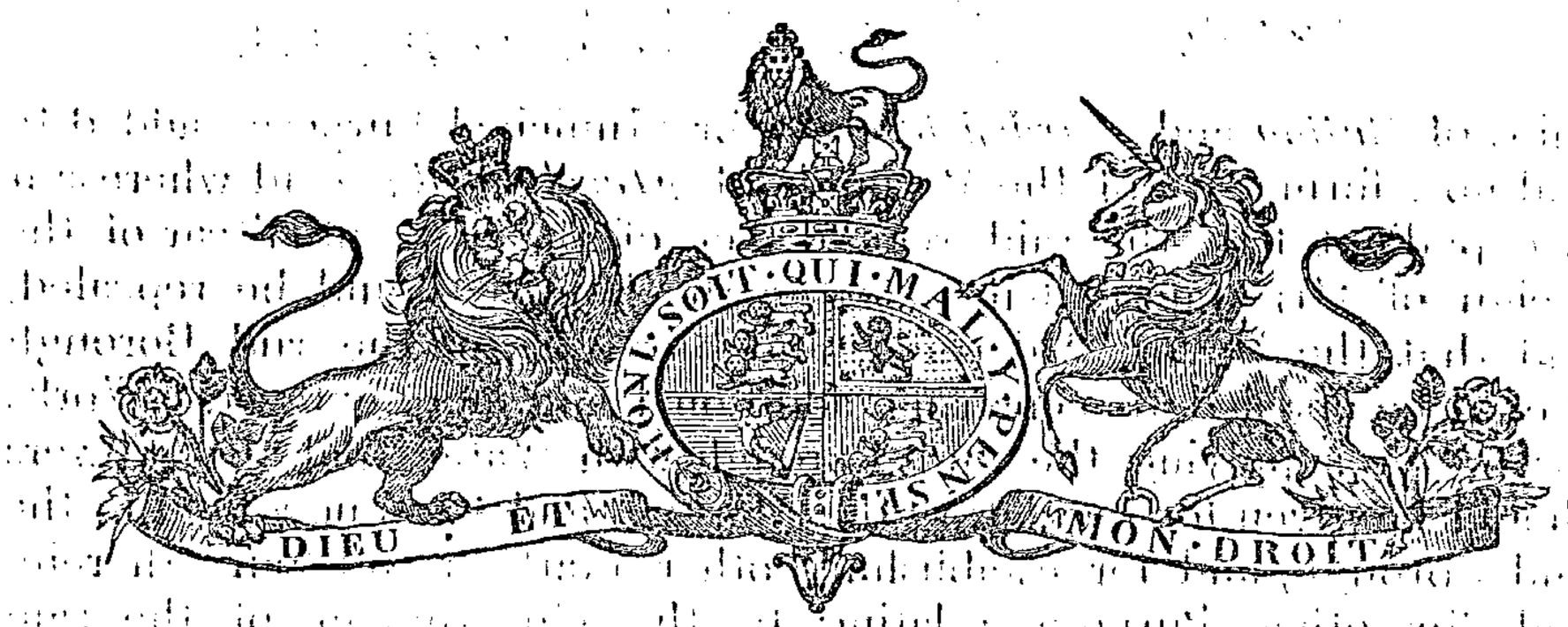


ANNO DUODECIMO & DECIMO TERTIO

VICTORIÆ REGINÆ.

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Cap. xxvi.

An Act for better supplying with Water the Borough of *Macclesfield* in the County of *Chester*, and for other Purposes connected with the said Borough.

[26th *June* 1849.]

WHEREAS an Act was passed in the Eleventh Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for better supplying the Inhabitants of the Borough of* Macclesfield *in the County of* Chester *with Water, and to establish the Rates payable for the same*, whereby, after reciting that the Mayor, Aldermen, and Burgesses of the said Borough were the Owners or reputed Owners of divers Springs of Water situate within the same Borough, and had for a considerable Number of Years then last past, and at much Expense, supplied the Inhabitants thereof with Water, to their great Accommodation and Benefit, Powers are given for extending the Works of the said Mayor, Aldermen, and Burgesses, and which have accordingly been extended, so as to afford an additional Supply of Water as therein mentioned: And whereas at the Time of the passing of the said recited Act the Borough of *Macclesfield* was coextensive with the Township of *Macclesfield* only, but under the Provisions of the Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, certain Parts of the adjoining Townships

11 G. 4. & 1 W. 4. c. 124.

5 & 6 W. 4. c. 76.

ships of *Sutton* and *Hurdsfield* were for Municipal Purposes added to and now form Part of the Borough of *Macclesfield*: And whereas it is expedient that the said recited Act of the Eleventh Year of the Reign of His Majesty King *George* the Fourth should be repealed, and that the Mayor, Aldermen, and Burgesses of the said Borough should be enabled to construct additional and more extensive Works for better supplying the said Borough with Water, and that Powers should be given for regulating the Markets and Fairs now held in the said Borough, and for establishing other Markets and Fairs therein, and for other Purposes relating to the Government of the said Borough, but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and

Recited Act repealed.

by the Authority of the same, That the said recited Act passed in the Eleventh Year of the Reign of His Majesty King *George* the Fourth shall be and the same is hereby repealed from and after the Twenty-ninth Day of *September* One thousand eight hundred and forty-nine, but without Prejudice to any Acts or Proceedings previously had, done, or transacted under or pursuant to the said Act.

Commencement of Act.

II. And be it enacted, That this Act shall commence and take effect from and after the Twenty-ninth Day of *September* One thousand eight hundred and forty-nine.

Interpretation of Terms.

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

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

Words importing the Masculine Gender shall include Females:

The Word "Person" shall include a Corporation, whether aggregate or sole:

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

The Word "Street" shall extend to and include any Road, Square, Court, Alley, and Thoroughfare within the Limits of this Act:

The Word "Month" shall mean Calendar Month:

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

The Word "Oath" shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Person allowed by Law to make a Declaration instead of taking an Oath:

The Word "Justice" of the Peace shall mean Justice of the Peace acting for the Place where the Matter requiring the Cognizance of any such Justice arises; and where any Matter is authorized or required to be done by Two Justices, the Expression "Two Justices"

Justices" shall be understood to mean Two or more Justices met and acting together:

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

The Word "Cattle" shall include Horses, Asses, Mules, Sheep, Goats, and Swine.

Officers acting under 11 G. 4. c. 124. to continue until removed.

IV. And be it enacted, That all Officers appointed or acting under the said Act passed in the Eleventh Year of the Reign of King *George* the Fourth, and who on the Day of the Commencement of this Act shall hold Office thereunder, shall thenceforth continue to hold Office until they shall be removed under the Power hereinafter contained.

Power to remove existing Officers.

V. And be it enacted, That after the Commencement of this Act, it shall be lawful for the said Mayor, Aldermen, and Burgesses, if they shall think fit, at any Time or Times to remove from Office all or any of the Officers appointed under the said Act passed in the Eleventh Year of the Reign of King *George* the Fourth.

Provisions of 10 & 11 Vict. c. 16., as to Accountability of existing Officers, to apply to this Act.

VI. And be it enacted, That all the Clauses and Provisions of the Commissioners Clauses Act, 1847, with respect to the Accountability of Officers and the Remedies against them in case of their failing to account shall be incorporated with this Act, and shall apply to all Officers who on the Day of the Commencement of this Act shall hold Office under the said Act of the Eleventh Year of the Reign of King *George* the Fourth.

Power to recover Arrears of Rates.

VII. And be it enacted, That notwithstanding the repealing by this Act of the said recited Act passed in the Eleventh Year of the Reign of His Majesty King *George* the Fourth it shall be lawful for the said Mayor, Aldermen, and Burgesses from and after the Commencement of this Act to demand, recover, and receive all Rates and Rents, and Arrears of Rates and Rents, Penalties, and Sums of Money now due or owing to the said Mayor, Aldermen, and Burgesses under or by virtue of the said first-recited Act, as fully and effectually and by the same Ways and Means as the said Mayor, Aldermen, and Burgesses, or the Committee appointed under the said recited Act, might have demanded, recovered, and received such Rates, Rents, Penalties, or Sums of Money and Arrears in case this Act had not been passed.

Existing Debts to be paid by Corporation.

VIII. And whereas the *Macclesfield* Waterworks Committee appointed under the said first-recited Act and the said Mayor, Aldermen, and Burgesses respectively have, under the Powers vested in them for that Purpose, contracted Debts on Mortgages and otherwise, and it is expedient to provide for the Payment of the said Debts: Be it therefore enacted, That after the Commencement of this Act all Mortgages, Bonds, Debts, and Sums of Money which before the Commencement of this Act were given, contracted, and were payable by the said Waterworks Committee, and Mayor, Aldermen, and Burgesses respectively in relation to the said first-recited Act or otherwise according to Law, shall, together with all Interest due or to accrue

accrue due thereon, be paid by the Mayor, Aldermen, and Burgesses of the said Borough, out of the Rents or Rates and other Property hereby or otherwise respectively made applicable for that Purpose, and shall have the same Priority as nearly as Circumstances will admit as they had previously to the Commencement of this Act, and shall be recovered in like Manner as the same could have been recovered from the said Waterworks Committee, and Mayor, Aldermen, and Burgesses respectively, previously to the Commencement of this Act.

Existing Contracts, &c. to bind Mayor, Aldermen, and Burgesses.

IX. And be it enacted, That from and after the Commencement of this Act all Contracts, Assurances, and Proceedings made, commenced, or entered into with, against, or by the said Waterworks Committee, and Mayor, Aldermen, and Burgesses, and all Penalties, Forfeitures, and Obligations incurred by them respectively in relation to the Execution of the said Act of the Eleventh Year of the Reign of King *George* the Fourth, shall and may be carried on and enforced with, against, and by the said Mayor, Aldermen, and Burgesses in the same Manner and as fully and effectually as if this Act had not been passed.

Actions, &c. not to abate.

X. And be it enacted, That no Action, Suit, Prosecution, or other Proceeding whatsoever, commenced by or against the said Waterworks Committee, or the Mayor, Aldermen, and Burgesses, previously to the Commencement of this Act, shall thereupon abate or be discontinued or prejudicially affected by this Act, but on the contrary shall continue and take effect in favour of or against the same Mayor, Aldermen, and Burgesses as the same would have continued and taken effect against or in favour of the respective Parties if this Act had not been passed.

10 & 11 Vict. c. 17. incorporated with this Act.

XI. And be it enacted, That "The Waterworks Clauses Act, 1847," shall be incorporated with and form Part of this Act, and shall apply as well to the Waterworks and Works connected therewith hereby authorized to be made as to the existing Waterworks of the said Mayor, Aldermen, and Burgesses, and the Works connected therewith, except so far as the Provisions of the said Waterworks Clauses Act are expressly varied or altered by this Act, or are inconsistent with the Provisions or inapplicable to the Purposes of this Act.

8 & 9 Vict. c. 18. incorporated with this Act.

XII. And be it enacted, That "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, except such of the Provisions of the same Act as are expressly varied or altered by this Act, or are inconsistent with the Provisions or inapplicable to the Purposes of this Act.

Not to take Lands by Compulsion, except for Waterworks.

XIII. Provided always, and be it enacted, That nothing in this Act or in the said Lands Clauses Consolidation Act contained shall authorize the said Mayor, Aldermen, and Burgesses to purchase, take, or use any Lands or other Hereditaments, except for the Purpose of the Waterworks and the Works connected therewith, herein-after described and compulsorily authorized, unless with the Consent of and by Agreement with the Owners, Lessees, or Occupiers thereof.

XIV. And

Construction of Acts.

XIV. And be it enacted, That this Act and the several Acts and Parts of Acts incorporated therewith shall be read and construed as if the Words "Mayor, Aldermen, and Burgesses of the Borough of *Macclesfield* acting by the Council of the said Borough" were inserted therein, instead of the Words "Mayor, Aldermen, and Burgesses," "Undertakers," "Commissioners," "Company," or other Designation, as the Case may be, wherever the same respectively occurs; and such Mayor, Aldermen, and Burgesses by such Council shall have, exercise, and execute the Powers, Authorities, and Duties hereby conferred, authorized, or required according to the Laws for the Time being in force with respect to Municipal Corporations in *England* and *Wales*.

Short Title.

XV. And be it enacted, That in citing this Act in other Acts of Parliament, and in Deeds, Instruments, and legal and other Proceedings, it shall be sufficient to use the Expression "The *Macclesfield* Borough Waterworks Act, 1849."

Limits of Act to include whole Municipal Borough.

XVI. And be it enacted, That the Limits of this Act shall comprise and include the whole of the Borough of *Macclesfield*, as defined for Municipal Purposes by the said Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of King *William* the Fourth.

Powers of the Mayor, &c.

XVII. And be it enacted, That the Mayor, Aldermen, and Burgesses of the said Borough shall and may, subject to the Provisions of this Act and the Acts and Parts of Acts incorporated therewith, maintain the said existing Waterworks and Works connected therewith, and construct the additional Waterworks and Works connected therewith herein-after referred to, and supply the said Borough and the Inhabitants thereof with Water; and may, within the said Borough of *Macclesfield*, exercise all the Powers vested in them by this Act and the Acts and Parts of Acts incorporated therewith.

Power to make Waterworks according to deposited Plans.

XVIII. And whereas Plans and Sections showing the Lines and Levels of the intended new Waterworks, and also a Book of Reference containing the Names of the Owners, Lessees, and Occupiers or reputed Owners, Lessees, and Occupiers of the Lands and Streams in or through which the same are intended to be made or to pass, have been deposited with the Clerk of the Peace for the County of *Chester*: Be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, subject to the Provisions and Restrictions in this Act and the said Acts incorporated therewith contained, to make and maintain the said Waterworks, together with Reservoirs, Conduits, Pipes, and other Works in the Line and on the Levels and upon the Lands delineated on the said Plans and described in the said Book of Reference, and to purchase, enter upon, take, and use such of the Lands, Streams, and Waters mentioned in the said Plan and Book of Reference as shall be necessary for that Purpose, and to agree for a Lease or User of all or any of such Lands, Streams, and Waters, and to take therefrom such Water as the said Mayor, Aldermen, and Burgesses may require for the Purposes of this Act.

Owners may grant Leases.

XIX. And be it enacted, That the Persons empowered by the said Lands Clauses Consolidation Act, 1845, to convey Lands shall have full Power to make Leases or Grants of any Lands, Streams, and Waters, and the User thereof, and any Easement, Power, or Authority in or over such Lands, Streams, or Waters, for the Purposes of this Act: Provided always, that in all such Leases or Grants, when made by any Individual who shall be entitled to any other Estate than a Fee Simple for his own Use, or by any Corporation, there be reserved the best Rent or Remuneration that can reasonably be gotten for the Premises thereby demised or granted, payable half-yearly or oftener, and that no Premium, Fine, Grassum, or Foregift be taken for making the same.

Mayor, &c. may take Water from certain Brooks and their Tributaries.

XX. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses from Time to Time to take and store up in the said Reservoirs and Works constructed or so to be constructed as aforesaid the Waters of any Springs, Brooks, Rivulets, Streams, and Drains which may be intercepted or collected by any of the intended Works, and from Time to Time to draw off and use the Waters so stored up for the Purposes of this Act, and for the Purposes aforesaid to alter and divert the Course of the said Springs, Brooks, Rivulets, Streams, and Drains and their Tributaries to the Extent and in manner shown on the said Plans: Provided always, that nothing herein contained shall extend to authorize the said Mayor, Aldermen, and Burgesses to divert or intercept any Springs, Brooks, Rivulets, or Streams which at present directly or indirectly supply with Water the *Macclesfield* Canal or the Navigation from the *Trent* to the *Mersey*.

Lateral Deviations.

XXI. And be it enacted, That in constructing the said Waterworks the said Mayor, Aldermen, and Burgesses shall not deviate from the Line of the Works laid down on the said Plans more than Eleven Yards: Provided always, that no such Deviation shall extend to a greater Distance than the Limits of Deviation delineated on the said Plans, and that the Works by means of such Deviation be not made to extend into the Lands of any Person not mentioned in the said Books of Reference without his previous Consent in Writing, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission happened from Mistake shall have been certified in manner provided by the "Waterworks Clauses Act, 1847," herein referred to.

Mayor, &c. may also purchase Streams, Water Lands, &c. by Consent.

XXII. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, if they shall think fit, to purchase by Agreement, or take upon Lease, or rent or hire, upon such Terms and for such Considerations as shall be agreed upon, the whole or any Part of any Waterworks, Reservoirs, Canals, Rivers, Cuts, Sluices, Aqueducts, Conduits, Brooks, Streams of Water, Ponds, Springs, Wells, Rivulets, Watercourses, Lands, and Hereditaments not mentioned in the said Plans and Books of Reference, or of any Rights therein respectively, for the Purpose of supplying the said Borough or any Part thereof with Water, and for making and providing Reservoirs, Banks, Aqueducts, Conduits, Buildings, Dams, Conveniences,

veniences, and other Works for storing, protecting, conveying, and making available the same.

Limiting Quantity of Lands to be taken.

XXIII. And be it enacted, That the Quantity of Lands to be taken by the said Mayor, Aldermen, and Burgesses for additional or extraordinary Purposes for the Waterworks and Works connected therewith hereby compulsorily authorized to be made shall not exceed in the whole Thirty Acres.

Period for compulsory Purchase of Lands limited.

XXIV. And be it enacted, That the Powers of the said Mayor, Aldermen, and Burgesses for the compulsory Purchase or taking of Lands and Hereditaments for the Purposes of the said Waterworks and Works connected therewith shall not be exercised after the Expiration of Three Years from the Commencement of this Act.

Period within which Works are to be completed.

XXV. And be it enacted, That the Waterworks hereby compulsorily authorized shall be completed within Five Years from the Time of the Commencement of this Act, and on the Expiration of such Period the Powers by this or the said incorporated Acts granted to the said Mayor, Aldermen, and Burgesses for executing such Works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of the said Waterworks as shall then be completed.

Power to Mayor, &c. to receive Rents for Water.

XXVI. And be it enacted, That the said Mayor, Aldermen, and Burgesses shall be entitled to receive from every Person supplied with Water by them, under the Provisions of this Act and other Acts or Parts of Acts incorporated herewith, or any of them, such Rent or Sum of Money according to the annual Value of the Tenements supplied with Water as shall be agreed upon between the said Mayor, Aldermen, and Burgesses and such Person, according to the Scale following; (that is to say,)

Where the annual Value of such Tenement shall not exceed Twenty Pounds *per Annum*, the Water Rent shall not exceed *per Annum* One Shilling and Three-pence in the Pound upon such Value:

Where such Value shall exceed Twenty Pounds and shall not exceed Forty Pounds *per Annum*, the Water Rent shall not exceed *per Annum* One Shilling and Four-pence Three Farthings in the Pound upon such Value:

Where such Value shall exceed Forty Pounds and shall not exceed Sixty Pounds *per Annum*, the Water Rent shall not exceed *per Annum* One Shilling and Three-pence Halfpenny in the Pound upon such Value:

Where such Value shall exceed Sixty Pounds *per Annum* and shall not exceed Eighty Pounds *per Annum*, the Water Rent shall not exceed *per Annum* One Shilling and Two-pence Farthing in the Pound upon such Value:

Where such Value shall exceed Eighty Pounds *per Annum* and shall not exceed One hundred Pounds *per Annum*, the Water Rent shall not exceed One Shilling and a Penny in the Pound upon such Value:

And where such Value shall exceed One hundred Pounds *per Annum*, the Water Rent shall not exceed One Shilling in the Pound upon such Value:

Provided nevertheless, that the said Mayor, Aldermen, and Burgesses shall not be entitled to receive from any Person in respect of a Supply of Water to any Dwelling House or Part of a Dwelling House more than the Sum of Ten Pounds in any One Year, and that they shall not be obliged to furnish a Supply of Water to any Person for any less Sum than Five Shillings *per Annum*.

Supply of Water for manufacturing Purposes.

XXVII. And be it enacted, That in case of Manufacturers or other Persons requiring a Supply of Water for the Purposes of any Trade or Business whatsoever, or for any Purpose other than domestic Purposes, such Supply shall be furnished at such Rent or Rate, and upon such Terms and Conditions, as may be agreed upon between the Mayor, Aldermen, and Burgesses and such Persons respectively.

Rates how to be recovered.

XXVIII. And be it enacted, That all Arrears of Rates or Rents may, when the same do not exceed the Sum of Five Pounds, be recovered, with Costs, either by Distress or Sale of the Goods and Chattels of the Persons respectively liable to pay the same, wherever such Goods and Chattels may be found, in like Manner as Rent reserved on common Demises or under the Provisions of the Waterworks Clauses Act, 1847, subject to such Appeal to the Quarter Sessions as is thereby provided; and when such Arrears shall exceed the Sum of Five Pounds, the same may be recovered in the Manner provided by the said Waterworks Clauses Act, 1847.

Definition of domestic Purposes.

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

Application of Water Rates.

XXX. And be it enacted, That all Monies arising from the said Water Rates or Rents, and from Arrears of Water Rates or Rents, and Penalties and Debts connected therewith, due to the said Mayor, Aldermen, and Burgesses, shall, subject to the Mortgages for the Time being affecting the same, be applied as follows;

Firstly, in paying the Interest due on any Mortgages or other Securities now owing on the said existing Waterworks and Water Rates or Rents, or any of them:

Secondly, in paying the Interest of any future Mortgages or Securities on the said present and any future Waterworks and Water Rates or Rents, or any of them, and the Expenses of maintaining, conducting, carrying on, and regulating such Waterworks, and other the Works and Matters hereby authorized:

Thirdly, the Residue of such Monies shall be paid over to the Treasurer of the said Borough, to be carried to the Account of "The Borough Fund," and shall be applied and disposed of as Part of such Fund, according to the Provisions of the said Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of His Majesty King *William* the Fourth.

XXXI. And

Gas Pipes not to be laid within Three Feet of Water Pipes.

XXXI. And be it enacted, That all Pipes and other Conduits to be laid or used for the Conveyance of Gas in, under, through, along, across, or round any Street or other Place within the Limits of this Act shall be laid at the greatest practicable Distance, and, if the Width of such Street or other Place will allow thereof, at the Distance of Three Feet at least from the nearest Part of any Pipe or Conduit 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 or other Places, except in Cases where it shall be unavoidably necessary to lay any Gas Pipe across any Water Pipe or Conduit for the Conveyance of Water, in which Cases such Gas Pipe shall be laid above such Water Pipe at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, or as nearly so as may be, and every such Gas Pipe so crossing any Water Pipe or Conduit for Water shall be of such Length that no Joint thereof shall be nearer to any such Water Pipe or Conduit for Water than Three Feet at least, and that in laying down such Gas Pipes the Undertakers or other Persons or Corporation supplying Gas shall in no case join Two or more Gas Pipes 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 joining with the other Pipes to be added thereto with proper and sufficient Materials, and shall also make and keep all such Pipes, and all Pipes communicating therewith, and all the Screws and Joints thereof respectively Air-tight, so as to prevent the Gas from escaping therefrom.

Compensation to Mill-owners for Loss of Water.

XXXII. And be it enacted, That as Compensation to the Owners and Occupiers for the Time being of the Mills and Works of Messieurs *Isaac Smith*, *Samuel Smith*, and *William Pritchard*, or any of them, and of Messieurs *Charles Wood* and *Richard Wood*, situate in *Sutton* aforesaid, and which may be affected by the Waterworks hereby compulsorily authorized, the said Mayor, Aldermen, and Burgesses shall and they are hereby required to discharge from and out of the intended Reservoir, to be called the *Bottoms* Reservoir, on each and every working Day, for the Supply of the said Mills and Works, a Quantity of Water equal at least to Three Cubic Feet *per* Second for Twelve Hours of every working Day.

Mayor, &c. to construct Gauges and other Works.

XXXIII. And be it enacted, That for the Purpose of ascertaining the actual Quantity of Water as Compensation so passing out of the said *Bottoms* Reservoir, and for the Purpose also of securing and making available for the said Waterworks the Surplus or Flood Waters only of the Streams called the *Walker Barn* Brook or Stream and *Pyegreave* Brook or Stream, the said Mayor, Aldermen, and Burgesses shall and they are hereby required, at their own Costs, to make and construct and for ever thereafter maintain all proper Weirs, Gauges, and other Works, and which Weirs, Gauges, and Works shall be made and constructed, if the Owners for the Time being of the said Mills and Works shall so require, under the Direction and Superintendence of Two Engineers, one to be appointed by the said Mayor, Aldermen, and Burgesses, and the other by the said Owners for the Time being of the said Mills and Works, with Power to such

Engineers in case of Difference to choose an Umpire between them, and their or his Decision shall be final and conclusive, and all Expenses of such Arbitration shall be paid by the said Mayor, Aldermen, and Burgesses, or Owners, as the said Arbitrators or Umpire shall direct.

Owners and Occupiers of Mills to have Access to Gauges.

XXXIV. And be it enacted, That it shall be lawful for the Owners and Occupiers of the said Mills and Works to have Access at all Times by themselves, their Agents or Servants, to the said Weirs, Gauges, and Works of the said Mayor, Aldermen, and Burgesses, for the Purpose of viewing and examining the same, and of ascertaining, measuring, and gauging the Quantity of Water passing through or over the same; and the said Mayor, Aldermen, and Burgesses shall at all Times provide a proper Person, at their own Expense, to attend to their said Weirs, Gauges, and Works, and to regulate the letting out of the Compensation Water from the said *Bottoms* Reservoir.

Penalty for Failure to supply the stipulated Quantity of Water.

XXXV. And be it enacted, That in case of any Neglect or Default by or in consequence of which the Quantity of Compensation Water required as aforesaid to be discharged from the said *Bottoms* Reservoir shall not be so discharged therefrom, the said Mayor, Aldermen, and Burgesses shall, for every Day on which such Neglect or Default shall occur, forfeit and pay, by way of Penalty, to the Occupiers of the said Mills and Works who may sue for the same in any of Her Majesty's Superior Courts, the Sum of Twenty-five Pounds, but such Penalty shall not be incurred if the Want of such Discharge of Water shall arise from unavoidable Cause or Accident or necessary Repairs; and the said Mayor, Aldermen, and Burgesses shall make good, repair, and restore the Works with all convenient Speed.

Application of Monies arising from Sale of superfluous Lands.

XXXVI. And be it enacted, That all Monies which shall come to the Hands of the said Mayor, Aldermen, and Burgesses in consequence of the Sale of any superfluous Lands and Hereditaments under the Provisions of this Act and of the Acts incorporated therewith, or any of them, shall be applicable to all or any of the Purposes herein authorized, and, subject thereto, shall be paid over to the Treasurer of the said Borough, to be carried to the Account of "The Borough Fund," and shall be applied and disposed of as Part of such Fund according to the Provisions of the said Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of His Majesty King *William* the Fourth.

10 & 11 Vict. c. 14. incorporated with this Act.

XXXVII. And be it enacted, That the "Markets and Fairs Clauses Act, 1847," shall be incorporated with this Act, and shall apply as well to the existing Market Places and Places for holding Fairs and the Markets and Fairs there holden, as also to all other Market Places and Places for holding Fairs and the Markets and Fairs to be holden within the Limits of this Act, except so far as the Provisions of the said Markets and Fairs Clauses Act are expressly varied or altered by this Act, or are inconsistent with the Provisions or inapplicable to the Purposes of this Act.

Power to enlarge the

XXXVIII. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, when and as they shall think

it expedient so to do, to enlarge and improve all or any of the present Market Places or Places for holding Fairs, or in lieu thereof or in addition thereto to set up, make, and maintain on any Land which may belong to the said Mayor, Aldermen, and Burgesses, or which they are hereby empowered to purchase and may purchase for such Purpose, or on any waste or open Spaces of Land within the Limits of this Act, such other Market Places and Places for holding Fairs for the Sale of Meat, Fish, Provisions, Agricultural Produce, Cattle and Animals, and of all other marketable Commodities, with such Erections, Buildings, Stalls, Standings, Slaughter-houses, and other Conveniences therein, and Avenues and Approaches thereto, as the said Mayor, Aldermen, and Burgesses shall think expedient and necessary.

present Market Places, or to erect others.

XXXIX. And be it enacted, That when sufficient new Market Places and Places for holding Fairs shall have been provided as aforesaid it shall be lawful for the said Mayor, Aldermen, and Burgesses either to discontinue the Use of the present Market Places and Places for holding Fairs as such, and to sell and dispose of the same, or to use and convert the same for any other Purpose whatsoever, or to continue the same as such Market Places and Places for holding Fairs as aforesaid, notwithstanding the setting up, making, erecting, building, and establishing of such other Market Places and Places for holding Fairs as aforesaid.

When new Markets provided, Council may discontinue old ones.

XL. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, if they shall think fit, to purchase by Agreement, or to take upon Lease, or rent, or hire, and upon such Terms and for such Considerations as shall be agreed upon, any Lands or Hereditaments which they may think proper for the Purpose of improving the said existing Places for holding Markets and Fairs, and of making such new Places for holding Markets and Fairs as aforesaid, and for making proper Approaches thereto, and for providing Slaughter-houses and other Conveniences connected therewith.

Power to take Lands for Markets and Fairs by Agreement.

XLI. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses from Time to Time to demand and take from any Person occupying or using any Ground, Building, Stall, Stand, Shamble, Pen, or Place in any existing or future Place for holding any Market or Fair, or bringing into any such Market or Fair any Cattle or Animals, or other marketable Commodities, Articles, Matters, or Things specified in the Schedule to this Act annexed, such Stallages, Rents, Payments, and Tolls as the said Mayor, Aldermen, and Burgesses shall from Time to Time appoint, not exceeding the Stallages, Rents, Payments, and Tolls specified in the said Schedule.

Tolls to be taken for the Markets and Fairs.

XLII. And be it enacted, That all Monies arising from the said Stallages, Rents, Payments, and Tolls, Markets, and Fairs, or any Lease thereof, as herein-after mentioned, or from any Debts or Sums of Money which on the Commencement of this Act shall be due to the said Mayor, Aldermen, and Burgesses in respect of or in reference to

Application of Tolls for Markets.

to the existing Stallages, Rents, Payments, and Tolls, Markets, and Fairs, shall, subject to the Mortgages for the Time being affecting the same, be applied as follows:

Firstly, in payment of the Interest due on any Mortgages or other Securities now owing on the existing Stallages, Rents, Payments and Tolls, Markets and Fairs, and the Lands, Buildings, and Premises connected therewith, or any of them:

Secondly, in paying the Interest of any future Mortgages or Securities on the said existing and any future Stallages, Rents, Payments and Tolls, Markets and Fairs, and the Lands, Buildings, and Premises connected therewith, or any of them, and the Expenses of maintaining, conducting, carrying on, and regulating the said present and future Markets and Fairs, and the present and future Places for Markets and Fairs, and other the Works and Matters hereby authorized:

Thirdly, the Residue of such Monies shall be paid over to the Treasurer of the said Borough, to be carried to the Account of "the Borough Fund," and shall be applied and disposed of as Part of such Fund, according to the Provisions of the said Act passed in the Session of Parliament held in the Fifth and Sixth Years of the Reign of His Majesty King *William* the Fourth.

Power to let the Markets, &c. for Three Years.

XLIII. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses from Time to Time to demise and let the said Markets and Fairs, Stallages, Rents, Payments, and Tolls, and the Lands, Buildings, Premises, and Matters connected therewith, or any of them, for any Period not exceeding Three Years, upon such Terms as shall be agreed upon between the said Mayor, Aldermen, and Burgesses and the Person to whom such Lease may be made.

Certain Provisions of 10 & 11 Vict. c. 89. to apply to this Act.

XLIV. And be it enacted, That the Powers and Provisions of "The Towns Police Clauses Act, 1847," with respect to Obstructions and Nuisances in the Streets, with respect to Fires, with respect to Places of public Resort, and with respect to Hackney Carriages, shall be applicable to and be exercised in the said Borough of *Macclesfield* and within the Limits of this Act, and that the Words "the Commissioners" in the said Police Clauses Act, 1847, shall in reference to this Act be construed to mean the said Mayor, Aldermen, and Burgesses acting by the Council of the said Borough.

Power to enter Houses and inspect Butchers Meat.

XLV. And be it enacted, That every Inspector of Provisions, or other Officer appointed by the said Mayor, Aldermen, and Burgesses for that Purpose, may and he is hereby empowered, at all reasonable Times, with or without Assistants, to enter into and inspect any House, Shop, Building, Stall, or Place kept or used for the Sale of Butchers Meat, Poultry, Game, Flesh, or Fish, or as a Slaughter-house, and into any other House, Shop, Building, or Place in which any Butchers Meat, Poultry, Game, Flesh, or Fish intended for Sale for the Food of Man shall be, and also to inspect any Basket or other Receptacle containing any Butchers Meat, Poultry, Game, Flesh, or Fish intended or hawked or carried for Sale for the Food of Man, and

to

to examine any Animal, Carcase, Meat, Poultry, Game, Flesh, or Fish which may be therein respectively; and if the same appear to him to be intended for the Food of Man, and to be unfit for such Food, the same may be seized, and if it shall appear to a Justice of the Peace, upon the Evidence of a competent Person, that any such Animal, Carcase, Meat, Poultry, Game, Flesh, or Fish is unfit for the Food of Man, he shall order the same to be destroyed, or to be so disposed of as to prevent its being exposed for Sale or used for such Food, and every Person to whom such Animal, Carcase, Meat, Poultry, Game, Flesh, or Fish belongs, or in whose Custody the same is found, shall be liable to a Penalty not exceeding Ten Pounds for every such Offence; and every Person who shall obstruct or hinder any such Inspector or other Officer in making any such Entry, Inspection, or Seizure as aforesaid shall be liable to a Penalty not exceeding Five Pounds for every such Offence.

Power to seize Meat, &c. unfit for Use.

Penalty on obstructing Inspector.

XLVI. And be it enacted, That the Clauses of the "Towns Improvement Clauses Act, 1847," with respect to ruinous and dangerous Buildings shall be incorporated with this Act.

Certain Provisions of 10 & 11 Vict. c. 34. incorporated.

XLVII. And whereas the estimated Expense of making the new Waterworks for better supplying the said Borough with Water is Fourteen thousand Pounds, and other Monies will be required for carrying the other Purposes of this Act into execution: Be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses from Time to Time to borrow, at Interest, upon the Security of the Borough Rate of the said Borough and of any Property vested in or belonging to the said Mayor, Aldermen, and Burgesses, or which may be acquired by them under or by virtue of this Act, or otherwise howsoever, or on any One or more of such Securities, (but subject to the Mortgages and other Debts already charged thereon,) any Sum or Sums of Money not exceeding in the whole the Sum of Forty-nine thousand Pounds, and in the event of all or any Part of such Monies being paid off by the said Mayor, Aldermen, and Burgesses, to re-borrow the same *toties quoties*, and for securing the Repayment of the Monies so to be borrowed, with Interest, the said Mayor, Aldermen, and Burgesses may make and execute any Mortgage, Bond, or other Security.

Power to borrow Money on Mortgage.

XLVIII. And be it enacted, That every such Mortgage or Security shall be by Deed duly stamped, in which the Consideration shall be truly stated, and every such Deed shall be under the Common Seal of the said Mayor, Aldermen, and Burgesses.

Form of Mortgage.

XLIX. And be it enacted, That nothing in this Act contained shall extend to enable the Mayor, Aldermen, and Burgesses to take, appropriate, use, sell, demise, mortgage, or alienate for the Purposes of this Act, without the Approbation of the Lords Commissioners of Her Majesty's Treasury, or any Three of them, any Lands, Tenements, or Hereditaments which they could not have taken, appropriated, used, sold, demised, mortgaged, or alienated without such Approbation before the passing of this Act, anything in this Act to the contrary notwithstanding.

Council not to sell or mortgage Estates without Consent of the Treasury.

Mortgages to be without Preference.

L. And be it enacted, That all Persons to whom such Mortgages or Securities shall hereafter be made, or who shall be entitled to the Monies thereby secured, shall, in proportion to the Sums therein respectively mentioned, be Creditors on the Property and Funds which may be included in such Mortgages or Securities equally one with another without any Preference in respect of the Priority of advancing such Monies, or the Dates of any such Mortgages or Securities respectively, and the Principal Monies and Interests secured by such Mortgages or Securities, and all Expenses incident thereto, shall be provided for and paid by the said Mayor, Aldermen, and Burgesses, and in the same Manner, in all respects as other Debts and Expenses incurred by Municipal Corporations are by Law directed to be levied, raised, and paid.

Register of Mortgages to be kept, and to be open to Inspection.

LI. And be it enacted, That a Register of such Mortgages and Securities shall be kept by the Town Clerk of the said Borough, and within Fourteen Days after the Date of any such Mortgage or Security an Entry or Memorial of the Number and Date thereof, and of the Names of the Parties thereto, with their proper Additions, shall be made in such Register, and such Register may be perused at all reasonable Times by any Person interested therein without Fee or Reward.

Transfer or Assignments of Mortgages.

LII. And be it enacted, That from Time to Time any Party entitled to any such Mortgage or Security may transfer his Right and Interest therein to any other Person by a Deed duly stamped, wherein the Consideration shall be truly stated.

Register of Transfers to be kept.

LIII. And be it enacted, That within Thirty Days after the Date of every such Transfer it shall be produced to the Town Clerk of the said Borough, who thereupon shall cause an Entry or Memorial thereof to be made in the same Manner as in the Case of the original Mortgage or Security, and for such Entry the Town Clerk may demand a Sum not exceeding Five Shillings, and after such Entry every such Transfer shall entitle the Transferee, his Heirs, Executors, Administrators, or Assigns, to the full Benefit of the original Mortgage or Security in all respects, and no Party having made such Transfer shall have Power to make void, release, or discharge the Mortgage or Security so transferred or any Money thereby secured.

Interest on Mortgages to be paid half-yearly.

LIV. And be it enacted, That, unless otherwise provided by any Mortgage or Security, the Interest of the Money borrowed upon every such Mortgage or Security shall be paid half-yearly to the several Persons entitled thereto.

Power to borrow Money at a less Rate to pay off Securities bearing a higher Rate of Interest.

LV. And be it enacted, That if the said Mayor, Aldermen, and Burgesses can at any Time borrow or take up any Sums of Money for any of the Purposes of this Act at a lower Rate of Interest than any Mortgages or Securities given by them, and which shall be then in force, shall bear, then it shall be lawful for them from Time to Time to borrow such Sums of Money as they shall think proper, at such lower Rate as aforesaid, in order to pay off and discharge any Mortgages or Securities bearing such higher Rate of Interest, and in such Manner and on such Security, and subject to such Regulations, as are

herein contained with respect to Monies borrowed on Mortgage or Security.

Mode of paying off Mortgages.

LVI. And be it enacted, That when and as often as the said Mayor, Aldermen, and Burgesses shall, under the Provisions of this Act, be enabled and think it expedient to pay off One or more out of the Number of such Mortgages or Securities upon which the same Rate of Interest shall be payable, or a Part of the Money secured on any such Mortgage or Security, if the Person holding such Mortgage or Security shall consent to accept such Part, the said Mayor, Aldermen, and Burgesses shall cause a Notice, signed by the Town Clerk of the said Borough, to be given to the Person entitled to the Money to be paid off, and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Six Calendar Months from the Date of giving such Notice, and at the Expiration of such Period the Interest of the Principal Money to be paid off shall cease, unless such Principal Money and Interest be not paid on Demand pursuant to such Notice, but such Principal Money and the Interest thereof to the End of the said Six Months shall nevertheless be payable on Demand.

Sinking Fund to be formed to pay off the Money borrowed.

LVII. And be it enacted, That for the Purpose of providing a Fund for paying off the Principal Monies for the Time being owing by virtue of any Mortgage or Security made in pursuance of this Act, the said Mayor, Aldermen, and Burgesses shall once in every Year, out of the said Borough Fund and other their Property and Income, or some or one of them, or some Part thereof, set aside such Sum of Money as they shall think proper, not being more than Five Pounds *per Centum* on the Amount of such Principal Monies, and the Sum so from Time to Time to be set aside, and also all other Monies which shall be applied by the said Mayor, Aldermen, and Burgesses in augmentation of the said Fund, shall be applied in the Manner herein directed in payment, so far as the same will extend, of such Principal Monies, or the same shall be invested in the Public Funds, or on Government or Real Security, in the Names of the said Mayor, Aldermen, and Burgesses, and the Dividends and Interest of the Monies so invested, when and as the same shall become due, shall be received and invested in like Manner, in order that the said Monies so set aside and invested may accumulate at Compound Interest, and when the accumulated Fund shall amount to a Sum which in the Opinion of the said Mayor, Aldermen, and Burgesses can be conveniently applied for that Purpose, the Stocks, Funds, or Securities whereon the same shall be invested shall be sold or otherwise be converted into Money, and the Monies arising from any such Sale and Conversion shall be applied in the Manner by this Act directed in payment, so far as the same will extend, of the said Principal Monies, and so from Time to Time until the whole of the said Principal Monies shall have been discharged.

Tender of Amends.

LVIII. And be it enacted, That if any Party have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this Act or any Act incorporated therewith, or by virtue of any Power

Power or Authority thereby given, and if before Action brought in respect thereof such Party make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action; and if no such Tender have been made, it shall be lawful for the Defendant by Leave of the Court where such Action is pending, at any Time before Issue joined, to pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Recovery of Penalties.

LIX. And be it enacted, That the Clauses of the "Railways Clauses Consolidation Act, 1845," with respect to the Recovery of Damages not specially provided for, and Penalties, and to the Determinations of any other Matter referred to Justices, shall be incorporated in this Act for all or any of the Purposes thereof.

Application of Penalties.

LX. Provided always, and be it enacted, That notwithstanding anything in this Act or any Act or Part of any Act incorporated therewith contained every Penalty or Forfeiture imposed by this Act or any Act or Part of any Act incorporated therewith, or by any Bye Law made in pursuance thereof respectively, shall, except where the Application thereof is otherwise specially provided for, be paid to the Treasurer of the said Borough to the Credit and on account of the Borough Fund of the said Borough.

Persons giving false Evidence liable to Penalties of Perjury.

LXI. And be it enacted, That every Person who, upon any Examination upon Oath under the Provisions of this Act or any Act or Part of any Act incorporated therewith, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

Water Rates, when Amount not disputed, may be recovered as by other Acts.

LXII. And be it enacted, That all Water Rates or Rents due to the said Mayor, Aldermen, and Burgesses, and all Damages, Costs, and Expenses, the Amount whereof shall not be disputed, may be recovered in the same Manner as is by this Act, or by any Act or Part of any Act incorporated herewith, provided where the Amount thereof shall be ascertained and determined by Two Justices.

Costs of Proceedings may be included in the Warrant of Distress.

LXIII. And be it enacted, That it shall be lawful for any Justice who shall issue any Warrant of Distress for the Recovery of any Sum of Money payable under this Act, or any Act or Part of any Act incorporated therewith, to order that the Costs of the Proceedings for the Recovery of such Sum of Money shall be paid by the Person liable to pay such Sum of Money, and such Costs shall be ascertained by such Justice, and shall be included in the Warrant of Distress for the Recovery of such Sum of Money.

Rates may be recovered in the County Court.

LXIV. And be it enacted, That nothing in this Act, or any Act or Part of any Act incorporated therewith, contained shall prevent the said Mayor, Aldermen, and Burgesses from recovering any Sum of Money which shall be due to them for Water Rates, Stallages, Rents, Tolls, or otherwise, or for Damages, Costs, or Expenses by Action, or proceeding

proceeding in such Manner as is by Law provided for the Recovery of Debts not exceeding Twenty Pounds.

Saving Freemen's Exemptions.

LXV. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to take away, defeat, lessen, alter, or affect in anywise howsoever any of the Rights, Privileges, and Exemptions from the Payment of Rates, Tolls, and Duties now enjoyed by the Freemen of the Borough of *Macclesfield*.

Saving the Rights of the Manchester, Sheffield, and Lincolnshire Railway Company.

LXVI. And be it enacted, That nothing herein contained shall take away, diminish, alter, prejudice, or affect any of the Properties, Rights, Privileges, Powers, Franchises, or Authorities of or belonging to or vested in the *Manchester, Sheffield, and Lincolnshire* Railway Company, in relation to the *Macclesfield* Canal or otherwise howsoever.

Saving the Rights of the North Staffordshire Railway Company.

LXVII. And be it enacted, That nothing in this Act, or in the Acts incorporated therewith contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Powers, Privileges, or Authorities vested in the *North Staffordshire* Railway Company, but all their Rights, Powers, Privileges, and Authorities, under their several Acts of Parliaments are hereby expressly reserved.

Undertaking not exempt from Provisions of 11 & 12 Vict. c. 63.

LXVIII. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the said Mayor, Aldermen, and Burgesses from the Provisions of the "Public Health Act, 1848," or of any general Act relating thereto, or to the Subject Matter thereof, which may pass during the present or any future Session of Parliament.

Expenses of Act.

LXIX. And be it enacted, That the Costs, Charges, and Expenses incurred or to be incurred by the said Mayor, Aldermen, and Burgesses, for the Purpose of obtaining and passing this Act, and connected therewith, shall be paid out of the Borough Fund and Borough Rate of the said Borough.

Public Act.

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

SCHEDULE of Tolls, Stallages, and Payments referred to and authorized to be taken in the present or future Markets and Fairs by the foregoing Act.

Freemen to be entitled to their ancient Exemptions.

From the Occupier of each Shop, according to the Size and Dimensions of the same; viz.

	s.	*d.*
For each and every Superficial Foot thereof, inside Measure,		
If taken by the Year, not exceeding the Sum of -	6	8
by the Half Year, not exceeding the Sum of	3	4
by the Quarter, not exceeding the Sum of -	1	8
For each Market Day, or other Day in the Week, not exceeding the Sum of - - -	0	1

From the Occupier of each Butcher's Stall, according to the Size and Dimensions of the same; viz.

For each and every Superficial Foot thereof,		
If the Stall or Passage in front thereof be covered over from the Weather,		
If taken by the Year, not exceeding the Sum of	6	8
by the Half Year, not exceeding the Sum of	3	4
by the Quarter, not exceeding the Sum of	1	8
If not covered over as above,		
If taken by the Year, not exceeding the Sum of	6	0
by the Half Year, not exceeding the Sum of	3	0
by the Quarter, not exceeding the Sum of	1	6
If otherwise taken or occupied,—		
If covered over as above,		
For each Market Day, or other Day in the Week, not exceeding the Sum of - -	0	1
If not covered over as above,		
For each Market Day, or other Day in the Week, not exceeding the Sum of -	0	1

From the Occupier of each Stand for Vegetables or other Articles raised above the Ground with progressive Steps or Benches, according to the Size and Dimensions of the same; viz.

For each and every Superficial Foot thereof,		
If the Stand and Passage in front be covered over from the Weather,		
If taken by the Year, not exceeding the Sum of	5	0
by the Half Year, not exceeding the Sum of	2	6
by the Quarter, not exceeding the Sum of	1	3

If

	s.	d.
If not covered over as above,		
If taken by the Year, not exceeding the Sum of	4	0
by the Half Year, not exceeding the Sum of	2	0
by the Quarter, not exceeding the Sum of	1	0
If otherwise taken or occupied,—		
If covered over as above,		
For each Market Day, or other Day in the Week, not exceeding the Sum of - -	0	1
If not covered over as above,		
For each Market Day, or other Day in the Week, not exceeding the Sum of - -	0	1

From the Occupier of each other Stand or Bench, according to the Size and Dimensions of the same; viz.

For each and every Superficial Foot thereof,		
If the Stand or Bench, and the Passage in front thereof, be covered over from the Weather,		
If taken by the Year, not exceeding the Sum of	5	0
by the Half Year, not exceeding the Sum of	2	6
by the Quarter, not exceeding the Sum of	1	3
If not covered as above,		
If taken by the Year, not exceeding the Sum of	4	0
by the Half Year, not exceeding the Sum of	2	0
by the Quarter, not exceeding the Sum of	1	3
If otherwise taken or occupied,—		
If covered over as above,		
For each Market Day, or other Day in the Week, not exceeding the Sum of - -	0	1
If not covered over as above,		
For each Market Day, or other Day in the Week, not exceeding the Sum of - -	0	1

From the Occupier of each Compartment or Space on the Surface of the Ground, according to the Size and Dimensions of the same; viz.

For each and every Superficial Foot thereof,		
If the Compartment and the Passage surrounding the same be covered over from the Weather,		
If taken by the Year, not exceeding the Sum of	3	10
by the Half Year, not exceeding the Sum of	1	11
by the Quarter, not exceeding the Sum of	0	11½
If not covered as above,		
If taken by the Year, not exceeding the Sum of	3	0
by the Half Year, not exceeding the Sum of	1	6
by the Quarter, not exceeding the Sum of	0	9
If otherwise taken or occupied,—		
If covered over as above,		
For each Market Day, or other Day in the Week, not exceeding the Sum of - -	0	1
If not covered over as above,		
For each Market Day, or other Day in the Week, not exceeding the Sum of - - -	0	0¾

From the Occupier of each Standing in the Fish Markets, according to the Size and Dimensions of the same; viz.

	s.	*d.*
For each and every Superficial Foot thereof,		
If taken by the Year, not exceeding the Sum of	8	6
by the Half Year, not exceeding the Sum of	4	3
by the Quarter, not exceeding the Sum of	2	2
If otherwise taken or occupied,		
For each Market Day, or other Day in the Week, not exceeding the Sum of - - -	0	1
And for every Bull, Cow, Ox, Steer, or Heifer, if sold by the Carcase - - - - - -	2	6
And for every Calf, Sheep, Lamb, or Pig, if sold by the Carcase - - - - - -	1	0

And so in proportion for every less Quantity than the entire Carcase.

And for the following Articles (if not exposed for Sale on any of the Stalls or Standing Places to be taken as above) the following Sums of Money for each and every Day of the Week; that is to say,

Fruit, single Horse Cart full - - - -	1	0
Hamper, Basket, Whisket, or Tub under One Bushel Imperial Measure - - - - -	0	0½
Hamper, Basket, Whisket, or Tub, exceeding One Bushel, but not exceeding One and a Half Bushel	0	1
Hogshead - - - - - -	0	4
Tierce - - - - - -	0	3
Chest - - - - - -	0	2
Box - - - - - -	0	1
And so in proportion for every Excess.		
Green Vegetables of all Sorts,		
A Cart-load, according to Bulk, from 4*d.* to - -	1	0
A Cart-load when loaded on the Wings higher than the Body, according to the Bulk, from 1*s.* to -	1	6
Hamper, Basket, or Tub, not exceeding One Bushel Imperial Measure - - - -	0	0½
For a greater Quantity, per Bushel - -	0	0½
Poultry,		
A large Basket - - - - -	0	4
A small ditto - - - - -	0	2
Bacon or Pork, for every Flitch - - - -	0	2
In every Tierce, Barrel, or other Package, per Cwt. -	0	2
Cheese, for every Hundred Weight - - -	0	2
Butter and Eggs, in Boxes or Hampers, from 2*d.* to -	0	4
A large Basket - - - - -	0	2
A smaller ditto - - - - - - -	0	1
A Crate of Eggs - - - - - -	0	4
Fish, a Cart-load - - - - - -	0	6
Hamper or Pannier, Box or other Package - -	0	1

Earthenware

	s.	*d.*
Earthenware and Glasses, when set out for Sale upon the Ground, according to the Quantity and the Quality of the Space or Ground covered with the same, not exceeding 50 superficial Square Feet, from 6*d.* to - -	4	0
Flowers, Flower Roots and Plants, a large Basket -	0	2
A smaller ditto - - - - -	0	1
Calicoes, Cloth, Linen, and Articles of Dress, each Skip or Basket, according to the Size thereof and Quantity of Goods, from 2*d.* to - - - - - -	0	3
Provisions, a Basket, Barrow, or small Board, from 2*d.* to -	0	4
Coopers Ware, a Skip, according to Size, from 2*d.* to -	0	3
Pastry, Spices, and Confectionery, a large Basket or Board	0	2
A smaller ditto ditto - - - - -	0	1
Coals, Turf, and other Fuel, a Cart-load - - -	0	4
Pottery Ware, a Cart-load - - - - -	0	4
Shows and public Exhibitions, from 2*d.* to - -	1	0
Books, old Iron, and Smallware, a Cart-load or Stall -	1	0
Flower Baskets, or Boards, according to Quantity and Quality, from 6*d.* to - - - -	1	0
Nuts, for a Cart-load, from 4*d.* to - - -	0	6
Basket - - - - - -	0	1
White Sand, Brooms, and Besoms, for a Cart-load -	0	4
Basket - - - - - -	0	1
Oats, per Sack of 3 Imperial Bushels - - -	0	3
Wheat, Barley, Peas, and Beans in the Grain, per Sack of Four Imperial Bushels - - - -	0	4
Flour, for every Load consisting of Twelve Score Pounds in Weight - - - - - - -	0	4
Oatmeal, ditto - ditto - -	0	3
Carrots, for every 240 Pounds - - - - -	0	1
For every Cart-load, loose - - - - -	1	0
Turnips, per Load of Sixteen Pecks - - -	0	1
Cart-load - - - - - - - -	1	0
Celery, per Five Dozen - - - -	0	1
Onions, per Basket, under Three Pecks - - -	0	0½
From Three to Four - ditto - - -	0	1
For every Three Pecks more - - - -	0	0½
Potatoes, Peas, and Beans, per Load Bag . - -	0	1
Per Half Load Bag, and less Quantity - -	0	0½
A Half Load Sack, (containing 126 Pounds) -	0	0½
A Load Sack - - - - - - -	0	1
A Cart-load, not exceeding Twelve Sacks - -	1	0
Ditto, exceeding Twelve Sacks - - - -	1	6
Italian Images and Pictures, a large Board or Basket -	0	2
A smaller one - - - - -	0	1
From every Person standing or walking in any open Space in the Market Place and exposing to Sale any Cutlery, Hardware, Mercery, Smallware or Goods of any Kind, per Day - - - - - - -	0	2

The above-mentioned Tolls and Stallage in the said Markets and Fairs to be paid and payable in respect of the Occupation of any Stall, Stand, Bench,

Compartment, or Space of Ground as well by the original Taker or Occupier thereof for a Part or Portion of the Day as by any subsequent Taker or Occupier of the same for any other Part or Portion of the Day or Space of Time. *s.* *d.*

Hay and Straw, for each and every Cart Load of Hay, Straw, Grass, Vetches, or other Article, Commodity, or Thing exposed for public Sale, if drawn by One Horse or other Beast, *per* Day the Sum of - - - - 0 4
Ditto, ditto, when retailed - - - - 0 8

And when any of the preceding Articles are brought in a Waggon instead of a Cart, double the Amount of the Tolls fixed and appointed to be taken by virtue of this Act when brought in a Cart shall be taken.

During the ancient Fairs holden in each Year in all the Markets, double the Amount of the Tolls and Stallage which may be fixed and appointed to be taken by virtue of this Act according to the above Schedule, as far as respects the Shops, Stalls, Stands, Benches, Compartments, or Spaces of Ground occupied by the Day, and which may not be let or taken by the Year, Half Year, or Quarter, but not otherwise; and for Land occupied during such Fairs for Shows or public Exhibitions, as follows, viz.

For every Foot of Frontage where not exceeding 30 Feet in Depth, per Foot - - - - - 5 0
Where exceeding 30 Feet, but not exceeding 60 Feet in Depth, per Foot - - - - - 7 6
Where exceeding 60 Feet, but not exceeding 90 Feet in Depth, per Foot - - - - - 8 9
Where exceeding 90 Feet in Depth, per Foot - - 10 0

TOLLS to be taken in the CATTLE MARKET and FAIR.

For the Exposure to Sale of Horses or other Beasts, Cattle or Pigs, as follows; (that is to say,)
For every Horse, Mare, or Gelding - - - 0 4
For every Colt or Filly - - - - - - 0 2
For every Mule or Ass - - - - - 0 1
For every Bull, Ox, Cow, Heifer, or Steer - - 0 2
For every Calf - - - - - - 0 1
For every Score of Sheep or Lambs - - - 0 10
For every Score of Pigs - - - - - 0 10

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

TOLLS to be taken for WEIGHING and MEASURING.

	s.	*d.*
For weighing every Piece of Meat or Thing not weighing more than Twenty Pounds Avoirdupois - - -	0	0½
For weighing every Piece of Meat or Thing weighing more than Twenty Pounds and not exceeding 240 Pounds - - - - - - -	0	1
And so in proportion for any greater Quantity than 240 Pounds Weight - - - - -	0	2
For measuring every Quantity of Goods and Things sold by Measure, not exceeding One Bushel - -	0	0½
For measuring every Quantity more than One Bushel, and not exceeding Two Bushels - - - - -	0	1
And for every Bushel beyond Two Bushels - -	0	0½

TOLLS to be taken for WEIGHING MACHINES.

For weighing every Cart Load of Hay or Straw - -	0	4
,, ,, of Green Clover or Grass	0	3
,, ,, of Coal or Manure - -	0	2
For weighing any other Cart, Waggon, or other Carriage	0	3

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