arising therefrom shall be applied in Payment of such Penalty, Costs, Charges, and Expences, and the Overplus (if any) shall be paid to the Owner or Owners, when he, she, or they shall apply for the same; such Penalty to be paid to the Treasurer for the Time being of the said Commissioners, to be applied for the Purposes thereof; and all such Night Soil, Carrion, Offal, Blood, Filth, or other offensive Matter, and the Matters and Things wherewith the same shall be mixed, so seized as aforesaid, shall belong to and become the Property of the said Commissioners.

CXXVI. And

Owners of Cottages to provide and keep in repair Privies.

CXXVI. And be it further enacted, That the several Proprietors or Owners of Cottages and other small Tenements in the said Township of *Chorlton-upon-Medlock* shall and they are hereby required to provide and keep in good Repair such and so many Necessary Houses or Privies, with such proper Doors and Coverings to the same, as the said Commissioners under this Act shall consider requisite for the Use of the Tenants or Occupiers thereof; and if such several Proprietors or Owners shall not provide and keep in repair such Necessary Houses or Privies, with such Doors and Coverings to the same, within One Calendar Month next after Notice in Writing for that Purpose from the Clerk or Clerks of the same Commissioners, then and in every such Case every such Proprietor or Owner making default shall forfeit and pay any Sum not exceeding Five Pounds for each such Necessary House or Privy, and Door or Covering to the same, which shall not be so provided and kept in repair, and any further Sum not exceeding Five Shillings for every Week during which such Necessary House or Privy, or such Door or Covering to the same, shall not be provided after the Expiration of such Notice.

For preventing Obstructions in the Streets.

CXXVII. And be it further enacted, That if any Waggon, Cart, Dray, or other Carriage of the like Description shall be left or suffered to stand or continue in any Street within the said Township of *Chorlton-upon-Medlock*, either in the Night or in the Day-time, either loaded or unloaded, or with or without Horses, for any longer Time than Fifteen Minutes, for the necessary loading or unloading thereof, and except whilst the same shall be loading or unloading, or in case the same shall not during such Time be placed so as to interrupt the public Passage as little as possible; or if any Stage Coach, Diligence, Post Chaise, or other Carriage of the like Description shall be left or suffered to stand or continue in any of the said Streets longer than Fifteen Minutes for the taking up or setting down any Passenger or Passengers, or for loading or unloading of his, her, or their Luggage; or if any Timber, Iron, Bricks, Stones, Slates, Tiles, Sand, Lime, Mortar, Hay, Straw, Coals, Boards, Casks, Tubs, Barrels, Goods, Wares, Merchandize, Materials, Articles, Matters, or Things whatsoever, shall be laid, placed, or suffered to remain in any such Street longer than shall be necessary for removing and housing the same, then and in every such Case the Owner or Owners of every such Waggon, Cart, Dray, Coach, Chaise, or other Carriage, or of any such Timber, Iron, Bricks, Stones, Slates, Tiles, Sand, Lime, Mortar, Hay, Straw, Coals, Boards, Casks, Tubs, Barrels, Goods, Wares, Merchandize, Materials, Articles, Matters, or Things which shall be so left or suffered to remain in any of the said Streets as aforesaid, as well for himself, herself, or themselves, or his, her, or their Servants or Workmen, shall for every Offence in any of the aforesaid Particulars forfeit and pay any Sum not exceeding Forty Shillings; and it shall be lawful for any Commissioner, or for any Officer of the said Commissioners, or for any other Person or Persons acting under their Authority, without the Presence of any Peace Officer or other Warrant, to seize or cause to be seized any such Waggon, Cart, Dray, Coach, Chaise, or other Carriage so placed or suffered to stand or continue contrary to the Intent of this Act, together with any Horse or Horses which may

may be thereunto affixed, or the Gearing, Furniture, or Loading thereof, or the Timber, Iron, Bricks, Stones, Slates, Tiles, Sand, Lime, Mortar, Hay, Straw, Coals, Boards, Casks, Tubs, Barrels, Goods, Wares, Merchandize, Materials, or other Articles, Matters, or Things so left or suffered to remain as aforesaid, and to remove the same, or cause the same to be removed, to any Common Pound used by the Inhabitants of the said Township of *Chorlton-upon-Medlock*, or to any other Place within the said Township of *Chorlton-upon-Medlock* which shall be appointed for that Purpose by the said Commissioners, there to be kept and detained until the said Penalty shall be paid; and in case such Penalty and Charges shall not be paid within the Space of Three Days next after such Seizure, it shall be lawful for the said Commissioners to cause the same Articles to be sold for defraying the Penalty and Charges, and the Overplus, if any, of the Money arising from such Sale, after deducting the said Penalty and Charges, shall be returned, on Demand, to the Owner or Owners of the aforesaid Articles.

For Protection of Footways.

CXXVIII. And be it further enacted, That if any Person or Persons shall run, draw, or drive or carry any Truck, Wheelsledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever on any of the Foot Pavements or other Footways in any of the Streets or Places within the said Township of *Chorlton-upon-Medlock*, except only for the Purpose of crossing the same, or shall roll any Cask or Tub thereon, except for the Purpose of crossing the same as aforesaid; or shall drag or carry any Timber or Log of Wood, or any Ladder or Ladders, or any Stone or Metal, or any other bulky Article, over, along, or upon the same; or shall set or place any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Barrel, Box, Pail, Bucket, Stool, Bench, Stall, Showboard, Basket, or Goods of any kind, or erect, set up, or place any Blind, Shade, Covering, or Awning, except such Blind, Shade, Covering, or Awning shall be Nine Feet at least in Height in every Part thereof from the Surface of the Ground, and shall extend over the whole of such Footway or Causeway, or any other Matter or Thing in the Front of or before any House, Shop, or other Building, so as in any way to cause any Obstruction or Impediment on any such Footway or Causeway; or if any Person or Persons shall insult, jostle, or annoy any Person or Persons travelling, passing, or going on or along any such Footway or Causeway; or shall wilfully ride, lead, or drive, on any such Footway or Causeway, any Horse, Mule, Ass, Swine, Sheep, or other Beast or Cattle of any kind whatsoever, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading to go thereon; or tie or fasten any Horse or other Beast or Cattle to any Door, Wall, Post, Tree, or other Thing whatsoever, so that such Horse, Beast, or Cattle can go or stand across or upon any such Footway or Causeway; or shall set, place, hang up, or otherwise expose to Sale the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, or any other Matter or Thing, in or upon or so as to project over or upon any Footway, or beyond the Line of or on the Outside of the Window or Windows of the House or Shop at which the same

same shall be so hung up or placed or exposed to Sale, or so as to obstruct or incommode the Passage of any Person on any of the said Footways or Causeways, or shall in any other Manner obstruct or incommode, hinder or prevent, the free Passage of any such Footway or Causeway, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings; and it shall be lawful for any Commissioner under this Act, or for any Officer or Officers or other Person or Persons appointed by the said Commissioners, without the Presence of any Peace Officer or other Warrant, to seize or cause to be seized any such Wheelsledge, Wheelbarrow, Handbarrow, Bier, or Carriage, or Milk Can or Milk Cans, Timber or Log of Wood, Ladder or Ladders, Stone, Metal, or other bulky Article, Furniture, Goods, Wares, or Merchandize, Cask, Tub, Barrel, Box, Pail, Bucket, Stool, Bench, Stall, Showboard, Basket, or Goods, so run, drawn, driven, or carried, rolled, dragged, set, or placed, or any such Horse, Mule, Ass, Swine, Sheep, or other Beast or Cattle so rode, led, or driven to any Common Pound used by the Inhabitants of the said Township of *Chorlton-upon-Medlock*, or to any other Place or Places within the same Township which shall be appointed for that Purpose by the said Commissioners, there to be kept and detained until the said Penalty shall be paid; and in case such Penalty, and the reasonable Charges of such Seizure, shall not be paid within the Space of Three Days next after such Seizure, it shall be lawful for the said Commissioners to cause the same Articles, Matters, and Things to be sold for defraying the Penalty and Charges; and the Overplus, if any, of the Monies arising from such Sale, after deducting the Penalty and Charges, shall be paid, on Demand, to the Owner or Owners of the aforesaid Articles.

For punishing Misbehaviour by Drivers of Carriages.

CXXIX. And be it further enacted, That if any Driver of any Waggon, Cart, Dray, Sledge, or other Carriage of the like Description, (except Carriages on Springs, and driven by some Person holding the Reins thereof,) shall ride upon the Shafts or upon any other Part of such Carriage, or any of the Horses, Asses, Mules, or Cattle drawing the same, or shall drive the same faster than a Walk, in any of the said Streets within the said Township of *Chorlton-upon-Medlock*; or if the Driver of any Carriage whatsoever shall be at such a Distance from the same, during its Passage through any Part of the same Township, as not to possess the complete Direction over the Horses or Beasts drawing the same; or if the Driver of any Carriage whatsoever, or if any Person riding or driving any Horse or Horses laden with Milk Pans, shall drive or ride the same furiously in any such Street, or shall, by Negligence or wilful Misbehaviour, hinder or interrupt the free Passage of any Carriage or any Passenger along the same; or if any Person shall place any Cart or other Carriage athwart or across any such Street; or if the Driver of any empty or unloaded Waggon, Cart, or other such Carriage shall refuse or neglect to turn aside and make way for any Coach, Chaise, or loaded Carriage of any such or other Description, or when driving any Waggon, Cart, Sledge, or other Carriage shall not readily and promptly turn the same out of the Road on meeting any Horse or Horses, Carriage or Carriages, so

as to leave proper and sufficient Quarter for such Horse or Horses, Carriage or Carriages; or if any Person, when driving any Sort of Carriage whatsoever, and meeting any other Carriage, shall not keep his or her Carriage on the Left or Near Side of the Street, or shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, within any such Street, or by Negligence or Misbehaviour prevent or interrupt the free Passage of any Carriage, or of His Majesty's Subjects, within any such Street; or when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, so as to endanger the Life or Limb of any Person, or drive the same against and injure or damage any Curb Stone or Foot Pavement or Causeway, or any Post placed up to protect the same; or if any Person acting as the Driver of Two Carts or other Carriages shall drive the same, when under the Care and Superintendence of One single Person, in any of the said Streets, with more than One Horse each; or if any Person or Persons shall drive more than Two Carts or Carriages attached together in any of the same Streets; or if any Person or Persons shall drive any Two Carts or Carriages attached together in any of the same Streets without having the Horse of the hinder Cart attached by a Rein or Reins to the Back of the Cart which shall be foremost, or without having the hinder Cart attached to the Cart which shall be foremost by Chains extending directly from each Side of the foremost Cart to the Shafts of the hindmost Cart, and of such Length only as to leave a Space of not more than Four Feet between the Back of the foremost Cart and the Shafts of the hindmost Cart; or if any Person shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Streets, any Tree or Piece of Timber, or any Stone, otherwise than upon a Wheel Carriage, or shall suffer any Part of any Tree or other Piece of Timber to drag upon any Part of the said Streets; or if any Person shall carry or convey any Timber of Twenty Feet long or upwards upon any Waggon, Cart, or other Carriage, through any of the said Streets, without having or being attended by One Person besides the Driver, for the Purpose of guiding and who shall guide such Timber, and shall prevent the same from striking against any Person, or against any House, Shop, Wall, or other Building, while the same is so conveyed through any of the said Streets, then and in every such Case every such Driver, Rider, or other Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Shillings; and every such Driver, Rider, or other Person offending in any of the said Cases shall and may, by the Authority of this Act, with or without Warrant, be apprehended by any Commissioner under this Act, or any Officer or Officers, or other Person or Persons appointed by the said Commissioners, who shall see the Offence committed; and it shall be lawful for the Person or Persons so apprehending such Driver, Rider, or other Person to cause him or her to be conveyed, or delivered to a Peace Officer in order to be brought before some Justice of the Peace for the said County of *Lancaster*, to be dealt with according to Law; and if any such Driver or Rider or other Person, in any of the Cases aforesaid, shall refuse to disclose his or her Name, the necessary Proceedings may be had against him or her before such Justice for the

the said Penalty, by a Description of his or her Person, and the Offence committed, without there being any Necessity for stating his or her Name.

Commissioners may erect Weighing Machines.

CXXX. And be it further enacted, That it shall be lawful for the said Commissioners to provide, erect, and fix such and so many Machines for the weighing of Carriages, in such convenient Place or Places within the said Township of *Chorlton-upon-Medlock* as they shall think fit; and also provide, rent, or purchase a proper Machine House or Houses, and to appoint such Person or Persons for the weighing of Carriages which shall be brought to any such Machine, and from Time to Time to remove such Persons as they shall think proper, and to appoint and regulate the Tolls and Fees to be paid upon the weighing of all such Carriages; which Tolls and Fees shall be paid, either wholly or in part, to the Persons having the Charge of such Weighing Machine; or it shall be lawful for such Commissioners to pay and allow any Salary to the Person or Persons having the Charge of any such Weighing Machines, as they shall think proper; or it shall be lawful for the said Commissioners to demise or let to farm any such Weighing Machines, and the Tolls, Fees, and Profits to arise and be made therefrom, with their Appurtenances, to any Person or Persons who shall be willing to take or farm the same, either by Public Auction or Private Contract, for any Term not exceeding Seven Years at any One Time, at such Rent and Rents, and upon such Terms and Conditions, and with such Securities for Payment thereof, as shall be agreed upon and contracted for by and between such Commissioners and the Person or Persons respectively to whom such respective Letting shall be made.

Drivers of Carts, &c., to go to Weighing Machines at Request of Buyers.

CXXXI. And be it further enacted, That the Driver of every Waggon, Cart, or other Carriage loaded with any Goods brought into the said Township of *Chorlton-upon-Medlock* to be sold therein shall, at the Request of the Buyer or Seller of every such Goods, or the Person or Persons in whose Behalf the same shall be consigned, or their respective Agents, take and convey such Carriage, with or without the Loading thereof, to be weighed at One of the Machines to be so erected and fixed as aforesaid, if any such there shall be, for which no additional Charge shall be made, unless such Waggon, Cart, or Carriage shall for the Purpose aforesaid be required to go a greater Distance from the regular Course of the said Road by which it would be otherwise necessary to pass in the Conveyance of the Goods laden in such Waggon, Cart, or Carriage than Half a Mile, including the going to and returning from any such Weighing Machine, in which the Owners of such Waggons, Carts, or Carriages shall be allowed to make an additional Charge of Two-pence for every Horse which shall be used in drawing the same, and a further Charge of the like Amount for every additional Half Mile that any such Waggon, Cart, or Carriage shall be taken out of the direct and regular Road for the Purposes aforesaid; and that all such additional Charge for Carriage, together with the Tolls or Fees to be paid for weighing any such Waggon, Cart, or Carriage, shall be paid and borne by the Person or Persons requiring the same to be weighed as aforesaid.

CXXXII. And

Penalty on Drivers refusing to go to Weighing Machines.

CXXXII. And be it further enacted, That in case the Driver or other Person having the Charge of any such Waggon, Cart, or Carriage shall not, upon being so requested as aforesaid, take the same to such public Weighing Machine as herein-before is directed, or shall refuse to assist in the weighing of the same in such Manner as the Drivers of Carts and Waggons are used and accustomed to do, every Person so offending, and being thereof convicted before any Justice of the Peace for the said County of *Lancaster*, shall forfeit and pay to the Person or Persons requiring such Waggon, Cart, or Carriage to be weighed as aforesaid any Sum of Money which such Justice shall direct, not exceeding Forty Shillings nor less than Ten Shillings; and the Party aggrieved and entitled to such Penalty, shall be deemed a competent Witness for the Proof of such Offence.

Penalty on Carters, or Machine Keepers, committing Frauds as to the weighing Carts, &c.

CXXXIII. And be it further enacted, That if any Owner or Driver, Owners or Drivers of any Cart or Carts or other Carriage or Carriages conveying Coals, Hay, or other Goods, Wares, or Merchandize to the said Township of *Chorlton-upon-Medlock*, at any Time after the Commencement of this Act, whose Cart or Carts or other Carriage or Carriages, shall be weighed at any Weighing Machine to be erected or provided as aforesaid, or at any other Machine within the same Township, shall, at the Time of weighing the same, place or knowingly have any Article, Matter, or Thing in or about any such Cart or Carriage, other than and besides the proper Loading thereof, or shall alter any Ticket denoting the Weight of any such Cart or Carriage, or of the Loading of the same, which shall be delivered at any such Machine; or shall make or use, or be privy to the making or using, any false or fraudulent Ticket respecting the Weight of any such Cart or Carriage, or the Loading thereof; or, after the weighing of any such Cart or Carriage, with the Loading of the same, shall dispose of or remove any Part of such Loading, and shall afterwards deliver or dispose of, or attempt to deliver or dispose of, the Residue of such Loading as being the full Loading denoted by such Ticket; or shall be guilty of any other fraudulent Contrivance touching the Weight of any such Cart or Carriage, or of the Loading thereof; or shall, after the same and the Loading thereof have been so weighed, change the Wheels thereof, and put or place on lighter Wheels, or make any Alteration, or do any other Matter or Thing to the said Cart or Carts, Carriage or Carriages, so as to alter or affect the Weight thereof, before the same shall be brought back to the same Machine to be again weighed without the Loading thereof; or if such Owner or Driver, Owners or Drivers, of any such Waggon or Waggons, Cart or Carts, Carriage or Carriages, which shall have been weighed, with the Loading thereof, at any Machine as aforesaid, shall neglect or refuse to bring back the same, without Alteration, to be again weighed at the same Machine, being paid such Allowance for the same as herein-before is mentioned in case of its being necessary to deviate from the proper Road of such Cart or Carriage for the weighing of the same; or if the Purchaser or Purchasers of any Coal, Hay, or other Goods, Wares, or Merchandize conveyed in any Cart or Carts, Carriage or Carriages, to the said Township of *Chorlton-upon-Medlock*, and which shall have been weighed at any Machine within the same Township, shall, after the

same Cart or Carts, or other Carriage or Carriages, with the Loading thereof, have been so weighed as aforesaid, change the Wheels thereof, or cause the same to be changed, and put or place on, or cause to be put or placed on, heavier Wheels, or make any Alteration, or do any Matter or Thing to the said Cart or Carts, Carriage or Carriages, before the same shall be brought back to the said Machine to be again weighed without the Loading thereof; or if the Master or Keeper of any Weighing Machine in the said Township of *Chorlton-upon-Medlock*, whether erected or provided by virtue of this Act or otherwise, shall weigh any Cart or Carts, or other Carriage or Carriages, knowing that any thing had been added to the proper Loading thereof so as to increase the Weight of the same, or that the Wheels thereof have been changed or altered between the Time of the same and the Loading thereof being last weighed and the Time of the same coming back to be again weighed, without giving immediate Notice thereof to the Person or Persons interested therein; or if the Master or Keeper of any such Machine shall wilfully neglect to weigh any Cart or Carts, or other Carriage or Carriages, that shall come to his or their Machine to be weighed, according to the Turns in which Application shall be made for that Purpose; or shall not fairly and truly weigh the same, with or without the Loading thereof, as the Case may be, and deliver to the Purchaser or Purchasers of such Coals, Hay, or other Goods, Wares, or Merchandize, or any other Person interested therein, or the Agent of any such Person, on Application for that Purpose, a Ticket or Account containing the true Weight of the said Cart or other Carriage, and also the Weight of the Contents thereof; or shall give to the Driver of such Cart or other Carriage a false Ticket or Account of the said Cart or other Carriage, or shall knowingly assist in or connive at any Fraud to be committed or attempted in or concerning the weighing of any such Cart or Carriage, or the Loading thereof, or any false Report or Representation of the Weight of the same; or if any other Person or Persons whomsoever shall knowingly act or assist in the committing of any Fraud respecting the Weight of any such Cart or Carriage to be weighed, or stated and represented to be weighed, at any such Machine, or the Loading thereof, or in committing any of the Offences herein-before mentioned respecting any such Cart or Carriage which shall be weighed or brought to be weighed at any such Machine, or which shall be alleged to have been weighed at any such Machine; then and in every such Case or Cases the Person or Persons from Time to Time offending, and being convicted thereof, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Commissioners may provide Fire Engines.

CXXXIV. And be it further enacted, That it shall be lawful for the said Commissioners under this Act from Time to Time to provide and maintain, or contribute to the Expence of providing and maintaining, Fire Engines, Pipes, Buckets, or other Things belonging thereto, in good working Repair and Order, and from Time to Time to purchase any new Engine or Engines, Pipes, Buckets, or other Things belonging thereto, which they shall consider necessary, for the Use of the said Township of *Chorlton-upon-Medlock*, and to hire or contribute to the hiring of Firemen and other proper Persons to attend to such Engines,

and to pay and defray all Costs and Charges, Salaries, Allowances, Wages, and other Expences attending the same respectively, and of the Rates and Monies to be levied, raised, and received by virtue of this Act.

Commissioners may hire Assistants at Fires.

CXXXV. And be it further enacted, That it shall be lawful for the said Commissioners, or any Officer by them appointed in that Behalf, and they, as well as such Officer, are and is hereby required, at and during any Fire or Fires which may happen in the said Township, to hire any Number of Men to assist the Firemen in the Employ of the said Commissioners in managing the Fire Engines and endeavouring to extinguish such Fires, at a Rate not exceeding One Shilling *per* Hour for each Person so hired and employed; and the Occupier or Occupiers of any House or Houses, Building or Buildings, Works, Tenement or Tenements, where such Fires happen, and where such Assistants have been hired by the Authority and for the Purpose aforesaid, shall pay to the said Commissioners any Sum not exceeding One Shilling in the Pound on the annual Value the same Premises shall be rated at in the last Rate made for the Relief of the Poor of the said Township; as also the Owner or Owners where such Fires happen shall, under the Conditions as aforesaid, pay to the said Commissioners any Amount not exceeding the Sum authorized to be paid to the said Commissioners by the Occupier or Occupiers towards defraying the hiring of the said Assistants; and in case of Difference as to the Amount to be so paid, or the Parties by whom the same shall be paid, any Justice of the Peace for the said County shall and he is hereby authorized and required, upon the Application of the said Commissioners, to enquire into the Premises, and the Facts and Circumstances thereof, upon Proof on Oath, if he shall so require; and upon such Inquiry the said Justice shall and may award and order any Amount or Amounts to be paid not exceeding in the whole for any One Fire the Sum as aforesaid, and by whom and in what Proportions the same shall be paid; and if the Amount or Amounts which may be so awarded and ordered, or any Portion thereof respectively, be not forthwith paid, the same may be recovered as Fines, Penalties, and Forfeitures are by this Act directed to be recovered.

Commissioners may provide public Clocks.

CXXXVI. And whereas the placing of Clocks in public Situations in the Township of *Chorlton-upon-Medlock* would be a great Convenience to the Inhabitants thereof; be it further enacted, That it shall be lawful for the said Commissioners and they are hereby empowered from Time to Time to purchase and provide such and so many Clocks as they shall consider necessary, and to place and fix, or cause to be placed and fixed, the same in, upon, or against any public Building or Buildings, and, with the Consent of the Owner and Occupier, but not otherwise, in, upon, or against any private Building or Buildings the Situation of which may be convenient for that Purpose, and from Time to Time to alter and remove, or cause to be altered and removed, such Clock or Clocks to any other like Situation or Situations as such Commissioners shall consider expedient, and to light such Clock or Clocks with Gas or otherwise if the said Commissioners shall think fit, and from Time to Time to pay all Expences of

and relating to such Clock or Clocks, and the purchasing, providing, placing, fixing, removing, and refixing the same, and of lighting and keeping the same in repair, and an adequate Salary or Wages to the Person or Persons who shall be appointed for regulating and ordering the same, from and out of the Rates and Monies to be levied, raised, and received by virtue of this Act.

Commissioners may license Hackney Coaches.

CXXXVII. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized from Time to Time to license a sufficient Number of Hackney Coaches, Chaises, Cars, Sociables, Cabriolets, Flys, and other Carriages and Sedan Chairs, Ticket Porters, and Porters Carts, to ply for Hire within the said Township of *Chorlton-upon-Medlock*, under such Rules, Orders, and Regulations as are hereinafter mentioned, and for which Licence no more than Five Shillings shall be paid, and the same shall continue in force for One Year.

Commissioners to make Bye Laws.

CXXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners to constitute and ordain, and from Time to Time to provide, such Bye Laws, Rules, Orders, and Regulations as they shall think fit, for regulating all Officers, Workmen, and Servants to be employed by them under the Authority of this Act, and for regulating the licensing of Hackney Coaches, Chaises, Cars, Sociables, Cabriolets, Flys, and other Carriages, and Sedan Chairs, and Ticket Porters, and Porters Carts, to ply for Hire within the said Township of *Chorlton-upon-Medlock*, and for regulating and ordering such Hackney Coaches, Chaises, Cars, Sociables, Cabriolets, Flys, and other Carriages and Sedan Chairs, and also such Ticket Porters and Porters Carts, and in what Manner the Owners, Drivers, and Carriers thereof, and the said Ticket Porters respectively, shall conduct and behave themselves; and also in what Manner such Hackney Coaches, Chaises, Cars, Sociables, Cabriolets, Flys, and other Carriages, and Sedan Chairs, shall be furnished and provided, and what Number of Persons may be carried in each of such Coaches, Chaises, Cars, Sociables, Cabriolets, Flys, and Chairs; and for compelling such Owners, Drivers, Carriers, and Ticket Porters respectively to register the Names and Places of Abode of all Owners, Drivers, Carriers, and Porters respectively, with the Clerk or Clerks or other Officer or Officers of the said Commissioners; and touching and concerning the Messages, Goods, Parcels, and Things to be carried and conveyed by such Ticket Porters or any of them; and for ascertaining and fixing, altering and removing, from Time to Time, the Stands of such Coaches, Chaises, Cars, Sociables, Cabriolets, Flys, and other Carriages, Sedan Chairs, Ticket Porters, and Porters Carts; and for trying, adjudging, and punishing Misconduct or Misbehaviour of Drivers of Hackney Coaches, Chaises, Cars, Sociables, Cabriolets, Flys, and other Carriages, and of Chairmen and Ticket Porters, plying for Hire within the said Township of *Chorlton-upon-Medlock;* and for ascertaining and fixing what Rates, Fares, and Prices, as well for Time as Distance, shall be allowed to be taken by such Drivers, Chairmen, Flymen, and Ticket Porters, plying for Hire within the same Township, and to what Distances such Drivers, Chairmen, Flymen, and Ticket Porters shall

be

be obliged to drive, go, and come, in, through, and round the same Township, not exceeding for such Drivers Six Miles, not exceeding for such Chairmen or Flymen Two Miles, and not exceeding for such Ticket Porters Three Miles; and the said Commissioners may, from Time to Time as they shall think fit, repeal, alter, or amend such Bye Laws, Rules, Orders, and Regulations, or any of them, and shall ascertain and set down what pecuniary Penalties or Forfeitures shall be incurred by Persons breaking the same, or any of them; and such Penalties and Forfeitures shall be recovered and recoverable as other Penalties or Forfeitures are by this Act directed to be recovered: Provided that no such Penalty or Forfeiture, to be ascertained and set down as last aforesaid, shall exceed the Sum of Forty Shillings for the first Offence, nor Five Pounds for the second or any subsequent Offence: Provided also, that no such Bye Law, Rule, Order, or Regulation be repugnant to the Laws of that Part of the United Kingdom called *England*, or to any thing in this Act contained.

Bye Laws to be signed by the Clerk to the Commissioners, and published, &c.

CXXXIX. And be it further enacted, That the said several Bye Laws, Rules, Orders, and Regulations, and every Repeal, Alteration, or Amendment thereof, signed by the Clerk or Clerks to the said Commissioners, shall, so far as the same relate to such Hackney Coaches, Chaises, Cars, Sociables, Cabriolets, Flys, and other Carriages, and Sedan Chairs, Ticket Porters and Porters Carts, or to the respective Owners, Drivers, or Carriers thereof, or to such Ticket Porters as aforesaid, be published in One or more of the *Manchester* Newspapers Fourteen Days at least before any such Bye Law, Rule, Order, or Regulation, Repeal, Alteration, or Amendment, shall be executed or take effect; and the same shall be subject to Appeal in manner hereinafter mentioned; and the same shall be painted on Boards, and hung up or placed in some conspicuous Place or Places in the said Township of *Chorlton-upon-Medlock*, and shall be renewed as often as the same shall become obliterated or defaced.

Penalty on Persons plying with Coaches, &c. without Licence, or in improper Places.

CXL. And be it further enacted, That if the Driver of any Coach, Chaise, Car, Sociable, Cabriolet, Fly, Porter's Cart, or other Carriage, or the Carrier or Carriers of any Sedan Chair, or any Ticket Porter, shall be found standing or plying for Hire, or using such Coach, Chaise, Car, Sociable, Cabriolet, Fly, Ticket Porter, Porter's Cart, or other Carriage, or Sedan Chair, in the said Township of *Chorlton-upon-Medlock*, without such Licence as aforesaid, or having such Licence shall be found plying or standing for Hire contrary to the Bye Laws, Rules, Orders, or Regulations which shall be made by the said Commissioners under this Act in this respect, the Owner or Owners, Driver or Drivers of, or the Person or Persons driving or offering to drive, such Coach, Chaise, Car, Sociable, Cabriolet, Fly, Porter's Cart, or other Carriage, and the Owner or Owners, Carrier or Carriers of such Sedan Chair, and every such Flyman and Ticket Porter, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

CXLI. And

Owners of Hackney Coaches, &c. to affix their Number, and leave Notices of their Places of Abode.

CXLI. And be it further enacted, That within Seven Days next after the Owner or Owners of any Hackney Coach, Chaise, Car, Sociable, Cabriolet, Fly, or other Carriage or Sedan Chair, or Porter's Cart, and also after any such Ticket Porter or Ticket Porters shall be licensed according to the Bye Laws, Rules, and Orders of the said Commissioners, by virtue of this Act, every such Owner or Owners of such Hackney Coach, Chaise, Car, Sociable, Cabriolet, Fly, or other Carriage, Sedan Chair, or Porter's Cart, shall affix and keep such Figure or Number as shall be respectively appointed by such Commissioners on some conspicuous Part of such Coach, Chaise, Car, Sociable, Cabriolet, Fly, or other Carriage, Sedan Chair, and Porter's Cart respectively; and every such Porter shall affix the Number of his Licence on some conspicuous Part of his Person, and shall leave at the Office of the Clerk or Clerks for the Time being of the said Commissioners a true Account in Writing of his, her, or their Place or Places of Abode, with the Figure or Number of each Coach, Chaise, Car, Sociable, Cabriolet, Fly, or other Carriage, Sedan Chair, or Porter's Cart, and of his Person, and so from Time to Time as every such licensed Owner or Owners of such Hackney Coach, Chaise, Car, Sociable, Cabriolet, Fly, or other Carriage, Sedan Chair, or Porter's Cart, or Ticket Porter, shall remove from his, her, or their Place of Residence; and every such Person or Persons shall for every Neglect or Refusal so to do forfeit and pay any Sum not exceeding Twenty Shillings; and if any Owner or Owners of any Hackney Coach, Chaise, Car, Sociable, Cabriolet, Fly, or other Carriage, Sedan Chair, or Porter's Cart, not being licensed as aforesaid, shall fraudulently or with Intent to deceive affix or place on his or her Coach, Chaise, Car, Sociable, Cabriolet, Fly, or other Carriage, Sedan Chair, or Porter's Cart, any such Figure or Number to resemble any Figure or Number fixed by the said Commissioners for any Coach, Chaise, Car, Sociable, Cabriolet, Fly, or other Carriage, Sedan Chair, or Porter's Cart so licensed as aforesaid, or if any such Ticket Porter not licensed as aforesaid shall fraudulently or with Intent to deceive affix on his Person any Figure or Number to resemble any Figure or Number fixed by the said Commissioners for any Ticket Porter licensed as aforesaid, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

For Recovery of Fares, &c.

CXLII. And be it further enacted, That if any Person who shall have hired and employed any such Coach, Chaise, Car, Sociable, Cabriolet, Fly, or other Carriage, Sedan Chair, Porter's Cart, or Ticket Porter, shall refuse or neglect to pay any Rates, Fares, or Prices authorized by such Bye Laws, the same shall and may be levied and recovered in such and the like Manner as any Penalty or Forfeiture is hereby authorized to be levied and recovered.

Rates.

CXLIII. And for raising Money to enable the said Commissioners to carry into execution the several Powers, Provisions, Authorities, and Directions of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to raise and levy annually, or oftener if such Commissioners shall think proper, such Sum and Sums of Money as they shall think

necessary, by a Rate or Assessment to be made by or under the Direction of such Commissioners, and to be levied upon the Tenants or Occupiers of Houses, Warehouses, Shops, Cellars, Vaults, Founderies, Furnaces, Mills, Factories, Engine Houses, Print Works, Dye Works, Iron Liquor or other Chemical Works, Breweries, Brewhouses, Counting-houses, Granaries, Coach-houses, Stables, and other Buildings, Erections, Wharfs, Quays, Brick Crofts, Rope-walks, Yards, Gardens, Lands, and Tenements within the said Township of *Chorlton-upon-Medlock*, according to the annual Rent or Value of the same respectively, such annual Value to be from Time to Time settled, ascertained, and fixed by the said Commissioners under this Act, or as they shall direct and appoint; which Rates or Assessments shall be signed and allowed by Five or more of the said Commissioners; but the whole Sum to be raised under such Rates or Assessments shall not exceed in any One Year, such Year to commence and be computed from the Twenty-fourth Day of *June* yearly and every Year, the Sum of One Shilling and Sixpence in the Pound upon such annual Rent or Value; and the Money or Monies to be so rated or assessed on such Tenants or Occupiers shall from Time to Time become due and payable half yearly, by Two equal Portions in every Year, commencing and to be computed as last aforesaid, the first of which half yearly Payments or Portions shall become due and payable immediately after the Twenty-fourth Day of *June* in every Year, or so soon after that Day as such Rates and Assessments shall be signed and allowed by the said Commissioners under this Act as aforesaid, and the remaining half yearly Payment or Portion thereof shall become due and payable on the Twenty-fifth Day of *December* in every Year, or such Money or Monies to be so rated or assessed shall from Time to Time become due and payable in such other Manner as the said Commissioners shall think fit and direct; and the same Money or Monies shall by such Tenants or Occupiers be paid to and levied and collected by the Collector or Collectors for the Time being of the said Rates or Assessments, or other Person or Persons appointed by the said Commissioners under this Act to collect the same.

Power for recovering Rates.

CXLIV. And be it further enacted, That if any Tenant or Occupier of any of the Premises aforesaid shall neglect or refuse to pay any Sum or Sums of Money on him, her, or them respectively charged or rated or assessed, or to which he, she, or they shall become liable by virtue of this Act, to the said Collector or Collectors, or other Person or Persons, for the Space of Ten Days after Demand thereof in Writing by such Collector or Collectors or other Person or Persons as aforesaid, either delivered personally or left at the last or usual Place of Abode or Occupation of such Tenant or Occupier, or on the Premises for which such Person or Persons shall be so charged, rated, or assessed, or any Part thereof, then and in every such Case it shall be lawful for such Collector or Collectors, or such other Person or Persons as aforesaid, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County of *Lancaster*, which Warrant or Warrants the said Justice or Justices is and are hereby authorized and required to grant, upon due Proof on Oath (and which Oath any such Justice or Justices is and are hereby

hereby empowered to administer) on Confession made before him or them of the said Demand, and Nonpayment of such Sum or Sums of Money so rated or assessed, with the Assistance of some Constable or other Peace Officer to enter into any Dwelling Houses, Buildings, Tenements, or Hereditaments in the Occupation of the Person or Persons so neglecting or refusing to pay such Sum or Sums of Money so rated or assessed, and there or elsewhere to distrain the Goods and Chattels of such Person or Persons; and to sell and dispose of the Goods and Chattels so distrained, or such Part or Parts thereof as will be sufficient to pay the said Sum or Sums of Money so rated or assessed, together with all the Costs and Charges of the said Warrant and other Proceedings, and of making, keeping, and selling such Distress, rendering the Overplus, if any, of the Money to be raised by such Distress and Sale, together with what shall remain unsold, to the Owner or Owners of such Goods and Chattels, on Demand; or otherwise it shall be lawful for the said Commissioners to recover any such Rate or Assessment so due and payable by virtue of this Act, exceeding the Sum of Twenty Pounds, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, or Court of Common Pleas at *Lancaster*, or in any other Court or Courts whatsoever, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; but no such Warrant shall be issued for Recovery of any such Rate or Sum of Money until a Summons or Notice in Writing, requiring the Person or Persons from whom such Rate or Sum of Money shall be sought to be recovered to appear before some Justice or Justices of the Peace of the said County of *Lancaster*, and to shew Cause why such Rate or Sum of Money should not be paid, shall have been given to him, her, or them personally, or left at his, her, or their usual Place of Abode, or on the Premises in respect of which such Rate or Sum of Money shall be payable.

Form of Summons.

CXLV. And be it further enacted, That the said Summons or Notice to appear before such Justice or Justices shall be in the Words or to the Effect following (*mutatis mutandis*); that is to say,

'Lancashire, to wit.' } TO of the Township of in the said County. I, One of His Majesty's Justices of the Peace in and for the said County, do hereby summon and require you personally to be and appear at [*naming the Place*] in the said County on the Day of at the Hour of of the same Day, before me, or such other of His Majesty's Justices of the Peace of the said County as shall be then and there present, then and there to shew Cause, if you can, why you refuse to pay to the Collector or other the Person or Persons authorized to receive the same the Sum [*or several Sums*] of , being a Rate [*or respectively Rates*] made upon you for or in respect of certain Buildings, Lands, or Hereditaments occupied by you in the Township of *Chorlton-upon-Medlock* for the Year or Years under and by virtue of an Act of Parliament made and passed in the Year of the Reign of His Majesty King *William* the Fourth; and if you fail to appear at the Time and Place aforesaid you will be

'be proceeded against as if you had appeared and not shewn Cause 'for such Refusal. Given under my Hand the Day of '

Form of Warrant.

CXLVI. And be it further enacted, That the Warrant of Distress for the Nonpayment of any Rates or Assessments to be made under or by virtue of this Act may include One or more Person or Persons, and shall be in the Words or to the Effect following (*mutatis mutandis*); that is to say,

'Lancashire } TO the Collector or Collectors of the Rates made by
'to wit. } the Commissioners for executing an Act passed
'in the Year of the Reign of His Majesty King
'*William* the Fourth, intituled [*here insert the Title of this*
'*Act*], and also to the Constables and other Peace Officers
'of the said Township:

'WHEREAS the undernamed Persons, now or late Inhabitants, 'Landlords, Tenants, or Occupiers of Houses, Buildings, Lands, 'Tenements, or Hereditaments, or Parts of Houses, Buildings, 'Lands, Tenements, or Hereditaments within the Township of '*Chorlton-upon-Medlock* aforesaid, have been duly rated and as-'sessed under the Authority of the said Act, and there is now 'due from them respectively the several Sums of Money at their 'Names hereinafter respectively set down, which they have respec-'tively refused or neglected to pay, as appeareth upon due Proof 'upon Oath to me, One of His Majesty's Justices of the Peace for 'the said County of *Lancaster*; and the said several Persons having 'been summoned to appear before me to answer the Premises, 'and not having shewn any sufficient Cause why such Sums of 'Money should not be paid; These are therefore in His Majesty's 'Name to will and require you or any of you forthwith to 'levy the said several Sums by Distress and Sale of the respective 'Goods and Chattels of the Persons aforesaid, rendering to them 'respectively the Overplus (if any), the reasonable Charges of 'such Summonses, Warrants, Distresses, Sales, and Keeping being 'first deducted; and if no sufficient Distress can be had or taken, 'that then you certify the same to me, to the end that such 'further Proceedings may be had as the Law doth authorize or 'direct: And I do hereby strictly charge and command all and 'singular the Constables and other His Majesty's Peace Officers for 'the said Township to be aiding and assisting in all things relating 'to the Premises. Given under my Hand and Seal, this 'Day of

Sum due.

'*A. B.*
'*C. D.*'

Restraining Charges for Summonses, &c. for Rates.

CXLVII. Provided always, and be it further enacted, That no greater or further Charge shall be made by any Person or Persons whomsoever for any Summons or Warrant for Recovery of any Sum or Sums of Money for the said Rates or Assessments, not exceeding in each Case the Sum of Forty Shillings, or for any Informations, Orders, Oaths, Hearings, or other Proceedings relative thereto, by or before any Justice or Justices of the Peace, than Sixpence for each such Summons and Sixpence for each such Warrant.

CXLVIII. Pro-

Exemption from Rates.

CXLVIII. Provided always, and be it further enacted, That no Rates or Assessments whatsoever shall be made in pursuance of this Act, upon any Person or Persons, for or in respect only of his, her, or their being the Occupier or Occupiers of any Dwelling House under the annual Value of Four Pounds, such annual Value to be from Time to Time settled and ascertained by the said Commissioners according to the Amount of Rent actually paid by such Occupier or Occupiers for any such Dwelling House, or in such other Manner as such Commissioners may determine; provided also, that it shall and may be lawful for the said Commissioners, if they shall think fit, to compound with the Owner or Owners of any Dwelling House or Dwelling Houses which under this Act may be assessed at any Amount not exceeding Ten Pounds *per Annum* for a Sum less than the Rates or Assessments thereon, the said Commissioners not accepting for any such Composition less than One Half of the whole Year's Rates, and such Owner or Owners paying the Amount of such Composition forthwith on the same being agreed upon, and in the event of the same not being so paid the Tenants or Occupiers of every such Dwelling House shall be and remain liable to the full Amount of such Rates and Assessments, and to the Powers and Remedies hereby provided for Recovery thereof, in such and the same Manner as if no such Composition had been attempted; provided that no such Owner shall by the Payment of any such Composition be deprived of any Right of voting in the Election of Commissioners, or of being elected a Commissioner, which he might otherwise enjoy under the Provisions of this Act.

Lands, &c. exempted from being rated.

CXLIX. Provided always, and be it further enacted, That no Rate or Assessment shall by virtue of this Act be charged on or made payable by any Person for any Arable, Meadow, or Pasture Land within the said Township of *Chorlton-upon-Medlock*, or for or on account or in respect of any Church or Chapel within the said Township, or any Meeting House duly licensed for Religious Worship, or any Almshouse or Hospital, or for any Building, or Part or Parts of any Building, used, occupied, and appropriated exclusively for the gratuitous Education of the Poor, or for any public Charity.

Empty Property exempted.

CL. Provided always, and be it further enacted, That the Rates or Assessments aforesaid shall not be payable for or in respect of any Property hereby made liable to be rated or assessed, for or during the Time the same shall be empty or unoccupied.

How Rates to be paid when Houses are let in separate Apartments.

CLI. And be it further enacted, That any Person or Persons, being a Landlord or Tenant, who shall let his or her House in separate Apartments or ready furnished, or partly so, to a Lodger or Lodgers, or who shall let his or her Warehouse or other Building or Tenement in separate Apartments, Stores, or Tenements, or upon any Agreement by which the Rent shall be reserved or made payable at any shorter Period than Three Months, shall be considered as rated and assessed, and shall pay the Rates or Assessments by this Act directed to be levied or made, in such and the like Manner as if he or she were the actual Occupier thereof; or the same may be recovered by Distress and Sale of the Goods and Chattels of the Occupier or

Occupiers thereof respectively; provided that such Occupier or Occupiers be not in any Case liable to the Payment of Rates or Assessments beyond the Amount of his, her, or their Rent or Rents actually due from him, her, or them; and every such Occupier, having paid any such Rates or Assessments, shall then be at liberty to deduct and retain the Amount he, she, or they may so pay, and all incidental Costs, from his, her, or their Rent or Rents, and the Landlord or Tenant entitled to such Rent or Rents shall allow such Deduction accordingly.

Rates to be apportioned on Persons removing from or coming into their Houses.

CLII. And be it further enacted, That in all Cases where any Person shall remove from or quit any House, Shop, Warehouse, Factory, or Property whatsoever, which shall be rated or assessed by virtue of this Act, such Person shall be liable to pay the Rates or Assessments in proportion to the Time for which he or she occupied the same, in like Manner as if such Person had not removed or quitted the same; and in all Cases where any Person shall come into or occupy any such House, Shop, Warehouse, Factory, or other Property as aforesaid, out of or from which any other Person rated as aforesaid shall be removed, or which at the Time of making such Rate or Assessment was or were empty, or which after the making of any such Rate or Assessment shall have been erected, built, or altered, every such Person shall, for and in respect of his, her, or their Occupation thereof, be liable to and pay such Rate or Assessment in proportion to the Time for which he or she shall occupy the same, in the same Manner as if he or she had been originally rated or assessed for such House, Shop, Warehouse, Factory, or other Property; which said respective Proportions shall be calculated from the Twenty-fourth Day of *June* in every Year, and shall, in case of Dispute, be settled and ascertained by the said Commissioners.

Recovery of Rates from Persons removing.

CLIII. And be it further enacted, That in case any Person or Persons shall quit or be about to quit his, her, or their Houses, Buildings, Lands, Tenements, or Hereditaments before he, she, or they shall have paid such Rates or Assessments, or such Portion or Portions thereof as may be then due from him, her, or them, by virtue of this Act, and shall refuse to pay the same upon Demand as aforesaid, then and in every such Case it shall be lawful for the said Collector or Collectors, or other Person or Persons as aforesaid, or any of them, by Warrant under the Hand and Seal of any One Justice of the Peace acting in and for the said County of *Lancaster*, which Warrant he is hereby authorized and required to grant, upon Proof to his Satisfaction of such Removal, or that there is Reason to suspect the same, to distrain the Goods and Chattels of any such Person or Persons wherever they may be in the said County, and sell the same, rendering the Overplus, if any, after having deducted the reasonable Costs, Charges, and Expences attending such Distress and Sale, together with the Rates and Assessments, or Portions thereof respectively, which may be then due as last aforesaid, to the Owner or Owners of such Goods and Chattels repectively, upon Demand.

CLIV. And

Commissioners may inspect Poor's Rates.

CLIV. And be it further enacted, That it shall be lawful for the said Commissioners under this Act, or any Person or Persons by them authorized, from Time to Time to inspect all and every or any of the Poor's Rates for the said Township of *Chorlton-upon-Medlock*, and the Assessments by which the same are regulated and made, and to take Copies of or Extracts therefrom respectively, and from Time to Time to adopt all or any Part or Parts of such Assessments, under and for the Purposes of this Act; and the Overseer or Overseers, or other Person or Persons having the Custody of the said Poor's Rates and Assessments respectively, is and are hereby required to permit and suffer such Copies or Extracts to be made and taken without Fee or Reward, and on Refusal thereof he or they so refusing shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Rates made by virtue of this Act may be inspected, and Copies demanded.

CLV. And be it further enacted, That all Rates and Assessments made or assessed by virtue of this Act, or Duplicates thereof, at the Discretion of the said Commissioners, shall be deposited with the Clerk or other Officer of the said Commissioners, who shall permit any Person included therein to inspect the same *gratis*, or to take Copies thereof upon Payment of One Shilling; and such Clerk or other Officer shall, within Ten Days after Demand, deliver a true Copy of such Rates and Assessments, or any Portion thereof, to such Persons as aforesaid, having been first paid for the making of such Copy at the Rate of Sixpence for every One hundred Words; and in case such Clerk or other Officer shall refuse to permit or shall not permit every such Person to inspect the same, or to take Copies thereof, or shall refuse or neglect to deliver such Copy within Ten Days, or at the Rate aforesaid, then and in every such Case every such Clerk or other Officer shall forfeit and pay any Sum not exceeding Five Pounds.

Commissioners may amend Rates or Assessments.

CLVI. And be it further enacted, That it shall be lawful for the said Commissioners, either on the Application of any Person aggrieved, or without, from Time to Time to amend any Rate or Assessment to be made by virtue of this Act, by inserting therein the Name or Names of any Person or Persons who ought to have been rated or to be then rated, or by striking out the Name or Names of any Person or Persons who ought not to be have been rated therein; or by making such other Amendments or Alterations therein as will in the Judgment of the said Commissioners make such Rate or Assessment conformable to the true Intent and Meaning of this Act; and no such Amendment so to be made by the said Commissioners shall vitiate the same, or render it less operative in other respects.

Power to mortgage the Rates.

CLVII. And for the more speedily and effectually enabling the said Commissioners to execute the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time when they shall think it expedient, to borrow and take up at Interest any Sum or Sums of Money of not less Amount than Five hundred Pounds each, and if of greater Amount, then of such Amount as that Five hundred

dred Pounds shall be an aliquot Part thereof, and not exceeding in the whole the Sum of Ten thousand Pounds, in addition to the Monies borrowed on the Credit of the said recited Act hereby repealed, upon the Credit of the said Rates and Assessments hereby authorized to be laid and collected, and of the Buildings, Lands, and Premises which may be vested in the said Commissioners for the Time being; and in the Event of the same Sum and Sums of Money, or any Part or Parts thereof, being repaid by the said Commissioners, to borrow and take up at Interest in like Manner any other Sum or Sums of Money, and so *toties quoties*, nevertheless that there shall not be owing upon the Security aforesaid at any One Time more than the aggregate Sum of Twelve thousand Pounds; and by any Writing or Writings under their Common Seal, and also under the Hands of any Five or more of the said Commissioners, to mortgage, demise, grant, or assign the Sums, Rates, or Assessments, Buildings, Lands, and Premises, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with such lawful Interest for the same as the said Commissioners under this Act, and the Parties lending such Money, shall agree upon; and the Charges and Expences of such Security or Securities respectively shall from Time to Time be defrayed by the said Commissioners out of the Monies to be received by virtue of this Act; and every such Mortgage shall be in the Words or to the Effect following; (that is to say,)

Form of Mortgage.

'BY virtue of an Act passed in the Year of the Reign of King *William* the Fourth, intituled *An Act* [*here set forth the Title of the Act*] we whose Hands are hereunto subscribed, being [*or more*] of the Commissioners, acting in the Execution of the said Act, in consideration of the Sum of advanced and lent by upon the Credit, and for the general Purposes of the said Act, and paid by him [*or* her, *or* them, *as the Case may be*,] to the Treasurer of the said Commissioners, do by this Instrument, to which the Common Seal of the Commissioners under the said Act is affixed, grant, bargain, sell, and assign unto the said Executors, Administrators, and Assigns, such Proportion of the Rates and Assessments authorized by the said Act to be assessed and collected, and also of the Buildings and Premises vested in the said Commissioners, as the said Sum of doth or shall bear to the whole Sum borrowed and to be borrowed by virtue of the said Act upon the Credit of the same Rates and Assessments, Buildings, and Premises, and to the Monies now due and owing on the Credit of a certain Act therein recited, and thereby repealed; to be had and holden from the Day of the Date of these Presents until the said Sum of with Interest for the same, by half yearly Portions, after the Rate of *per Centum per Annum*, shall be fully repaid and satisfied. In witness whereof the Common Seal of the said Commissioners under the said Act is hereunder affixed, and we have hereunto set our Hands, the Day of in the Year of our Lord .'

And every such Mortgage shall be valid and effectual in the Law to all Intents and Purposes whatsoever.

No Money to be borrowed on Mortgage without previous Notice.

CLVIII. Provided always, and be it further enacted, That no Sum of Money shall be borrowed and taken up at Interest on Credit of the said Rates, Assessments, Buildings, Lands, and Premises, or any of them, or any Part thereof, unless the same shall have been determined upon and ordered at Two General Meetings of the said Comsioners to be held at an Interval of not less than Twenty-eight Days from each other; Notice of which Meetings respectively, and of the Object and Purpose thereof, shall have been given by Advertisement in One or more of the *Manchester* Newspapers Ten Days at least (exclusive of the Day of Notice and Day of Meeting) before such Meetings shall be respectively held.

No Preference in Payment of Mortgages.

CLIX. And be it further enacted, That the several Persons to whom any such Mortgages shall have been made shall be severally entitled to their respective Quota of the said Rates and Assessments, Buildings, Lands, and Premises, in proportion to the annual Amount of the Interest of the Monies borrowed on Mortgage, without any Preference by reason of the Priority in Date of any such Mortgage, or on any other Account whatsoever.

Register Book to be kept of Mortgages.

CLX. And be it further enacted, That a Book shall be provided by the said Commissioners, and kept by the Clerk or Clerks, in which shall be entered and registered Copies of all Mortgages made in pursuance of this Act; which Book shall be open to the Inspection of the several Holders of Mortgages made by virtue of this Act, and their respective Executors, Administrators, and Assigns, at all reasonble Times, without Fee or Reward.

Mortgages may be transferred.

CLXI. And be it further enacted, That it shall be lawful for the several Persons entitled for the Time being to any of the Mortgages for the Money which shall be borrowed as aforesaid, or which is now due and owing on the Credit of the said recited Act hereby repealed, or their respective Executors, Administrators, or Assigns, (as the Case may be,) at any Time, by Writing under their respective Hands and Seals, to assign or transfer the same to any Person or Persons, being a Subject or Subjects of this Realm; and every such Assignment or Transfer shall be in the Form or to the Effect following; (that is to say),

Form of Transfer of Mortgages.

'I *A. B.* of [*or* I *C. D.* of] Executor or Administrator of *A. B.*, late of [*or otherwise, as the Case may happen to be*], in consideration of the Sum of to me paid by *E. F.* of do hereby assign and transfer unto the said *E. F.*, his Executors, Administrators, and Assigns, a certain Security bearing Date the Day of in the Year of our Lord under the Hand of or more of the Commissioners for putting in execution an Act passed in the Year of the Reign of His Majesty King *William* the Fourth, intituled

'intituled [*here set forth the Title of this Act*], and also under the 'Common Seal of the Commissioners under the said Act [*or* under 'the Hands and Seals of or more of the Commissioners for 'putting in execution an Act passed in the Third Year of the Reign 'of His late Majesty King *George* the Fourth, intituled [*here set forth 'the Title of the said recited Act hereby repealed, as the Case may be,*] 'and the Principal Sum of 'thereby secured, and all Interest now due and hereafter to grow 'due thereon, with all my Right, Title, and Interest in and to the 'same. In Witness whereof I have hereunto set my Hand and Seal, 'the Day of in the Year of 'our Lord .'

Transfers to be registered.

Which Transfer shall within Twenty Days after the Date thereof be produced to the Clerk or Clerks of the said Commissioners, who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sum of Money thereby transferred, in the said Register Books to be kept for entering Copies of the original Mortgages, for which Entry the said Clerk or Clerks shall be paid the Sum of Two Shillings and Sixpence, and no more; and after such Entry made, but not before, every such Assignment shall entitle the Assignee or Assignees, and his, her, or their Executors, Administrators, and Assigns, to the Benefit of the Monies thereby assigned or transferred, without any further Register or Memorial thereof, except as aforesaid.

Provision for Payment of Mortgages by Ballot.

CLXII. And for making effectual Provision for the paying off all the said Mortgages, be it further enacted, That when and so often as there shall be in the Hands of the said Commissioners or of their Treasurer One or more Sum or Sums of Five hundred Pounds each, over and above what is sufficient for executing the Purposes of this Act, such Commissioners shall cause to be written upon distinct Pieces of Paper of an equal Size (using a separate Piece of Paper for every Sum of Five hundred Pounds) the several Names of all the Holders of Mortgages granted and then in force to the Amount of Five hundred Pounds or upwards, and all such Papers shall be rolled up in the same Form, and be put into a Box, and the Clerk or Clerks of such Commissioners shall, in the Presence of Five or more of such Commissioners, draw separately out of the said Box One of the said Names of such Holders of Mortgages for every distinct and separate Sum of Five hundred Pounds which shall so be in the Hands of the said Commissioners; and thereupon the Holder or Holders of Mortgages whose Name or Names shall be so drawn shall accordingly receive the Sum of Five hundred Pounds each from such Commissioners, in Payment and Discharge, or in part Payment and Discharge, as the Case may be, of the Principal Money due and owing upon his, her, or their respective Mortgage or Mortgages; and after every such Ballot the said Commissioners shall cause Notice, signed by the Clerk or Clerks, to be given to the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Principal Sums to be paid off, and that the same will be paid, together with Interest due thereon, at a Place specified in such Notice, at the Ex-

piration

piration of Six Calendar Months from the Date of giving such Notice; and the Interest of the Principal Money to be paid off shall from and after the End of the said Six Calendar Months cease and be no longer paid or payable, unless the Money shall be demanded pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Six Calendar Months, shall nevertheless be payable, on Demand, to the Persons entitled to receive the same.

If Commissioners refuse to lay Rates, Mortgagees may do it, with Consent of Justices.

CLXIII. And be it further enacted, That in case the said Commissioners shall, at any Time after the Commencement of the Operation of this Act, neglect or refuse to lay and make a Rate or Rates, pursuant to the Directions in this Act contained, sufficient for the Purpose of paying and discharging the Interest due on the Principal Monies already borrowed under and by virtue of the said recited Act hereby repealed, or to be hereafter borrowed under and by virtue of the Provisions of this present Act, it shall and may be lawful for any of the Mortgagees of such Rates, by and with the Consent of any Two Justices of the Peace acting in and for the said County of *Lancaster* (which Consent such Justices are hereby empowered and required to give), to lay or make a Rate or Rates, in the same Manner, and subject to the same Rules and Regulations, as such Rate or Rates might have been laid or made by the said Commissioners; and such Rate or Rates, when so laid or made by such Mortgagee or Mortgagees, with such Consent as aforesaid, shall be as valid and effectual to all Intents and Purposes, and recoverable in the same Manner, and subject to the Rules and Regulations in this Act contained respecting Rates, in the same Way in every respect as if such Rate or Rates had been laid or made by the said Commissioners: Provided always, that no such Mortgagee or Mortgagees shall lay any such Rate or Rates without first giving Notice in Writing to the said Commissioners or their Clerk of his or their Intention so to do, nor until Six Weeks shall have expired after the Service of such Notice.

Mortgagees to have Access to the Poor Rates.

CLXIV. And be it further enacted, That for the Purpose of making such Rate or Rates any such Mortgagee or Mortgagees shall have the like Access to the Poor Rates of the said Township as is provided for the said Commissioners by this Act, and under the like Penalties.

Commissioners may expend not exceeding One Half of the Amount of Profits of Gas Works in improving the Town of Salford.

CLXV. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to lay out and expend, from the Monies which shall come to their Hands by virtue of this Act, any Sum or Sums of Money not exceeding in Amount One Half Part of the clear Amount of Profits which shall then have arisen and accrued from any Gas Works or Manufactory or Manufactories of Gas which may be established by them under the Powers and Authorities of this Act (a reasonable Allowance being made from such Profits for Wear and Tear of Works, Buildings, and Apparatus), in and for the widening and improving the Streets of the said Township of *Chorlton-upon-Medlock*, or in or for such other Improvements

Improvements of the said Township as such Commissioners shall from Time to Time consider desirable and proper.

Commissioners may provide a public Office, &c.

CLXVI. And be it further enacted, That it shall be lawful for thesaid Commissioners under this Act, from Time to Time and at all Times hereafter, to provide and maintain a fit and convenient public Office or Offices within the said Township of *Chorlton-upon-Medlock* for holding the Meetings and transacting the Business of such Commissioners, and for the holding of such other public Meetings and transacting such other public Business relating to the same Town as such Commissioners shall from Time to Time direct or allow to be held or transacted therein, and to provide a House for the Deputy Constable for the Time being of the said Township, and also to provide Watch-houses, Lock-up-houses, or other Places of Security within the same Township, wherein may be lodged any Night-walkers, Felons, Malefactors, Vagrants, Disturbers of the Peace, and Beggars within the same Township, until they can be conveniently carried before some Justice of the Peace, to be examined and dealt with according to Law; and also to provide Land and Buildings fit and convenient for the Deposit of the Dirt, Dung, Ashes, and other Filth to be swept and collected under the Authority of this Act, and for the Accommodation of all Horses, Carts, Fire Engines, Tools, Implements, and other Articles, Matters, and Things to be used and employed by or by the Direction of the said Commissioners under the Authority of this Act; and for any of such Purposes to purchase or hire any Lands, Messuages, or Buildings, or any Part of any Messuages or Buildings, which shall by the said Commissioners be considered necessary, of and from any Person or Persons who shall be willing to sell or let the same, or otherwise to purchase or hire Ground from any Person or Persons who shall be willing to sell or let the same, and to cause any new Erection or Buildings to be made upon any Land or Ground which shall be so purchased or hired, and from Time to Time to let, surrender, give up, sell, or exchange the said public Office, and all other the Premises aforesaid, and to purchase or hire any other Lands, Messuages, or Buildings, or Parts of Messuages or Buildings, or Land or Ground whereon to erect any Building or Buildings for the Purposes aforesaid; and the said Commissioners are hereby authorized and empowered to take and accept any Lease or Leases, Conveyance or Conveyances, of such Lands, Messuages, or Buildings, or Parts of Messuages or Buildings, Land or Ground, to them the said Commissioners, in Trust for the Purposes aforesaid, and in like Manner to make any Assignment or Assignments, Conveyance or Conveyances, of any such Place or Places, Messuages or Buildings, Land or Ground, that they may think proper to sell or exchange as aforesaid; and it shall be lawful for the said Commissioners from Time to Time to make and establish such Rules, Orders, and Provisions for the Use and Management of such public Office or Offices, Watch-houses, Lock-up-houses, or other Places of Security, and for airing, warming, lighting, cleansing, and repairing the same, and for the Use and Management of any such Lands and Buildings, and to make such Allowance or Allowances to the Keeper or Keepers of the same public Office or Offices for his or their necessary Attendance and Trouble

Trouble about the same, as shall from Time to Time appear expedient to the said Commissioners.

Power to contract for the Purchase of Lands and Buildings.

CLXVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, from Time to Time to contract and agree with any Body Politic, Corporate, or Collegiate or Ecclesiastical, Corporation Aggregate or Sole, or any Tenant or Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years, absolute or determinable on any Life or Lives, or with any Feoffee in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Persons under any Disability of acting for themselves, or with any Femes Covert seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, or with any others the Owners or Proprietors for the Time being who shall be willing to sell the same, for the absolute Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments which the said Commissioners shall consider proper and necessary to be purchased for Gas Works, or for widening, opening, altering, or improving any of the Streets, Squares, Highways, Lanes, Roads, Paths, and other public Passages and Entries within the said Township of *Chorlton-upon-Medlock*, or for all or any of the Purposes of this Act, or as shall be necessary or requisite for the due Execution hereof, and the several Powers herein contained, not exceeding Four Statute Acres of Land for Gas Works, nor the like Quantity of Land for other the Purposes of this Act, or of any Part or Parts of such aforesaid several Premises, or of any Estate, Right, and Interest therein; and it shall be lawful for the same Commissioners to hold such Messuages, Buildings, Lands, Tenements, and Hereditaments, or any Term, Right, and Interest therein so purchased, without incurring or being subject to any Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever; and it shall be lawful for the said Commissioners to take down or alter all or any of such Messuages, Houses, Buildings, Tenements, and Hereditaments so to be purchased, or any Part or Parts of the same respectively, and also to appropriate all or any Part thereof, or of the Land or Ground which shall be cleared by the taking down of any such Messuages or Buildings, for all or any of the Purposes aforesaid, as the same Commissioners shall think fit.

Bodies Politic, &c. empowered to sell.

CLXVIII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, and all Tenants in Fee Simple, for Life or in Fee Tail, General or Special, or for any Term or Terms of Years, absolute or determinable on any Life or Lives, and all Feoffees in Trust for charitable and other Purposes, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees and Persons whomsoever, not only for and on behalf of themselves,

themselves, their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, or other Persons under any Disability of acting for themselves, and to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right or entitled to Dower or other Interest, and for all and every other Person and Persons whomsoever who is or are or shall be seised, possessed of, or interested in any Messuages, Buildings, Lands, Tenements, or Hereditaments, or entitled to any Estate, Right, Title, Lien, Charge, or Interest whatsoever in or to any Messuages, Buildings, Lands, Tenements, or Hereditaments within the said Township of *Chorlton-upon-Medlock*, or any Part thereof, which shall be thought necessary by the said Commissioners to be purchased for the Uses and Purposes of this Act, to treat, contract, and agree with such Commissioners for a Lease or Leases or for the absolute Sale thereof or of any Part thereof, and of all and every Estates, Rights, Titles, Terms, and Interests whatsoever of, in, and to the same, unto the said Commissioners, for the Purposes of this Act, and to demise, convey, and assign the same respectively unto such Commissioners and their Successors for the Purposes of this Act; and all Contracts, Leases, Assignments, Bargains, Sales, Conveyances, and other Assurances which shall be so made by virtue and in pursuance of this Act shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment or Registry, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Parties so conveying, but also to convey all the Estate, Right, Title, Interest, Use, Trust, Property, Possession, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them or any of them, and all Persons entitled in Remainder or Reversion expectant on any particular Estates, and the same shall be deemed and considered to bar all Dower of the Wife or Wives of such Party or Parties, and all Estates Tail and other Estates in Possession, Reversion, Remainder, or Expectancy, and of the Issue or Issues of the same Party or Parties claiming under them or any of them respectively, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all such Corporations and Persons hereby empowered to treat, contract, agree, sell, demise, convey, and assign as aforesaid, and every of them, are and is and shall be hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

Form of Conveyance.

CLXIX. And be it further enacted, That all Sales, Conveyances, and Assurances of any Messuages, Buildings, Lands, Tenements, Rents, or Hereditaments, or any Estate or Interest therein, to be made to the said Commissioners and their Successors, shall be made in the Form or to the Effect following, *mutatis mutandis*; (that is to say,)

'I *or* [We, *as the Case may be*,] of
'of in consideration of the Sum
'to me [*or* us] paid by the Com-
'missioners

‘ missioners under an Act passed in the
‘ Year of the Reign of His Majesty King *William* the Fourth,
‘ intituled [*here set forth the Title of this Act*], do hereby grant
‘ and convey to the said Commissioners and their Successors all
‘ [*here describe the Premises to be conveyed*], and all my [*or* our]
‘ Estate, Right, Title, Term, and Interest in and to the same and
‘ every Part thereof, to hold to the said Commissioners and their
‘ Successors henceforth for ever, [*or, as the Case may be,*] during all
‘ the Remainder of my [*or* our] Term, Estate, and Interest in the
‘ said Premises. In Witness whereof I [*or* we] have hereunto set
‘ my Hand and Seal [*or* Hands and Seals, *or* our Common Seal, *as*
‘ *the Case may be*], this Day of in the
‘ Year of our Lord .’

And every such Sale, Conveyance, Assignment, and Assurance, either in the Form or to the Effect aforesaid, or in such other Form or to such other Effect as the Nature of the Consideration to be paid for the same, and the other Circumstances relative thereto, may in the Judgment of the said Commissioners from Time to Time seem to require, shall be good, valid, and effectual to all Intents and Purposes whatsoever.

Mortgagees not in Possession to assign Mortgages to Commissioners.

CLXX. And be it further enacted, That all and every Person and Persons, Body and Bodies Politic, Corporate, or Collegiate, who shall have any Mortgage or Mortgages on such Messuages, Buildings, Lands, Tenements, or Hereditaments (not being in Possession of the said Premises by virtue of such Mortgage or Mortgages), shall, on Tender of the Mortgage Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the Principal Money by the said Commissioners, or their Clerk or Clerks, immediately convey, assign, and transfer such Mortgage or Mortgages to such Commissioners, or to such Person or Persons as they shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the said Commissioners, or their Clerk or Clerks, that they will pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, then, on Payment of the Principal and Interest so due on such Mortgage or Mortgages, such Mortgagee or Mortgagees shall convey, assign, and transfer the said Mortgage or Mortgages, and his, her, or their Interest in the Premises, to the same Commissioners, or to such Person or Persons as they shall appoint, in Trust for them; but in case such Mortgagee or Mortgagees shall refuse to convey or assign, on such Tender or Payment as aforesaid, then all Interest on every such Mortgage shall from the Time of such Tender or Expiration of such Notice cease and determine.

Application of the Purchase Money when amounting to 200*l.* or upwards.

CLXXI. And be it further enacted, That if any Money shall be contracted or agreed to be paid for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Tenants for Life or in Tail, Trustees, Feme Covert, Infant, Lunatic, or Idiot, or any other Person or Persons under any Disability

ability or Incapacity, such Money, in case the same shall amount to or exceed the Sum of Two hundred Pounds, shall with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* "The Constables and Burgesses of the Township of *Chorlton-upon-Medlock*," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward; to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Messuages, Buildings, Lands, Tenements, or Hereditaments, or affecting other Messuages, Buildings, Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, or upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Messuages, Buildings, Lands, Tenements, or Hereditaments which shall be purchased for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the said Court upon Application made thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime and until the said Bank Annuities, or Government or Real Securities, shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities, or Government or Real Securities, shall from Time to Time be paid, by Order of the said Court, to the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, and Hereditaments so hereby directed to be purchased in case such Purchase or Settlement were made.

1 G. 4. c. 35.

Application of Purchase Money where less

CLXXII. Provided always, and be it further enacted, That if any Money so contracted or agreed to be paid for any Messuages, Buildings, Lands, Tenements, or Hereditaments purchased for the Purposes of this

this Act, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased for the Purposes of this Act, or of his, her, or their Guardian or Guardians, Committee or Committees, in cases of Infancy, Idiotcy, Lunacy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in the Manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Person or Persons making such Option, and approved by Five or more of the said Commissioners, such Nomination and Appointment to be signified in Writing under the Hands of the nominating and approving Parties, in order that such Principal Money, and the Dividends and annual Produce arising thereon, may be applied in the Manner hereinbefore directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

than 200*l.* and exceeding 20*l.*

CLXXIII. Provided also, and be it further enacted, That where such Money so contracted or agreed to be paid as aforesaid shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents or Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased for the Purposes of this Act, in such Manner as the said Commissioners shall think fit, or, in case of Infancy, Lunacy, Idiotcy, or other Incapacity, the same shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, and to and for the Use and Benefit of such Person or Persons so entitled respectively.

Application of Purchase Money not exceeding 20*l.*

CLXXIV. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, or of any Estate, Right, or Interest in any Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities to be purchased with any such Money, the Person or Persons who shall have been in Possession of such Messuages, Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such

Persons in Possession to be deemed entitled.

Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest therein, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the said Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of the same Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments, or to some Part, Estate, or Interest therein.

Costs of Purchases from incapacitated Parties to be paid by the Commissioners.

CLXXV. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Messuages, Buildings, Lands, Tenements, or Hereditaments, or of any Part, Estate, Right, or Interest therein, to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all such last-mentioned Purchases, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Commissioners, who shall from Time to Time, out of the Monies to be raised and received by virtue of this Act, pay such Sums of Money for such Purposes as the said Court shall direct.

Property to vest in Commissioners on Payment of the Purchase Money.

CLXXVI. And be it further enacted, That, upon Payment or legal Tender of any such Sum or Sums of Money as shall have been contracted or agreed for between the Parties for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Part, Estate, Right, or Interest in any Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be purchased by virtue or in pursuance of this Act, either to the Person or Persons, Party or Parties respectively entitled to receive the same Monies, or, where the Provisions of this Act shall so require or allow, into the Bank of *England*, for the Purpose of being disposed of in the Manner by this Act directed, all and every the Premises, Estate, Right, or Interest for or in respect whereof such Monies shall have been so paid or tendered shall thenceforth absolutely vest in the said Commissioners for the Purposes for which the same are by this Act authorized to be purchased; and the said Commissioners shall be deemed in Law to be in the actual Possession thereof, to all Intents and Purposes whatsoever, freed and discharged of and from all former and other Estates, Rights, Titles, Interests, Claims, and Demands whatsoever; any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

Empowering Commissioners to sell

CLXXVII. And whereas Messuages, Buildings, Lands, Tenements, or Hereditaments vested in or which may be purchased by the

Lands, &c. not wanted.

the said Commissioners, by virtue of the Provisions of this Act, may be found not necessary, or may not be wanted for the Purposes thereof; be it therefore further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them assembled at any of their Meetings under the Authority of this Act, to sell and dispose thereof; and in that Case the said Commissioners, or any Five or more of them, shall, by Indenture or Indentures under their Hands, and also under the Common Seal of the said Commissioners, grant and convey, by way of absolute Sale in Fee Simple, or for such other Estate or Estates as they may have therein, for a Consideration in Money, all or any Part or Parts of the Messuages, Buildings, Lands, Tenements, and Hereditaments vested in or which may have been so purchased, and which shall not be wanted by the said Commissioners for the Purposes of this Act; and upon Payment of the Money which shall arise by or from the Sale or Sales of such Messuages, Buildings, Lands, Tenements, or Hereditaments, or of any Part or Parts thereof, it shall be lawful for the Treasurer for the Time being of such Commissioners to sign and give a Receipt or Receipts for the Money for which the same shall be sold, which Receipt or Receipts shall sufficiently discharge any Person or Persons for the Money therein and thereby expressed or acknowledged to be received; which Money shall be applied as Part of the Funds placed under the Management of the said Commissioners; and such Person or Persons, having *bonâ fide* paid the same, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application of any such Purchase Money or any Part thereof.

Lands, &c. not to be purchased or sold without previous Notice.

CLXXVIII. Provided always, and be it further enacted, That no Messuages, Lands, or Hereditaments, or any Estate or Interest therein, shall be purchased, hired, sold, or granted by the said Commissioners, by virtue of the Powers of this Act, unless the same shall have been determined upon and ordered at Two General Meetings of the said Commissioners to be held at an Interval of not less than Twenty-eight Days from each other, Notice of which Meetings respectively, and of the Object and Purport thereof, shall have been given by Advertisement in One or more of the *Manchester* Newspapers Ten Days at least (exclusive of the Day of Notice and Day of Meeting) before such Meetings shall be respectively held.

Penalty for obstructing the Execution of this Act.

CLXXIX. And be it further enacted, That if any Person or Persons shall obstruct, assault, hinder, or molest any of the said Commissioners, or any Treasurer, Clerk, Assessor, Collector, Workman, or Agent, or any Superintendant, Watchman, Constable, Patrol, Beadle, or other Officer or Officers, Persons or Persons whomsoever, who is, are, or shall be appointed or employed by virtue of this Act, or any Bye Law or Order made in pursuance thereof, in the Execution or Performance of his or their Duty, or in the Execution of any of the Works, Matters, or Things to be done by virtue or under the Authority of the same respectively, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

CLXXX. And

Commissioners may direct Prosecutions.

CLXXX. And be it further enacted, That the said Commissioners may and they are hereby empowered to order and direct any Prosecution against any Person or Persons for any public Nuisance whatsoever which shall be committed or suffered within the said Township, or for any Resistance to the Execution of this Act, or to any Person acting under the same, or for any Offence committed against this Act, or for any Encroachment or Obstruction laid, placed, erected, or made in or upon the said Streets, Lanes, Ways, Roads, or other public Passages or Places, or upon the Footpaths within the said Township, or any Part thereof; and the Costs and Charges of and attending all such Prosecutions shall be paid out of the Monies to be raised under and by virtue of this Act.

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

CLXXXI. And be it further enacted, That where any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences in this Act mentioned, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is and are hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

Justices may proceed by Summons in the Recovery of Penalties.

CLXXXII. And be it further enacted, That in all Cases wherein any Penalty or Forfeiture hereby imposed is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against, and any Witness or Witnesses the said Justice may think proper, before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, whether he be present or absent, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual to all Intents and Purposes as if an Information in Writing was exhibited.

Mode of serving Notices upon the Commissioners.

CLXXXIII. And be it further enacted, That in all Cases wherein it may be necessary for any Person or Party to serve any Summons, or any Notice, or any Writ or other Proceeding at Law or in Equity, upon the said Commissioners, Service thereof respectively upon the Clerk or Treasurer of such Commissioners, or left at the Office of such Clerk or Treasurer, or delivered to some Inmate at his last or usual Place of Abode, or at the Office of such Commissioners, or in case the same respectively shall not be found or known, then Service upon any other Agent or Officer employed by such Commissioners, or delivered to some Inmate at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

CLXXXIV. And

CLXXXIV. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by the said Commissioners to any Person or Persons, as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by such Commissioners, or any Person or Persons acting by or under their Authority, or for any Costs or Expences relating thereto, not hereinbefore otherwise provided for and directed; and such Sum or Sums of Money shall not be paid by such Commissioners to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made for that Purpose, then and in every such Case the Amount of such Compensation or Satisfaction, Costs or Expences, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in such Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer or Treasurers for the Time being, under a Warrant to be issued for that Purpose by any Justice of the Peace for the said County of *Lancaster* (which Warrant such Justice is hereby authorized and required to grant, under his Hand and Seal, on Application made to him for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any Damage, Spoil, or Injury as aforesaid, or for any Costs or Expences as aforesaid); and in case any Overplus shall remain, after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Commissioners, or to their Treasurer or Treasurers for the Time being, as the Case may be; and it shall be lawful for such Treasurer or Treasurers to retain, out of any Monies which he or they may have received or shall receive in pursuance of this Act, all such Damage, Costs, Charges, and Expences as he or they shall have sustained or been put unto by virtue of any Warrant as aforesaid.

Compensation for Damages, &c. by Commissioners to be levied by Distress of the Goods, &c. vested them or the Treasurer.

CLXXXV. And be it further enacted, That in all Notices and Summonses which by this Act are directed or required to be given or served, or which are or may be required to be given or served by any Rules, Orders, or Bye Laws, in pursuance of this Act, or for carrying into execution any of the Powers and Provisions of this Act, or any of such Rules, Orders, or Bye Laws, where the Manner of serving such Notices or Summonses is not otherwise particularly directed by this Act, the Service of any such Notice or Summons, either upon the Person to whom the same ought to be given, or by delivering the same, or a true Copy thereof, to some Inmate at his or her Dwelling House or last or usual Place of his or her Abode, shall be good and sufficient Service of any such Notice or Summons; and in all Cases whatsoever where any such Notice or Summons ought to be given to Two or more Persons, for or respecting the joint Act or Omission of any such Persons (whether such Persons be in Partnership in Trade or not) when jointly concerned in any such Act or Omission, the like Service of any

Directions as to the Manner of serving Summonses and Notices.

any Notice or Summons on any One of such Partners or Persons shall be also a good and sufficient Service thereof.

Recovery and Application of Penalties.

CLXXXVI. And be it further enacted, That all Offences whatsoever which by virtue or under the Authority of this Act, or by or under any Rule, Regulation, Order, or Bye Law to be made in pursuance or by the Authority of this Act, are or shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures for the Recovery of which no express Provision is herein-before made, shall and may in every Case be heard, adjudged, and determined by or before any One or more Justice or Justices of the Peace for the said County of *Lancaster*, in a summary Way, upon Information or Complaint made, whether the same shall be in Writing or not (and which shall in every Case be made within Three Calendar Months at the farthest next after the committing of such Offences respectively, and not afterwards); and upon any such Information or Complaint as aforesaid the said Justice or Justices shall summon the Party or Parties accused, and such Witness or Witnesses as may by such Justice or Justices be thought proper or necessary, and examine into the Matter thereof; and if upon Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses (whether the Party or Parties accused be present or absent), the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then (except in Cases otherwise provided for by this Act) the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices (which he and they is and are hereby empowered and required to grant), be levied and recovered, together with the Costs of Conviction and Recovery thereof, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders, rendering the Overplus of the Money arising by such Sale, if any, upon Demand, to the Party or Parties whose Goods and Chattels shall be distrained; the whole of which Penalties, not herein directed to be otherwise applied, shall be paid to the Treasurer or Treasurers of the said Commissioners, to be applied to the Purposes of this Act (save and except in the Cases where the said Commissioners shall be subject or liable to any Penalties under this Act, the Application of which Penalties is not herein-before particularly provided for, in which Case the said Penalties shall be paid to the Overseers of the Poor of the said Township of *Chorlton-upon-Medlock*, for the Use and Benefit of the Poor thereof); and it shall be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such

Justice or Justices, for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Five Days from the taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to any such Justice or Justices, either upon the Confession of the Offender or Offenders, or otherwise, that the Offender or Offenders hath or have not sufficient Goods or Chattels whereon such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, can be levied were such Distress or Warrant to be issued, such Justice or Justices shall not be required to issue the same; and thereupon it shall be lawful for the said Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the County, Hundred, or Place wherein the Offence shall be committed, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, or unless such Offender or Offenders shall have sooner fully paid such Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, and all Costs attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law; and if any Person charged with any Offence against this Act shall refuse to disclose his or her Name, the necessary Proceedings may be had against him or her before any Justice or Justices of the Peace for any Penalty or Penalties imposed by this Act, by a Description of his or her Person, and the Offence committed, without there being any Necessity for stating his or her Name.

Justices may mitigate Penalties.

CLXXXVII. Provided always, and be it further enacted, That it shall be lawful for the Justice or Justices of the Peace by or before whom any Party or Parties shall be convicted in any of the Penalties imposed or to be imposed by virtue of this Act, or of any Bye Law, Rule, Order, or Regulation to be made in pursuance or under the Authority of this Act, from Time to Time to mitigate, compound, or lessen any of the said Penalties in any Case where it should appear to such Justice or Justices right and proper so to do; so that no such Penalty shall be thereby reduced in any Case to less than One Fourth Part of the Amount specified or to be specified in this Act, or in the Bye Law, Rule, Order, or Regulation imposing the same as aforesaid.

Form of Conviction.

CLXXXVIII. And for the more easy and speedy Conviction of Offenders against this Act, or against any Bye Law, Order, Rule, or Regulation to be made in pursuance or by the Authority of this Act; be it further enacted, That a Conviction in the Form or to the Effect following shall be good; (that is to say,)

BE

'Lancashire to wit.' } BE it remembered, that on the Day of in the Year of our Lord is [*or* are, *as the Case may be*,] convicted before me, [*or* us, *as the Case may be*,] of His Majesty's Justices of the Peace for the County of *Lancaster*, of having [*here state the Offence, and the Time and Place when and where the same was committed*], contrary to an Act [*or* contrary to a Bye Law duly made in pursuance of an Act, *as the Case may be*,] passed in the Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act* [*here insert the Title of this Act*], for which Offence I [*or* we, *as the Case may be*,] do adjudge the said to have forfeited the Sum of . Given under my Hand and Seal [*or* our Hands and Seals, *as the Case may be*], the Day and Year first above written.'

For securing transient Offenders.

CLXXXIX. And be it further enacted, That it shall be lawful for any of the said Commissioners, or any Officer or Officers under this Act respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Commissioner or Officer) who shall commit any Offence or Offences against this Act, and to deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said County of *Lancaster*; and such Justice or Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Penalty on Witnesses being summoned not appearing.

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

Ratepayers, &c. not disqualified from being Witnesses.

CXCI. And be it further enacted, That no Person whomsoever shall be disqualified from being a competent Witness, or from being admitted to give Evidence, in any Action, Information, Prosecution, Appeal, Cause, or Proceeding whatsoever authorized by or relating to the

the Execution of this Act, or any Rule, Regulation, Bye Law, Order, or Determination made in pursuance thereof, by reason of paying, or being charged with or liable to pay, any of the Rates or Assessments hereby authorized to be charged, levied, made, or assessed, or any other Rate or Assessment within the said Township of *Chorlton-upon-Medlock*, or being one of the Commissioners for putting this Act into execution, or holding any Office or Employment under such Commissioners.

Distress not to be avoided for Want of Form.

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

Proceedings not to be quashed nor removed by Certiorari.

CXCIII. And be it further enacted, That no Order, Verdict, Rate, Assessment, Judgment, Conviction, or other Proceeding touching or concerning any Offence against this Act, or against any Rule, Order, or Bye Law made by Authority thereof, or any other of the Matters aforesaid, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Proceeding whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere; any Law or Statute to the contrary thereof in anywise notwithstanding.

Plaintiffs not to recover without Notice, or after Tender of Amends.

CXCIV. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person for any thing done or to be done in pursuance or under the Authority of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Thirty Days before such Action shall be commenced, or such intended Action, signed by the Plaintiff or Plaintiffs, or his or their Attorney, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of Amends, in Money or otherwise, shall have been made to him, her, or them, or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, before the commencing of such Action; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit; whereupon such Proceeding, Order, and Judgment shall be had, made, and given in and by such Court as in any other Actions where the Defendant is allowed to pay Money into Court.

Penalties to extend to all Streets, &c., though not Highways.

CXCV. And be it further enacted, That wherever by this Act any Penalty or Fine is imposed, or authorized to be imposed, for or in respect of any Act, Matter, or Thing done, omitted, neglected, or

or suffered to be done by any Person or Persons in any Street or Streets in the said Township of *Chorlton-upon-Medlock*, and the Word "Street" or the Word "Streets" is there used, the like Penalty or Fine, or Liability thereto, shall extend to every such Act, Matter, or Thing done, omitted, neglected, or suffered to be done in any present or future Streets, Squares, Places, Highways, Lanes, Roads, Courts, Alleys, Passages, or Entries, when and as soon as laid out, within the said Township of *Chorlton-upon-Medlock*, although the same shall not be a public Highway, or repaired or liable to be repaired at the Expence of the Inhabitants of the said Township.

Appeal to Quarter Sessions.

CXCVI. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be charged, rated, or assessed upon him, her, or them in pursuance of this Act, it shall be lawful for such Person or Persons, thinking himself, herself, or themselves so aggrieved, having first applied to the said Commissioners for Relief, and having paid to or deposited in the Hands of the Collector or Collectors of the said Rates or Assessments, or of other the Person or Persons appointed by the said Commissioners to receive the same, the Amount of such Rate or Assessment which shall have been charged, rated, or assessed upon him, her, or them in pursuance of this Act, at any Time within Four Calendar Months next after any such Rate or Assessment shall have been signed and allowed by the said Commissioners, upon giving such Notice as hereinafter mentioned to the Clerk or Clerks of the said Commissioners, to appeal to the Justices of the Peace for the said County of *Lancaster* at the General or Quarter Sessions of the Peace to be holden by Adjournment within the Hundred of *Salford* in the said County of *Lancaster* which shall first happen next after Notice of such Appeal given as aforesaid; or if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye Law, or Order made in the Manner hereinbefore directed, or by the Order or Determination of any Justice or Justices of the Peace, or by any thing done in pursuance of this Act, he, she, or they may, within Three Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace of the said County of *Lancaster* at the General or Quarter Sessions of the Peace to be holden by Adjournment within the said Hundred of *Salford* (such Appellant or Appellants against such Rate or Assessment having first given at least Twenty-one Days clear Notice in Writing of his, her, or their Intention of making such Appeal, and of the Time and Place thereof, and of the Matter or Cause thereof, to the Clerk or Clerks to the said Commissioners, and such Appellant or Appellants against such Order or Judgment as aforesaid having at first given Twenty-one Days Notice in Writing of his, her, or their Intention of making such Appeal, and the Time and Place thereof, and of the Matter and Cause thereof, to the Party or Parties against whom such Appeal shall happen to be made, or whose Interest may be affected by such Appeal, and every such Appellant as aforesaid within Three Days next after such Notice causing Recognizances to be entered into, before some Justice of the Peace of the said County of *Lancaster*, by himself

or

or herself, and Two sufficient Sureties, in the Sum of Twenty Pounds each, to try such Appeal, and to abide the Order and Award of the Justices at such Sessions thereon, and to pay such Costs as shall be awarded at such Sessions); and thereupon the said Justices, upon due Proof of such Payment and Application and of such Notice and Recognizance having been made, given, and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace to be holden within the said Hundred of *Salford*, or, if they think proper, adjourn the hearing thereof until the next General or Quarter Sessions of the Peace to be holden within the said Hundred of *Salford*, and if they see Cause may reduce such Rate or Assessment, or may mitigate any Forfeitures or Fines, and may order any Money to be returned which shall have been paid or levied in pursuance of such Rule, Regulation, Order, or Determination, and shall and may award such Restitution, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs to the Respondent or Respondents, Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever, and shall not be removable by Certiorari or otherwise into any of His Majesty's Courts of Record at *Westminster* or elsewhere.

On Appeal from Rate the Quarter Sessions may amend without quashing it.

CXCVII. And be it further enacted, That upon all Appeals from any Rate or Assessment made in pursuance of this Act the Court of General or Quarter Sessions of the Peace shall and such Court is hereby authorized and required (in all Cases where they shall see just Cause to give Relief) to amend such Rate or Assessment, either by inserting in or striking out the Name or Names of any Person or Persons, or by altering the Sum or Sums therein charged on any Person or Persons, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment, or rendering it less operative in other respects: Provided always, that if the said Court shall be of opinion that it is necessary, for the Purpose of giving any Relief to the Person or Persons applying, that the Rate or Assessment should be wholly quashed, then the said Court may quash the same, and order a new one to be made.

Limitation of Actions.

CXCVIII. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons, for any thing done in pursuance or under the Authority of this Act after the Expiration of Six Calendar Months next after the Fact committed or the Cause of Action has ceased and determined; and all such Actions and Suits shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if upon such Trial such Matter or Thing shall appear to have been so done,

and

and if such Action or Suit shall have been brought before Thirty Days Notice thereof shall have been given as aforesaid, or after sufficient Satisfaction in Money, or otherwise, shall have been made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or if the same shall be brought in any other County or Place than as aforesaid, or if such Action shall be proceeded in after sufficient Money shall have been paid into Court, as herein-before authorized, then and in every of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict being given, or if the Plaintiff or Plaintiffs shall have become nonsuited, or suffer a Discontinuance of such Action after the Defendant or Defendants shall have appeared thereto, or if upon Demurrer or otherwise Judgment should be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have his, her, or their Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit in other Cases by Law.

Costs. CXCIX. And be it further enacted, That if any Action or Actions shall be brought by the said Commissioners against any Person or Persons for any thing relating to this Act or the Powers therein contained, and a Verdict shall be had and given against the Person or Persons against whom such Action or Actions shall be brought, such Person or Persons shall pay his, her, or their Costs; and the Plaintiff or Plaintiffs in such Action or Actions shall have such Remedy and Remedies for recovering the same as any Plaintiff or Plaintiffs may have for his, her, or their Costs in any other Cases by Law.

Application of Monies. CC. And be it further enacted, That all the Monies which the said Commissioners, or any of them, or any Treasurer or other Person on their Behalf, are or is possessed of or entitled to by virtue of the said recited Act hereby repealed, or shall become possessed of by virtue of this Act, shall be and the same are hereby vested in the said Commissioners; and shall be by them applied, first, in paying the Fees, Charges, and Expences, with lawful Interest on Monies expended, which shall be incurred by reason or in consequence of the Application for, and procuring and passing this Act, or connected with or arising out of the same, or in any Manner incident or relating thereto, then in paying the Principal and Interest of all Monies now due and owing on the Credit of the said recited Act hereby repealed, or which may hereafter become due and owing on the Credit of this Act, and afterwards in and for carrying into full and complete Execution in all respects the Intents, Purposes, Powers, and Provisions of this Act, and to or for no other Use or Purpose whatsoever.

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

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