ANNO NONO

GEORGII IV. REGIS.

****

Cap. cxvii.

An Act to amend several Acts for cleansing, lighting, watching, improving, and regulating the Towns of *Manchester* and *Salford* in the County Palatine of *Lancaster*. [15th *July* 1828.]

WHEREAS an Act was passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for cleansing, lighting, watching, and regulating the Streets, Lanes, Passages, and Places within the Towns of* Manchester *and* Salford *in the County Palatine of* Lancaster, *for widening and rendering more commodious several of the said Streets, Lanes, and Passages, and for other Purposes therein mentioned:* And whereas another Act was passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the more effectual Administration of the Office of a Justice of the Peace within the Townships of* Manchester *and* Salford *in the Hundred of* Salford *in the County Palatine of* Lancaster, *and to provide, by means of a Rate on the said Townships and otherwise, a competent Salary to a Justice of the Peace acting within the said Townships; and to enable the Constables of* Manchester *and* Salford *to take Recognizances in certain Cases:* And whereas another Act was passed in the Fifth Year of the Reign of His present Majesty, intituled *An Act for better lighting with Gas the Town of* Manchester *in the County Palatine of* Lancaster: And whereas the said Towns of *Manchester* and *Salford* are respectively very large and populous, and form Two Townships, separate and distinct from each other in all Matters of local Arrangement; and soon after the passing of the said first-recited

32 G.3. c.69.

53 G.3. c.72.

5 G.4. c.133.

Act the Commissioners thereby appointed divided, and formed Two distinct Bodies, and from that Time have so continued to act and put the said first-recited Act in force for each Town separately and respectively, and the Rates authorized by the said first-recited Act to be assessed and raised have been and now are raised by separate and distinct Assessments within each of the said Towns, and applied exclusively to the Use of the Town within which they were and are assessed and raised: And whereas the said Towns of *Manchester* and *Salford*, and more particularly the former, having greatly increased since the passing of the said first-recited Act, and being still increasing in Trade, Population, and Extent of Buildings, cannot be conveniently regulated by One Body of Commissioners acting separately as aforesaid; and it is therefore expedient to ratify and confirm all Rates, Orders, and Proceedings already made and done by such Commissioners respectively, and to make certain Provisions respecting the said Towns respectively, and to secure the better Execution of the said Acts within and for the said Town of *Manchester*, in the Manner herein-after mentioned; 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 all and every the Rates, Orders, and Proceedings of the Commissioners under the said first-recited Act, when acting for each of the said Towns distinctly and at separate Meetings there, and all the Contracts and Agreements entered into by the said Commissioners, and all their Receipts, Payments, and Disbursements, and other Acts, which would have been good if they had respectively been assessed, passed, adopted, entered into, and made or done by the said Commissioners jointly for and in respect of both the said Towns, shall be and the same are hereby confirmed; and all such Rates, Orders, Proceedings, Contracts, Agreements, Receipts, Payments, Disbursements, and Acts, shall be as valid and effectual as if the same respectively had been entire throughout both the said Towns, and had been respectively duly assessed, passed, adopted, entered into, and made or done.

Confirmation of all Rates, Proceedings, &c. by Commissioners under 32 G. 3. while acting separately.

II. And in order that the Commissioners for the Town of *Salford* may, so far as Circumstances will admit of, remain in the same Situation in which they now are, but in respect only of Property in *Salford*, be it further enacted, That from and after the passing of this Act all Persons qualified as in the said first-recited Act is mentioned, but in respect only of Property situate within the said Town of *Salford*, shall and they are hereby constituted, appointed, and declared to be Commissioners for putting and carrying the several Powers, Authorities, and Provisions of the said first-recited Act into Execution concerning the said Town of *Salford*, separately and distinctly from the said Town of *Manchester*, subject nevertheless to the Conditions expressed and contained in the said last-recited Act, relative to the Disability of the said Commissioners, and their ceasing to be qualified as therein mentioned; and so subject, the said Commissioners for the said Town of *Salford* shall henceforth be a Body Corporate and Politic, by the

All Persons qualified in respect of Property in Salford, to be Commissioners for executing the recited Act in Salford.

Such Commissioners to be a Body

Name of "The Commissioners for better cleansing, lighting, watching, and regulating the Town of *Salford*;" and by that Name shall have perpetual Succession and a Common Seal, and shall and may raise Rates within and for the separate Use of the said Town of *Salford*, and do all other Acts, Matters, and Things for the same Town exclusively, which the Commissioners under the said first-recited Act were authorized to do collectively for the said Towns of *Manchester* and *Salford*; and the Book or Books to be from Time to Time kept by the said Commissioners hereby appointed for the said Town of *Salford*, being signed by the Chairman of their Meetings and their Clerk, as in the said first-recited Act mentioned with respect to the Book or Books of the Commissioners acting thereunder, shall likewise be deemed original Entries, and shall be allowed to be read as Evidence on all Occasions whatsoever, and shall be open to the Inspection of the said *Salford* Commissioners, as in the said first-recited Act is mentioned with respect to the Book or Books to be kept by the Commissioners acting under the same; and such of the several Lands, Buildings, Tenements, and Hereditaments, Properties, Monies, Articles, Matters, and Things belonging to the said Commissioners under the said first-recited Act, as are respectively situate and being within the said Town of *Salford*, and appropriated to the exclusive Benefit thereof, shall be and the same are hereby respectively vested in the Commissioners by this Act appointed for carrying into Execution the several Powers, Provisions, and Authorities of the said first-recited Act, with respect to the said Town of *Salford* exclusively.

Corporate, to do all Acts separately under 32 G. 3. for Salford, which they were enabled to do collectively for both Towns.

Vesting Salford Property in Salford Commissioners exclusively.

III. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in execution of the said first-recited Act for the said Town of *Salford*, except in administering the Oaths or Affirmations next herein-after contained, before he shall have taken and subscribed, before any Nine of the said Commissioners qualified in respect of Property within the said Town of *Salford*, present at any Meeting to be held in and for the said Town of *Salford* by virtue of the said first-recited Act and of this Act, and who are hereby authorized and required to administer the same to each other, the Oaths or Affirmations following; (that is to say,)

Commissioners for Salford to take the following Oaths before acting.

'I *A. B.* do swear, [*or, being one of the People called Quakers*, do solemnly affirm] That I am really and *bonâ fide* Owner, Tenant, or Occupier [*as the Case may be*] of a Messuage, Dwelling House, Warehouse, or other Building or Tenement [*or* of Messuages, Dwelling Houses, Warehouses, or other Buildings or Tenements, *as the Case may be*], situate in [*naming the Streets or Places*], within the said Town of *Salford*, of the yearly Value or Rent of Thirty Pounds. So help me GOD.'

Oath of Qualification.

'I *A. B.* do swear, [*or, being one of the People called Quakers*, do solemnly affirm,] That I will truly and impartially, according 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 Thirty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act* [*here insert the Title*

Oath for due Execution of the Act.

'*Title of such Act*], and of another Act passed in the Ninth Year of 'the Reign of His Majesty King *George* the Fourth, intituled *An* 'Act [*here insert the Title of this Act*], so far as such Powers and 'Authorities relate to the said Town of *Salford*.

'So help me GOD.'

Commissioners for Salford to pay One Eighth Part of Magistrate's Salary under 53 G. 3.

IV. And be it further enacted, That notwithstanding any thing in the said recited Act of the Fifty-third Year of the Reign of His late Majesty contained to the contrary, it shall and may be lawful for the Commissioners hereby appointed for executing the said first-recited Act with respect to the said Town of *Salford* exclusively, and they are hereby required, to pay to the Treasurer for the Time being of the Commissioners herein-after appointed for carrying this Act into Execution with respect to the said Town of *Manchester*, the Proportion of One Eighth Part of such Salary or Remuneration as under the said recited Act of the Fifty-third Year of the Reign of His late Majesty, and by the Direction of the Justices assembled at the General Quarter Sessions of the Peace for the said County of *Lancaster*, held by Adjournment within the Hundred of *Salford* aforesaid, or any Adjournment thereof, may be to be raised and paid to the Justice of the Peace appointed and for the Time being acting under the said recited Act of the Fifty-third Year of the Reign of His late Majesty; and such One Eighth Part of such Salary or Remuneration as aforesaid shall be assessed, raised, and levied in such and the like Manner as any Rate may be to be raised for the said Town of *Salford* for the Purposes of the said first-recited Act, with such and the like Powers, Authorities, and Remedies for collecting the same as are therein mentioned and contained.

For disqualifying Commissioners under recited Act so far as relates to Manchester.

V. And be it further enacted, That so soon after the passing of this Act as Commissioners shall be appointed under and by virtue of this Act, in the Manner herein-after mentioned, for executing the said first-recited Act and this Act, and for other Purposes, for and on behalf of the said Town of *Manchester*, the Powers and Authorities of all and every Person and Persons who is or are qualified to act in the Execution of the said first-recited Act shall cease and be absolutely determined so far as the same relate to the said Town of *Manchester*.

Appointment of new Commissioners for Manchester.

VI. And be it further enacted, That the Boroughreeve and Constables for the Time being of the said Town of *Manchester*, and Two hundred and forty other 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 the new Commissioners for the said Town of *Manchester* for the Purposes herein-after mentioned.

What Persons shall be entitled to vote in the Election of new Commissioners for Manchester.

VII. And be it further enacted, That all Male Persons having attained the Age of Twenty-one Years, and being severally Occupiers of an entire Tenement within the said Town of *Manchester*, which, under the last Assessment made for the Relief of the Poor of the said Town of *Manchester* in the Year of our Lord next preceding the

the Election, shall be rated at the yearly Value of not less than Sixteen Pounds, or being a Person carrying on the Trade of a Publican, then at the yearly Value of not less than Thirty-two Pounds, shall be entitled to vote from Time to Time, in the Manner herein directed, in the Elections of the said new Commissioners for the said Town of *Manchester*: Provided always, that every Person to be entitled to vote in the Elections aforesaid shall, on or before the Twenty-fourth Day of *June* previous to such Elections respectively, have fully paid the Poor's Rates in which he shall have been rated in the said Town of *Manchester* during such preceding Year, and shall also, on or before the like Day, have fully paid the several Rates in which by any Assessment made under the said first-recited Act or this Act he shall have been rated during the like Period.

Qualification of Commissioners for Manchester.

VIII. And be it further enacted, That to the Number of Two hundred and forty, and subject to the Provisions herein contained relative to the Mode of Election, all Male Persons who shall have attained the Age of Twenty-one Years, and shall be severally Occupiers of an entire Tenement within the said Town of *Manchester*, which, under the last Assessment made for the Relief of the Poor of the said Town in the Year of our Lord next preceding such Election, shall be rated at the yearly Value of not less than Twenty-eight Pounds, or being a Person carrying on the Trade of a Publican, then at the yearly Value of not less than Fifty-six Pounds, and also all such Male Persons who shall severally (in their own Right, or in the Right of their late or then present Wives) be Owners and in the actual Possession or Enjoyment or Receipt of the Rents and Profits of any Tenements or Hereditaments within the said Town of *Manchester* of the yearly Value of One hundred and fifty Pounds, clear of Reprises and Incumbrances, shall be eligible to be Commissioners for the said Town of *Manchester*, in the Manner and for the Purposes herein-after mentioned: Provided always, that every Occupier to be eligible as aforesaid shall, on or before the Twenty-fourth Day of *June* previous to the then Election, have fully paid the Poor's Rates in which he shall have been rated in the said Town of *Manchester* during the Year of our Lord next preceding such Election, and shall also, on or before the like Day, have fully paid the several Rates in which by any Assessment made under the said first-recited Act or this Act he shall have been rated during the like Period; and provided, that in every Case of an Owner being eligible as aforesaid, all the like Rates during the same Period shall, on or before such Day, have been fully paid upon the Tenements or Hereditaments in respect of which he is qualified to be a Commissioner under this Act.

In Cases of Partnership, all Partners may vote or be eligible so far as the Assessment may extend.

IX. Provided always, and be it enacted, That in case of any Assessment on Tenements or Hereditaments occupied by Two or more Persons in Partnership, such and so many of the Persons constituting such Partnership shall and may vote for or be eligible to be Commissioners as the Amount of the Assessment upon such Tenements or Hereditaments, according to the Churchwardens List herein-after mentioned, will extend to, after the Rate of Sixteen

Pounds or Thirty-two Pounds *per Annum*, as the Case may be, for the said several Persons entitled to vote as aforesaid, and after the Rate of Twenty-eight Pounds or Fifty-six Pounds *per Annum*, as the Case may be, for the said several Persons eligible to be Commissioners as aforesaid.

For increasing Assessment, if below proper Value.

X. And be it further enacted, That if at any Time after the passing of this Act any Person occupying any Tenement within the said Town of *Manchester* shall, under the Assessment for the Time being made for the Relief of the Poor of the said Town, be rated for the same at a less Sum than the proper annual Value of such Tenement, then and in every such Case it shall and may be lawful for every such Person, on Demand in Writing by him for that Purpose made to the Churchwardens for the Time being of the *Manchester* Division of the Parish of *Manchester*, to have his Assessment raised to the proper annual Value of such Tenement; and the said Churchwardens shall and they are hereby authorized to estimate such annual Value, and to raise the said Assessment accordingly; and if the said Churchwardens shall refuse to comply with such Demand, then and in every such Case any Two Justices of the Peace for the County of *Lancaster*, upon Application to them, and upon Proof on Oath (which they are hereby authorized to administer) of the proper annual Value of any such Tenement, may, in their Discretion, order the Assessment thereon to be raised accordingly; and upon such Order being made, under the Hands and Seals of such Two Justices, the increased Assessment thereby directed shall be by the said Churchwardens entered in the proper Book or Books for that Purpose, and such increased Assessment shall be deemed and taken to be the proper Assessment, whether the same be so entered or not: Provided always, that no Person, by virtue of such increased Assessment, shall either be entitled to vote or be eligible to be a Commissioner, until Six Months next after his Assessment shall have been so increased.

For First Election of Commissioners, the Churchwardens to make a List of Persons eligible, &c.

XI. And be it further enacted, That for the First Election of the said Two hundred and forty Commissioners, the Churchwardens for the Time being of the *Manchester* Division of the Parish of *Manchester* shall and they are hereby required to prepare in Writing, under the Signature of them or of their principal Clerk, and under Two distinct Heads, an alphabetical List, to be called "The Churchwardens List," of the Names of the several Persons herein-after mentioned; that is to say, under the First of such Heads, a List of the Names of all Occupiers who, under the Provisions of this Act, may be respectively entitled to vote in the Election of the new *Manchester* Commissioners; and under the Second of such Heads, a List of the Names of all Occupiers and (so far as the Means herein mentioned will enable the said Churchwardens to do so) of the Owners who, under the Provisions of this Act, may be respectively eligible to be *Manchester* Commissioners; such List to be made in Fourteen separate Parts, each Part being a List, under the Heads aforesaid, of the Names of the several Persons entitled to vote and eligible to be Commissioners in one of the said Districts, and respectively containing under the First of such Heads, besides the Names

of the said Occupiers herein-before directed to be included therein, their several Descriptions and Residences; and under the Second of such Heads, containing the Names of the said Occupiers separately from those of the said Owners herein-before respectively directed to be included therein; and with respect to such last-mentioned Occupiers, containing not only their several Names but also their Descriptions, Residences, and the then Amount of their Poor's Rate Assessments; and with respect to the said Owners, containing their Names, Descriptions, and Residences, and also the Locality of the Tenements and Hereditaments in respect of which such Owners may be eligible, together with the Names of the Occupiers thereof at the Time of the then last preceding Rate made for the Relief of the Poor of the said Town of *Manchester*; and for ascertaining the Names of Persons eligible as Owners, the Comptroller, or, in case of his Death, the Clerk or Clerks of the said Commissioners acting under the said first-recited Act, shall, not later than the Second *Friday* next after the passing of this Act, by Advertisements once in Two at least of the *Manchester* Newspapers, require the Names of such Owners, with their Descriptions and Residences, and also the Locality of the Tenements and Hereditaments in respect of which such Owners may be respectively eligible, together with the Names of the Occupiers thereof at the Time of the then last preceding Rate made for the Relief of the Poor of the said Town of *Manchester*, to be delivered in Writing, under the Signature of the Party delivering the same, as soon as conveniently may be, but not later than the Third *Friday* next after the passing of this Act, unto the said Churchwardens; and all Persons eligible as *Manchester* Commissioners may, if they think fit, so deliver unto the said Churchwardens either the Names of such of themselves as may be eligible as Owners, or the Names or Name of any other Persons or Person in like Manner eligible; and the said Churchwardens List, to be prepared as aforesaid, shall be by them delivered unto the said Comptroller, or, in case of his Death, to the said Clerk or Clerks, on or before the Fourth *Friday* next after the passing of this Act, and shall be, by or under the Direction of them or One of them, printed and publicly exhibited in the Town Hall in *Manchester* aforesaid, and also distributed to such of the Persons entitled to vote as aforesaid as may there apply for the same, on or before the Fifth *Friday* next after the passing of this Act.

Districts declared.

XII. And whereas in pursuance of a Provision contained in the said first-recited Act relative to the Appointment of Watchmen, the said Commissioners acting under such Act have divided the said Town of *Manchester* into Fourteen Districts, numbered progressively from One to Fourteen inclusive, which said Districts are set out and described and entered in the Book containing the Minutes of the Proceedings of the said Commissioners; be it enacted, That for the Purpose of regulating the Election of the said Two hundred and forty Commissioners as by this Act directed, the said several Districts so set out and described and entered shall be and be taken to be the Districts of the said Town of *Manchester*.

XIII. And

Number of Commissioners assigned to each District.

XIII. And be it further enacted, That the said Two hundred and forty Commissioners shall be elected for the said several Districts in the following Proportions; (that is to say,)

Fifteen for the District Number One;
Nine for the District Number Two;
Fifteen for the District Number Three;
Fifteen for the District Number Four;
Twenty-seven for the District Number Five;
Thirty-six for the District Number Six;
Twelve for the District Number Seven;
Fifteen for the District Number Eight;
Thirty-six for the District Number Nine;
Nine for the District Number Ten;
Fifteen for the District Number Eleven;
Twelve for the District Number Twelve;
Twelve for the District Number Thirteen; and
Twelve for the District Number Fourteen.

Time and Mode of Election of Manchester Commissioners.

XIV. And be it further enacted, That it shall and may be lawful for the Persons entitled to vote as aforesaid, and they are hereby required, in the Sixth Week after the passing of this Act, to assemble, in manner herein-after mentioned, at the Town Hall within the said Town of *Manchester*, between the Hours of Nine and Eleven of the Clock in the Forenoon, in the following Districts, and on the following Days; namely, the Persons entitled in respect of their Occupancy in the Districts Numbers One, Two, Three, Four, and Five, on the *Monday*, the Persons entitled in respect of their Occupancy in the Districts Numbers Six, Seven, Eight, Ten, and Eleven, on the *Wednesday*, and the Persons entitled in respect of their Occupancy in Districts Numbers Nine, Twelve, Thirteen, and Fourteen, on the *Thursday*, in the same Week, for the Purpose of electing the said Two hundred and forty Commissioners in the several Proportions by this Act directed, Seven Days previous Notice having been given by the Clerk or Clerks or Comptroller of the Commissioners acting under the said first-recited Act, in Two at least of the *Manchester* Newspapers, of the said Meetings, which said Notices they and he are and is hereby required to give; and for each of the said Districts there shall be a separate Meeting of not less than Nine of the Persons entitled to vote therein; and any one of the following Persons who may be present at any of the said District Meetings shall be the Chairman thereof, *videlicet*, the Boroughreeve and Constables of *Manchester*, and the Churchwardens and Sidesmen of the said *Manchester* Division of the Parish of *Manchester*; and if the said Boroughreeve be present at any of the said Meetings, then and in every such Case he shall be the Chairman thereof, but if the said Boroughreeve be absent, and there shall be more than One of the said other Officers present at any such District Meeting, then and in every such Case such one of them present as shall have the Priority in the Order in which their said several Classes are herein named shall be the Chairman, and if more than One of any of the said several Classes be present, then the one of those present whose Name

shall

shall stand first in their respective Appointments to Office shall be the Chairman of such Meeting; and if any of such Meetings shall not be attended either by the said Boroughreeve, or any of the said Constables, Churchwardens, and Sidesmen, then the Persons constituting the Meeting so unattended shall, by a Majority of Votes, to be testified by a Shew of Hands, or by a Division, if necessary, appoint some one of those present, who would be eligible to be a *Manchester* Commissioner under this Act, to be Chairman on the First Election of the said *Manchester* Commissioners; and in the like Case on every subsequent Election, any Person so eligible, or who may be a Commissioner, shall be in like Manner appointed Chairman; and such Person, attending any of the said Meetings, as by virtue of Office as aforesaid and under this Act would be entitled to preside at the same, shall take the Chair as soon as there shall be present Nine of the Persons entitled to vote as aforesaid; and if in any Case when such Nine are assembled there be no Person present who may be entitled to preside as aforesaid, they shall forthwith proceed to appoint their Chairman in the Manner herein-before directed; and at all the said District Meetings Half an Hour and no more from the Time the Chair may have been taken shall be allowed for receiving Votes as herein-after mentioned, during which Time each of the Persons present and entitled to vote at every such Meeting, not being less than Nine as aforesaid, shall and may vote for any One or more of the Number of Commissioners by this Act apportioned to the said respective Districts, by writing down the Name or Names of the Person or Persons he may so vote for; and the Name or Names of such of the Persons so voted for as may be seconded by any other Person present, also entitled to vote, shall, under the Signatures as well of the original Voter as of the Seconder, and with their respective Residences and Descriptions, be handed to the Chairman of the said Meetings respectively, who shall immediately thereupon announce each of such Names to the Meeting; and at the Expiration of the Time which may have been limited for the Reception of the Votes as aforesaid, the Doors shall be closed, and the Chairman shall forthwith examine and compare the Names of all the Persons voted for with the said Churchwardens List, and shall count such of them as may be thereupon found correct, and if they do not exceed the Number of Commissioners by this Act apportioned to the said respective Districts, they shall be such Commissioners, but if they exceed such Number, then the whole of the Names so voted for and found correct as aforesaid shall be put into a Box or Wheel by the said Chairman, and by him drawn out one by one, and as they are so drawn out they shall be proposed to the Meeting, and voted for by Shew of Hands, or by a Division, if necessary; and the Numbers for and against each shall be put down in Writing by the Chairman; and those Persons who, upon the Termination of such last-mentioned Voting, shall be found to have the greatest Number of Votes, shall, to the Extent of the Numbers herein-before apportioned to the said Districts respectively, together with the Boroughreeve and Constables for the Time being of the said Town of *Manchester*, be the Commissioners for the Purposes herein mentioned: Provided always, that if any Person shall be an Occupier of distinct Tenements in Two or more of the said Districts,

which shall be separately rated at the Amount by this Act prescribed to entitle him to vote as aforesaid, then and in every such Case he shall and may, at his Option, vote in the Election of Commissioners, either originally or in seconding, for all or any of the Districts in which he may be such Occupier; and the Chairman shall not vote at any of the said Meetings, except in Cases of Equality of Votes, when he shall have a casting Vote; and the Chairman of the said Meetings respectively shall and he is hereby required, on the First Election of the said *Manchester* Commissioners, to leave at the Office of the Comptroller of the Commissioners acting under the said first-recited Act, and on every subsequent Election at the Office of the Comptroller of the said *Manchester* Commissioners, and within Two Days after such Elections respectively, a List, to be in all Cases signed by the Chairman of the said respective Meetings, of the Names of the Persons elected at such Meetings; and the Comptroller to whom the same shall be delivered shall and he is hereby required, as soon as the whole of such Lists shall be so delivered to him, to cause the same to be published once in Two at least of the *Manchester* Newspapers, within Fourteen Days from the Day of the Delivery of the last of such Lists.

For remedying Neglect or Default, if any, in the Elections.

XV. And be it further enacted, That if at any Time or Times hereafter, in consequence of any Neglect or Refusal in advertising for the Names of Persons eligible as Owners, or in the Preparation and Delivery of the Churchwardens List, or in printing, exhibiting, and distributing the same, or in holding the said District Meetings or any of them, or in electing the said Commissioners at such Meetings respectively, according to the Provisions hereof, the said First or any other Election of Commissioners for all or any of the said Districts shall not be made on the Day or respective Days herein limited for that Purpose, then it shall be lawful for the Comptroller of the said Commissioners acting under the said first-recited Act, or if there be no Comptroller at the Time, then for their Clerk or Clerks, in case of any such Neglect or Refusal in the First Election of *Manchester* Commissioners, and for the Comptroller of the said *Manchester* Commissioners, or if there be no Comptroller at the Time, then for their Clerk or Clerks, in case of any such Neglect or Refusal in any subsequent Election, and he and they is and are hereby respectively required, within Ten Days after the Day or respective Days on which the Act or respective Acts for the Time being so neglected or refused ought to have been done, to appoint new and other Periods and Days within and upon which such Act or respective Acts, and all subsequent Acts necessary to such Election or Elections, shall be done; and the Election or respective Elections to be made in pursuance of such 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; and if any second or further Neglect or Refusal shall arise in doing the said neglected or refused Act or Acts and such subsequent Acts as aforesaid, or any of them, within the Periods and on the Days to be appointed as aforesaid under the Authority of this Act, then the said Comptroller or Clerk or Clerks for the Time being, when such Neglect or Refusal shall have arisen, shall from Time to Time, as soon as conveniently

may be, but in no Case later than Ten Days from the Time when the Act or respective Acts last neglected or refused ought to have been done according to their last Appointment or Appointments, appoint new and other Periods and Days within and upon which the same Act or Acts and any remaining Acts necessary to the said Election or respective Elections shall be done, until the said Election or respective Elections shall be completed according to the true Intent and Meaning hereof.

Manner of Proceeding if any Person elected for more than One District.

XVI. And be it further enacted, That if at the said First or any subsequent Election of *Manchester* Commissioners under this Act, any Person shall be elected a Commissioner for more than One of the said Districts, he shall be held to be elected for such One of the same Districts as may stand first in Number upon the List thereof by this Act set forth; and for supplying the Vacancy or Vacancies to be thereby occasioned, the Comptroller, or, if there be no Comptroller, the Clerk or Clerks of the said Commissioners acting under the said first-recited Act, as regards the said First Election, and the Comptroller, or, if there be none, the Clerk or Clerks of the said *Manchester* Commissioners, as regards every subsequent Election, shall as early as practicable appoint a Meeting or Meetings to be held for One or more of such District or Districts, as the Case may require, of the Persons entitled to vote therein respectively, to be held at an Interval of not more than Ten Days from the Meeting at which such Vacancy or Vacancies may have arisen; which said Meeting shall, by the Comptroller or Clerk or Clerks appointing the same, be advertised once in some Two at least of the *Manchester* Newspapers, not less than Four Days previous to the Day on which the same is appointed to be held; and every such last-mentioned Meeting shall be held within the like Hours, and be under and subject to the like Rules and Regulations with reference to the Chairman, and in all other respects, as near as may be, as are by this Act provided for the First Election of the said *Manchester* Commissioners; but the Privilege of voting, and the Eligibility to be a Commissioner, at all the said Meetings for supplying Vacancies as aforesaid, shall be determined by reference to the Churchwardens List which may have been delivered for the Time being, and a Second Churchwardens List shall not be requisite for one and the same Year.

For adjusting the Number of Commissioners assigned to each District.

XVII. And be it further enacted, That it shall and may be lawful for the said *Manchester* Commissioners, and they are hereby authorized and required, in the Fourteenth Year next after the passing of this Act, and in every Fourteenth Year afterwards, to ascertain the proportionate Amount paid by the said Districts respectively towards the whole Rates raised within the said Town of *Manchester* for the Purposes of the said first-recited Act and this Act, and also to ascertain the Number of Assessments within each of the said Districts upon which such proportionate Amount shall have been paid, and to compute the average Number of Commissioners to be elected for the said Districts respectively between the Numbers which should be appropriated to each of such Districts, according to the proportionate Amount by them respectively paid towards the said Rates, and according to the Number of Assessments within the said Districts respectively

respectively on which such proportionate Amounts shall have been paid; and if upon such Computation it shall appear that the Number of Commissioners under or by virtue of this Act apportioned or to be apportioned to any of the said Districts shall not be duly apportioned, then and in any such Case the said Commissioners shall and they are hereby required to adjust the Number of Commissioners to be elected for the said several Districts, according to such Average as aforesaid, or as near thereto as Circumstances will admit of; and such Adjustment shall be adopted at the next annual Election after the making thereof, and until a further Adjustment may be made pursuant to this Act: Provided always, that every such Adjustment shall be made at a Meeting of the said Commissioners to be for that Purpose held, of which Meeting not less than Twenty-one Days Notice, specifying the Time, Place, and Object thereof, shall be given by Advertisement once in Two at least of the *Manchester* Newspapers.

How long Commissioners shall remain in Office, and Election of their Successors.

XVIII. And be it further enacted, That the whole Number of the said *Manchester* 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,) until the Fourth *Friday* in the Month of *October* One thousand eight hundred and twenty-nine, on which Day Eighty 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, Eighty 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-one, the Remainder of the Commissioners so first elected shall go out of Office: Provided always, that the Number of any such Commissioners as shall have died, or refused to act, or ceased to be qualified, in the Course of the Year ending on any such Fourth *Friday* in *October*, and also the Number of such of the Ten Directors of the *Manchester* Gas Works going out of Office on the First *Friday* in the Month of *November* next succeeding every such Month of *October*, as may be *Manchester* Commissioners, and also the Number of such of the Ten of the Improvement Committee herein-after mentioned going out of Office at the same Time, as may not be Part of the retiring Gas Directors, shall in all Cases be taken and reckoned as Part of the Eighty Commissioners going out of Office at such Periods as aforesaid; and upon such Fourth *Friday* in every such Month of *October*, or within Seven Days immediately preceding, Eighty new Commissioners shall be elected, in manner herein-after provided, to supply the Places of the Eighty Commissioners so going out of Office; and such Eighty 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 Election, (except in case of Death, Refusal to act, or ceasing to be qualified,) and no longer; and always afterwards, on the Fourth *Friday* in the Month of *October* in each and every succeeding Year, or within Seven Days immediately preceding, Eighty Commissioners shall be elected, in manner herein-after provided, in the Room or Stead of the Eighty who will go out of Office according to the Provisions of this Act; and such Eighty Commissioners to be so from Time to Time elected

elected shall continue in Office for the Space of Three Years, (except in case of Death, Refusal to act, or Disqualification,) and no longer: Provided always, that in each succeeding Year all or any of the Eighty Commissioners going out of Office may be immediately re-elected.

Manner of deciding how the first elected Commissioners shall quit Office.

XIX. And be it further enacted, That in order to determine which of the said *Manchester* Commissioners first elected shall make up the Number of Eighty going out of Office in the Months of *October* in the Years One thousand eight hundred and twenty-nine and One thousand eight hundred and thirty (after reckoning such Commissioners as shall have died, refused to act, or ceased to be qualified, and also reckoning such Directors of the Gas Works and such of the Improvement Committee as shall be respectively going out of Office as aforesaid), it shall be lawful for the Clerk or Clerks of the said *Manchester* Commissioners, and he or they is and are hereby authorized and required, at a Meeting of the said *Manchester* Commissioners to be by them for that Purpose held on the First *Friday* in the Month of *September* in each of the said Years, which Meetings they are hereby required to hold, to write the Names of such others of the said *Manchester* Commissioners first elected as may not form Part of the said Gas Directors or of the said Improvement Committee upon distinct Pieces of Paper of equal Sizes, each Paper containing the Name of One of such Commissioners only, and such Papers shall be divided in Fourteen Lots, or if, by any of the Events aforesaid, any of the said Districts shall already have been deprived of One Third of the Number of Commissioners first elected for the same, then into so many Lots as there shall be Districts which may not have been so deprived of One Third of its first elected Commissioners; and each of such Lots as there may ultimately be shall contain the Names of such of the said Commissioners elected for the said Districts respectively as may remain after allowing for those who may have died, refused to act, or ceased to be qualified as aforesaid, and after also allowing for such of them as may be Directors of the said Gas Works, and for such of them as may be Members of the said Improvement Committee, respectively going out of Office as aforesaid; and all the said Papers shall be rolled up in the same Form as near as may be, and each of the Lots aforesaid shall be put into a separate Box or Wheel, and the requisite Number of Papers to make up the Number of retiring Commissioners shall then be drawn out of such Boxes or Wheels by such Clerk or Clerks, one by one, but as near as may be in the Proportion of One Third, from each of such Boxes or Wheels, of the said Commissioners whose Names may have been put into the same respectively, and those of the said Commissioners whose Names shall be upon the Papers so drawn out shall complete the Number of the Eighty Commissioners going out of Office on such Fourth *Friday* in each such Month of *October* in the Years One thousand eight hundred and twenty-nine and One thousand eight hundred and thirty respectively.

Lists to be prepared and published annually of all Persons

XX. And be it further enacted, That for the Elections of the Eighty *Manchester* Commissioners to supply the Places of the Eighty of them annually going out of Office as aforesaid, the said Church-

eligible to vote, and of all Persons eligible as Commissioners.

wardens for the Time being shall annually, under the like Heads and in the like Number of Parts as are by this Act directed with respect to the said Churchwardens List for the said First Election of the said *Manchester* Commissioners, prepare a List, to be called "The Churchwardens List," of Persons respectively entitled to vote in the Election of the said *Manchester* Commissioners, and eligible as *Manchester* Commissioners as aforesaid; and the Names of the Persons so eligible as Owners shall annually, and not later than the First *Friday* in the Month of *September* in each and every Year, be advertised for by the Comptroller, or, if there be no Comptroller, by the Clerk or Clerks for the Time being of the said *Manchester* Commissioners, in Two at least of the *Manchester* Newspapers, to be delivered to the said Churchwardens not later than the Second *Friday* in the Month of *September* in each and every Year; and the said Churchwardens List shall be annually delivered to the Comptroller, or, if there be no Comptroller, to the Clerk or Clerks for the Time being of the said *Manchester* Commissioners, on or before the Third *Friday* in the Month of *September* in each and every Year, who shall thereupon properly mark and distinguish not only the Names of the Commissioners from Time to Time going out of Office, but also the Names of the remaining Commissioners for the Time being, as well as the Names of the Directors of the said Gas Works and of those of the said Improvement Committee respectively from Time to Time going out of Office; and the said Churchwardens List, so marked and distinguished, shall, by or under the Direction of the said Comptroller or Clerk or Clerks, be printed, exhibited, and distributed, on or before the Fourth *Friday* in the Month of *September* in each and every Year, to such of the Persons entitled to vote as aforesaid as shall apply for the same; and that all Elections of Commissioners for supplying the Places of the Eighty of them annually going out of Office 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 *Manchester* Commissioners, or as near thereto as Circumstances will admit of; provided that in all Cases only the proportionate Number of Commissioners by or under this Act assigned or to be assigned shall be elected for each of the said Districts.

Reasonable Expences attending Elections of Commissioners to be paid.

XXI. And be it further enacted, That the reasonable Costs and Expences to be from Time to Time incurred in and about the Advertisements for the Names of Owners, the Preparation and Delivery of the said Churchwardens Lists, the printing thereof, and all other necessary Expences attending such Elections as aforesaid, shall be paid and discharged by and out of the Monies to be by the said *Manchester* Commissioners from Time to Time raised and received under and by virtue of this Act.

Commissioners, being Occupiers, not to act until they have taken the following Oath.

XXII. And be it further enacted, That no Person claiming to be qualified as an Occupier shall be capable of acting as one of the said *Manchester* Commissioners, except in administering the Oaths or Affirmations herein-after contained, until he shall have taken and subscribed, before any Nine or more of such Commissioners, at a Meeting to be holden by virtue of this Act, (and who are hereby required

quired and authorized to administer the same to each other,) an Oath or Affirmation in the Words or to the Effect next following; (that is to say,)

Form of Oath by Commissioners being Occupiers.

'I *A.B.* do swear, [*or, being one of the People called Quakers,* do solemnly affirm,] That I am actually an Occupier of an entire Tenement situate in [*naming the Street or Place*], within the Town of *Manchester* in the County Palatine of *Lancaster*, which, under the last Assessment made for the Relief of the Poor of the said Town of *Manchester* in the Year of our Lord now last past, is rated at the yearly Value of not less than Twenty-eight Pounds [*or, being a Person carrying on the Trade of a Publican*, is rated at the yearly Value of not less than Fifty-six Pounds], and that, on or before the Twenty-fourth Day of *June* now last past, I fully paid the Poor's Rates in which I had been rated in the said Town of *Manchester* during the said Year of our Lord now last past, as well as the several Rates in which by any Assessment made under an Act passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act* [*here set forth the Title of that Act*], or under an Act passed in the Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*], I had been charged in respect of the same entire Tenement; 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 the said last-mentioned Act. So help me GOD.'

Commissioners, being Owners, not to act until they have taken the following Oath.

XXIII. And be it further enacted, That no Person claiming to be qualified as an Owner shall be capable of acting as one of the said *Manchester* Commissioners, except in administering the Oaths in this Act contained with respect to the said *Manchester* Commissioners, until he shall have taken and subscribed, before any Nine or more of such Commissioners, at a Meeting to be holden by virtue of this Act, (and who are hereby required and authorized to administer the same to each other,) an Oath or Affirmation in the Words or to the Effect following; (that is to say,)

Form of Oath by Commissioners being Owners.

'I *A.B.* do swear, [*or, being one of the People called Quakers,* do solemnly affirm,] That in my own Right, or in 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 Town of *Manchester* in the County Palatine of *Lancaster*, and now or late in the Occupation of [*stating the Name or Names*], as the Tenant or Tenants thereof, of the yearly Value of One hundred and fifty Pounds, clear of Reprizes and Incumbrances; 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 Ninth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*]. So help me GOD.'

New Commissioners to execute the

XXIV. And be it further enacted, That the said *Manchester* Commissioners so to be elected as aforesaid shall, immediately upon their Election,

recited Act with respect to Manchester.

Election, be Commissioners for putting and carrying into Execution the several Powers, Authorities, and Provisions of the said first-recited Act and this Act, for and concerning the said Town of *Manchester*, separately and distinctly from the said Town of *Salford*, and shall be a Body Corporate and Politic, by the Name of "The Commissioners for cleansing, lighting, watching, and regulating the Town of *Manchester*," and by that Name shall and may have perpetual Succession and a Common Seal; and such of the several Lands, Buildings, Tenements, and Hereditaments, Properties, Monies, Articles, Matters, and Things belonging to the said Commissioners under the said first-recited Act, as are respectively situate and being in the said Town of *Manchester*, and appropriated to the exclusive Benefit thereof, shall be and the same are hereby respectively vested in the said *Manchester* Commissioners exclusively.

Manchester Lands, &c. vested in Manchester Commissioners.

Monies payable under recited Act 5 G. 4. to old Commissioners, henceforth to be paid to new Commissioners.

XXV. And be it further enacted, That such of the surplus Monies as, after the Payments and Satisfactions which by the said recited Act of the Fifth Year of His present Majesty's Reign are specifically directed have been made, would, in case this Act had not been passed, have remained to be paid over to the said Commissioners acting under the said first-recited Act for the said Town of *Manchester*, or their Treasurer, and also any Monies received and to be received by the Directors acting under the said Act of the Fifth Year of His present Majesty's Reign, which are thereby authorized to be paid to the last-named Commissioners or their Treasurer, shall be by the said Directors paid, and they are hereby authorized and required to pay the same respectively, from Time to Time into the Hands of the said *Manchester* Commissioners or their Treasurer.

Manchester Commissioners to pay over Salford Proportion of Justice's Salary, and to raise and in like Manner pay over the Manchester Proportion.

XXVI. And be it further enacted, That notwithstanding any thing in the said recited Act of the Fifty-third Year of the Reign of His late Majesty contained to the contrary, it shall and may be lawful for the said *Manchester* Commissioners, and they are hereby authorized and required, to pay over to the Justice of the Peace appointed and for the Time being acting under the said recited Act of the Fifty-third Year of the Reign of His late Majesty, the One Eighth Part of the said Salary or Remuneration which pursuant to this Act shall from Time to Time be paid to the said *Manchester* Commissioners, or their Treasurer, by the said Commissioners for the said Town of *Salford*; and also from Time to Time to raise and pay to the said last-mentioned Justice the other Seven Eighth Parts of such Salary or Remuneration as may be to be raised and paid to him as aforesaid; and such Seven Eighth Parts of such Salary or Remuneration as aforesaid shall be assessed, raised, and levied within the said Town of *Manchester* in such and the like Manner as any Rate may be raised for the Purpose of the said first-recited Act or this Act for and concerning the said Town of *Manchester*, with such and the like Powers, Authorities, and Remedies for collecting the same as are in the said first-recited Act mentioned and contained.

New Commissioners for Manches-

XXVII. And be it further enacted, That the said *Manchester* Commissioners shall and may raise Rates within and for the separate Use of the said Town of *Manchester*, and shall and may have full Power

Power and Authority, for and on behalf of the said Town of *Manchester* exclusively, to execute and perform all and every such Part and Parts of the said recited Acts respectively as are not herein and hereby repealed or altered, as fully, amply, and effectually as the same could or might have been performed and executed by the Commissioners appointed under the said first-recited Act, if this Act had not been passed; and the Book or Books to be from Time to Time kept by the said *Manchester* Commissioners, being signed by the Chairman of their Meetings, and their Clerk or Clerks, as in the said first-recited Act is mentioned with respect to the Book or Books of the Commissioners acting thereunder, shall likewise be deemed original Entries, and shall be allowed to be read as Evidence on all Occasions whatsoever, and shall be open to the Inspection of the said *Manchester* Commissioners, as in the said first-recited Act is mentioned with respect to the Book or Books to be kept by the Commissioners acting under the same.

ter to execute the recited Acts for that Town as old Commissioners would have done.

XXVIII. And be it further enacted, That it shall not be lawful for the Commissioners to continue or appoint the Person who has been or may be appointed their Clerk in the Execution of the said recited Acts or any of them, or of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, to be the Treasurer for the Purposes of the said recited Acts or any of them, or of this Act, nor to continue or appoint any Person who has been or may be appointed such Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, to be the Clerk for the Purposes of the said recited Acts or any of them, or of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of the said recited Acts or any of them, or of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of the said recited Acts or any of them, or of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered 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, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance, shall be allowed.

Treasurer and Clerk not to be the same Person.

XXIX. And be it further enacted, That the said *Manchester* Commissioners to be elected as aforesaid, or any Nine or more of them, shall meet together in the Town Hall in *Manchester* on the *Wednesday* in the Second whole Week next after they shall be so elected,

First and other Meetings of new Manchester Commissioners.

elected, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and shall then and there proceed in the Execution of the several Powers and Authorities by this Act reposed in them; and the Treasurer of the said Commissioners under the said first-recited Act, if he be present, and if not, or if he shall refuse, then such one of the said *Manchester* Commissioners attending as they shall by a Majority of Votes appoint, shall be the Chairman of such Meeting, and the Commissioners shall and may then and from Time to Time afterwards adjourn to meet on such Day or Days, but between the like Hours only, and at the same Place or at some other convenient Place within the said Town of *Manchester*, as the Majority of them present at such Meeting shall from Time to Time appoint; and if there shall not appear at any of the said Meetings a sufficient Number of the said *Manchester* Commissioners to act and to adjourn to another Day, or if they shall omit or neglect to adjourn, or if there shall be any particular Occasion to hold a Meeting before the Time of Meeting pursuant to any Adjournment, then and in any such Case any Nine or more of the said *Manchester* Commissioners, or their Clerk or Clerks, shall and may appoint a Meeting to be holden at such Time, within the Hours aforesaid, and at such Place within the said Town of *Manchester*, as they or he may think proper: Provided always, that no Meeting of the said *Manchester* Commissioners pursuant to this Act, subsequent to the said Meeting to be held on the said *Wednesday* in the said Second whole Week next after they shall be elected as aforesaid, shall be held unless a Notice thereof, signed by some Nine or more of the said *Manchester* Commissioners, or their Clerk or Clerks, shall be given in Two at least of the *Manchester* Newspapers at least Four Days before the holding thereof; and that the said *Manchester* Commissioners shall at all their Meetings defray their own Expences.

Acts of Commissioners not valid unless done at Meetings.

XXX. And be it further enacted, That no Act, Order, or Proceeding of the said *Manchester* Commissioners, or any of them, shall be valid unless made or done at some Meeting to be held in pursuance of this Act; and that all Powers and Authorities, Acts and Proceedings, by this Act granted to or vested in the said Commissioners, or authorized 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 Nine; and that at every such Meeting for putting this Act into Execution, the Treasurer for the Time being of the said *Manchester* Commissioners, if he be present, and if not, or if he shall refuse, then such one of the Commissioners present as they shall by a Majority of Votes appoint, shall be Chairman, the Votes of the said *Manchester* Commissioners in all Cases under this Act being to be testified by Shew of Hands, or, if necessary, by Division; and if upon any Question there shall be an Equality of Votes of the Commissioners assembled, the Chairman, besides his own Vote as a Commissioner, shall, as Chairman, have another or casting Vote.

Commissioners to be subject to all

XXXI. Provided always, and be it enacted, That the said *Manchester* Commissioners in all their Acts and Proceedings shall be

under and subject and liable to all such and so many of the Provisions, Regulations, Restrictions, Disabilities, and Penalties contained in the said recited Acts or any of them, affecting the said Commissioners acting under the said first-recited Act, and their Acts and Proceedings, as are not expressly altered or repealed by this Act, in such and the same Manner, and as fully, amply, and effectually, as if the same Provisions, Regulations, Restrictions, Disabilities, and Penalties were repeated and re-enacted in this Act, and applied to the said *Manchester* Commissioners.

Restrictions in former Acts that are not altered by this Act.

XXXII. And be it further enacted, That the said *Manchester* 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 *October*, make up and publish once in Two at least of the *Manchester* Newspapers 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 Statement shall be so published under the Signature of the Treasurer for the Time being of the said *Manchester* Commissioners.

Commissioners to make and publish general annual Statements of Receipts, Expenditure, &c.

XXXIII. And be it further enacted, That notwithstanding any thing in the said recited Act of the Thirty-second Year of the Reign of His late Majesty contained to the contrary, it shall and may be lawful for the said *Manchester* Commissioners from Time to Time, when and as often as they may think fit, for the better Appointment and Regulation of the Watchmen necessary for the said Town of *Manchester*, to alter and re-arrange the Districts into which the same Town may have been divided, or to increase or reduce the Number of such Districts, or to abandon such Division and the Appointment and Regulation of the said Watchmen thereunder, and to adopt such new and other Mode of appointing and regulating the said Watchmen as to them the said *Manchester* Commissioners may seem best.

For better Appointment and Regulation of Watchmen.

XXXIV. And be it further enacted, That it shall and may be lawful for the said *Manchester* Commissioners, and they are hereby authorized and empowered, from Time to Time to contract and agree with any Person or Persons whomsoever for cleansing or lighting the Streets, Lanes, Passages, and Places within the said Town of *Manchester*, or for the doing or performing of any other Work or Business by the said first-recited Act authorized or required to be done or performed; and the Contract or Contracts so authorized to be made as aforesaid shall be reduced into Writing, and be under the Common Seal of the said *Manchester* Commissioners, and signed by the Person or Persons contracting with them, and shall specify the Works to be done, and the Prices and Terms at and upon which the same are to be done, and the Penalties to be suffered in case of Nonperformance: Provided always, that it shall not be lawful to enter into any such Contract, for any of the Purposes aforesaid, for a longer Term than Seven Years.

Commissioners authorized to contract for cleansing, lighting, &c.

XXXV. And

None but Scavengers to remove Dirt from Streets.

XXXV. And be it further enacted, That it shall not be lawful for any Person or Persons, other than and except the Person or Persons to be by the said *Manchester* Commissioners appointed or contracted with as Scavenger or Scavengers, to take or carry away, or cause to be taken or carried away, any Dust, Dirt, Dung, Rubbish, Ashes, or Filth (other than the Filth from Privies, and Rubbish or Dirt occasioned by the Erection, taking down, or Alteration of Buildings,) from or out of any of the Streets, Lanes, Highways, Footways, Passages, or other public Places within the said Town of *Manchester*, upon pain of forfeiting and paying for every such Offence any Sum not exceeding Forty Shillings.

Night Soil only to be removed in the Night-time in covered Carts.

XXXVI. And be it further enacted, That if any Person shall empty or begin to empty any Boghouse or Boghouses, or take away any Night Soil from any House, Building, or Place within the said Town of *Manchester*, or shall use any Carts or Carriages without having a proper Covering or Boards called Flash Boards, to prevent the same from slopping or spilling, or shall come with any Carts or Carriages for the like Purpose at any Time or Hour save and except between the Hours of Twelve of the Clock in the Night and Six of the Clock in the Morning from *Lady Day* to *Michaelmas* in every Year, or between Twelve of the Clock in the Night and Seven of the Clock in the Morning from *Michaelmas* to *Lady Day* in every Year, or if any Person or Persons shall put or cause to be put, or cast out of any Cart, Tub, or otherwise, any Night Soil in any of the Streets or other public Places within the said Town of *Manchester*, it shall be lawful for any Constable, Patrol, Beadle, or Watchman (and he is hereby strictly charged and required and directed so to do), or for any other Person or Persons whosoever, without any Warrant or other Authority than this Act, 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 County of *Lancaster*, who, upon Oath or Affirmation made of such Offence as aforesaid, may convict every such Offender in a 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, or coming for that Purpose, 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 so put or cast out any Night Soil, shall forfeit the Sum of Five Pounds for every such Offence; and it shall be lawful for any Person or Persons, without 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 remove and take such Carts, Carriages, Horses, or Beasts, Geers, Harness, and Accoutrements, to such Place within the said Town of *Manchester* as may be by the said Commissioners for such Purposes appointed, or otherwise to such Place or Places as any of the Surveyors of the Highways for the said Town of *Manchester* shall from Time to Time order and direct, there to be detained

detained until the Owner or Owners, Employer or Employers, 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, to be ascertained and settled by any One of the Surveyors for the Time being within the said Town of *Manchester*, shall not be paid within Five Days next after such Seizure, then it shall be lawful for the said *Manchester* 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 or they shall apply the same; and one Moiety of such Penalty shall belong and be paid to or among the Person or Persons apprehending the Offender or Offenders, and seizing and removing such Carts, Carriages, Horses, Beasts, Geers, Harness, and Accoutrements, and the other Moiety shall go and belong to the said *Manchester* Commissioners, for the Purposes of this Act.

Dogs not to go at large during the Existence of Canine Madness.

XXXVII. And be it further enacted, That if any Person shall permit or suffer any Bull Dog or Mastiff, or ferocious Dog of any other Species, to go at large, not being muzzled, within the said Town of *Manchester*, or shall permit or suffer any Dog whatsoever to go at large within the said Town after any public Notice given in such Manner as the said *Manchester* Commissioners, or any Committee to be by them authorized, shall direct, during such Time as such Notice shall require Dogs to be confined on account of the Suspicion of the Existence of Canine Madness; then and in every such Case every Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Shillings; and it shall be lawful for the said *Manchester* Commissioners, or such Committee as aforesaid, to cause all Dogs to be destroyed which may be found at large within the said Town Twenty-four Hours after such Notice and during the rest of the Time such Notice shall have required them to be confined.

For preventing various Obstructions and Nuisances on Pavements, &c.

XXXVIII. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall, upon any of the Footways or Foot Pavements within the said Town of *Manchester*; run, draw, drive, or carry any Truck, Wheelsledge, Wheelbarrow, Handbarrow, Bier, or any other Carriage or other Vehicle whatsoever, or roll any Cask or Tub (except to or from any Carriage or Cart for the necessary loading or unloading of any Carriage or Cart); or shall wilfully ride, lead, or drive any Horse or other Beast or Cattle whatsoever on any of the said Footways or Foot Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading to go thereupon; or shall tie or fasten any Horse or other Cattle to any House, Wall, Railing, Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements; or hang up, place, or expose to Sale any Goods, Wares, or Merchandize, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, Offal, or other Matter or Thing, in or upon or so as to project over or upon the Footway or Carriageway of any

Road, Street, or public Place within the said Town of *Manchester*, or beyond the Line or on the Outside of the Window or Windows, or in or on the Area or Areas of the House, Shop, or Place at which the same shall be so hanged up, placed, or exposed to Sale; or set any Cask, Tub, Pail, Bucket, Stool, Bench, Showboard, Chopping-block, Basket, or Stall, on or in any of the Footways or Foot Pavements or Carriageways; or erect, set up, or place or continue any Blind, Shade, Coverlid, Awning, or any other Matter or Thing so as in any way to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or shall, in any Road, Street, or public Place within the said Town of *Manchester*, hang out or cause to be hung out any Linen or Clothes; or shall hoop, fire, cleanse, wash, or scald any Cask or Tub; or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or make or repair or wash or clean any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage (except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or shall sift, screen, wet, or slack, or mix any Lime, or wet, mix, or make any Mortar (except with the Consent of the said *Manchester* Commissioners); or shoe, bleed, or farry any Horse or other Beast (unless in case of any sudden Accident); or clean, dress, drive, or turn loose any Horse or other Beast or Cattle, or shall show or expose any Stallion or Stone Horse, or expose to Sale any Horse or Horses or other Beast or Beasts (except only in such Place or respective Places as the said *Manchester* Commissioners shall direct or appoint for any of the above Purposes); or kill, slaughter, scald, singe, dress, or cut up any Animal, either wholly or in part; or beat or dust any Carpet or Hearth Rug, Bear or Door Mat; or shall leave any Cart, Waggon, Truck, or other Carriage or Obstruction in any Street, Road, Path, or Causeway (otherwise than during a reasonable Time necessary for loading or unloading the same); or shall throw, cast, or lay, or shall cause, permit, or suffer to be thrown, cast, or laid, or to remain, any Ashes, Dust, Dirt, Rubbish, Offal, or Vegetables, or any other Offal, Dung, Soil, Blood, or other Filth or Annoyance, or any other Matter or Thing, in or upon the Carriageway, Footway, or Pavement of any such Road, Street, or other public Place within the said Town of *Manchester*, to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers; or shall wilfully break, or aid, abet, or assist in wilfully breaking, any Glass or Window-panes or Windows in or belonging to any Dwelling House or Building; or shall make or assist in making any Bonfire, or wantonly discharge or fire off any Gun, Pistol, or Blunderbuss, or other Fire Arms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Firework; or shall fly any Kite, drive any Hoop, run any Race, or play at Pitch and Toss, Football, or any other Game or Games; or indecently expose his, her, or their Person or Persons, or sing obscene Ballads or Songs, in any of the Streets or other public Places within the said Town of *Manchester*; or shall bathe in any Canal, River, or Brook, or any Branch thereof, within the same Town, to the Annoyance of any Passenger; or shall make or cause any unnecessary Stoppage of any Coach, Cart, Waggon, or Carriage, or otherwise occasion any Kind of Obstruction or Annoyance in or upon any

such Road, Street, or public Place; or shall obstruct or incommode, hinder or prevent, the free Passage of any Carriageway, Footway, or Causeway, or prejudice or annoy, in any Manner whatsoever, any Person or Persons travelling, passing, or going thereon; or if the Driver of any Sort of Carriage whatsoever, meeting any other Carriage, shall not keep his or her Carriage on the Left or Near Side of the Road, 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 such Road, Street, or public Place, or by Negligence or Misbehaviour prevent, hinder, or interrupt the free Passage of any Carriage, or of any of His Majesty's Subjects, within any such Road, Street, or Place; or if any Person shall affix any Posting-bill or other Paper to or against any Church, Chapel, or other Place of Worship, or to or against any Dwelling House, Wall, or other Building, without the Consent of the Owner or Occupier thereof, or write upon or otherwise deface or mark any such Church, Chapel, Place of Worship, House, Wall, or other Building, by means of Chalk, Paint, or any other Material whatsoever; then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any Constable or other Peace Officer, or any One of the said *Manchester* Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant or other Authority than this Act, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before any Justice of the Peace for the said County Palatine of *Lancaster*, in order to his, her, or their Conviction of such Offence.

For the better Regulation of Hackney Coaches, &c.

XXXIX. And be it further enacted, That in lieu and stead of the several Powers and Authorities in the said first-recited Act contained for and relating to the licensing, regulating, and employing Hackney Coaches, Sedan Chairs, Porters, and Porters Carts, which Powers and Provisions from and immediately after the First Election of the said *Manchester* Commissioners under this Act shall be and the same are hereby repealed, so far as relates to the said Town of *Manchester*, it shall and may be lawful for the said *Manchester* Commissioners, and they are hereby authorized, from Time to Time to license a sufficient Number of Hackney Coaches, Chaises, Cars, Sociables, Cabriolets, and other Carriages, and Sedan Chairs, Porters, and Porters Carts, to ply for Hire within the said Town of *Manchester*; and it shall be lawful for the said *Manchester* Commissioners, and they are hereby empowered and required, from Time to Time, as often as to them shall seem necessary, to constitute, ordain, and provide such Bye Laws, Rules, Orders, and Regulations as they shall think fit, for regulating the licensing and ordering of such Hackney Coaches, Chaises, Cars, Sociables, Cabriolets, and other Carriages, Sedan Chairs, Porters, and Porters Carts, and in what Manner the Owners, Drivers, and Carriers thereof, and the said Porters respectively, shall conduct and behave themselves, and also in what Manner such Hackney Coaches, Chaises, Cars, Sociables, Cabriolets, and other Carriages and Sedan Chairs shall be furnished and provided, and what Number of Persons may be carried and conveyed in each of such Hackney Coaches, Chaises, Cars, Sociables, Cabriolets, and

Sedan

Sedan Chairs, and touching and concerning the Letters, Messages, Goods, Parcels, and Things to be carried and conveyed by such Porters or any of them; and for ascertaining and fixing, altering and removing, their Stands from Time to Time; and for trying, adjudging, and punishing the Misconduct and Misbehaviour of Drivers of Hackney Coaches, Chaises, Cars, Sociables, Cabriolets, and other Carriages, and of Chairmen and Porters, plying for Hire within the said Town of *Manchester;* 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, and Porters plying for Hire within the same Town, and to what Distances such Drivers, Chairmen, and Porters shall be obliged to drive, go, and come, in, through, and round the said Town, not exceeding for the Drivers of such Coaches, Chaises, Cars, Sociables, Cabriolets, Porters Carts, and other Carriages, Six Miles, not exceeding for such Chairmen Two Miles, and not exceeding for such Porters Three Miles, the said respective Distances to be computed from the Exchange in *Manchester;* and the said Commissioners may from Time to Time, as they shall respectively think fit, repeal, alter, or amend such Bye Laws, Rules, Orders, and Regulations, or any of them, and shall respectively ascertain and set down what pecuniary Penalties or Forfeitures shall be incurred by Persons breaking the same or any of them; and such Penalties or Forfeitures shall be recovered and recoverable as other Penalties or Forfeitures are by this Act directed to be; 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, or of Five Pounds for the Second or any subsequent Offence; and also provided that none of such Bye Laws, Rules, Orders, and Regulations be repugnant to the Laws of that Part of the United Kingdom called *England.*

For regulating the Periods which the Gas Directors shall continue in Office, and the Manner of supplying their Places.

XL. And be it further enacted, That all and every Persons and Person who, under the said recited Act of the Fifth Year of His present Majesty's Reign, shall, on the Fourth *Friday* in the Month of *June* One thousand eight hundred and twenty-eight, have been elected Directors of the *Manchester* Gas Works, shall continue in Office only until the Day appointed for the First Meeting of the *Manchester* Commissioners under this Act, on which Day they shall go out of Office; and the said *Manchester* Commissioners, on the Day of their said First Meeting under this Act, not being less than Thirty present, shall and they are hereby required, from and out of their own Body, to elect Ten to supply the Places of the Ten Directors then going out of Office; and the Ten Directors to be appointed as last aforesaid (except in case of Death, Refusal to act, or Disqualification,) shall continue in Office until the First *Friday* in the Month of *November* in the Third Year afterwards; and the Ten others of the said Directors who, under the Provisions of the said last-recited Act, would have gone out of Office on the Fourth *Friday* in the Month of *June* One thousand eight hundred and twenty-nine, shall continue in Office until the First *Friday* in the Month of *November* in that Year; and the said *Manchester* Commissioners, at a Meeting to be by them held on the said last-mentioned Day (which Meeting they are hereby empowered and required to hold), not being less

less than Thirty present, shall, from and out of the Eighty of themselves who, on the Fourth *Friday* in the Month of *October*, or within Seven Days then next preceding, shall have been elected in the Room or Stead of the Eighty Commissioners then going out of Office, elect Ten to supply the Places of the Ten Directors then going out of Office; and the Ten Directors to be appointed as last aforesaid (except in case of Death, Refusal to act, or Disqualification,) shall continue in Office for the Space of Three Years; and the remaining Ten of the said Directors who, under the Provisions of the said last-recited Act, would have gone out of Office on the Fourth *Friday* in the Month of *June* One thousand eight hundred and thirty, shall continue in Office until the First *Friday* in the Month of *November* in that Year; and the said *Manchester* Commissioners, at a Meeting to be by them held on the said last-mentioned Day (which Meeting they are hereby empowered and required to hold), not being less than Thirty present, shall, from and out of the Eighty of themselves who, on the Fourth *Friday* in the Month of *October*, or within Seven Days then next preceding, shall have been elected in the Room or Stead of the Eighty Commissioners then going out of Office, elect Ten to supply the Places of the Ten Directors then going out of Office; and the Ten Directors to be appointed as last aforesaid (except in case of Death, Refusal to act, or Disqualification,) shall continue in Office for the Space of Three Years; and on the First *Friday* in the Month of *November* in every succeeding Year, the said *Manchester* Commissioners, at Meetings to be by them held on that Day successively, not being less than Thirty present, shall, out of the Eighty of themselves who, on the Fourth *Friday* in the preceding Month of *October*, or within Seven Days immediately preceding, from Time to Time shall have been elected in the Room or Stead of the Eighty Commissioners then going out of Office, elect Ten to supply the Places of the Ten Directors who, under the Provisions of this Act, will go out of Office on such First *Friday* in the Month of *November* as last aforesaid; and the Auditors of the Accounts of the said Directors acting under the said Act of the Fifth Year of His present Majesty's Reign, for the current Year, shall also continue in Office until the First Meeting of the said *Manchester* Commissioners under this Act, on which Day the said *Manchester* Commissioners shall appoint Three of themselves to be Auditors of the Accounts of the said Directors until the First *Friday* in the Month of *November* One thousand eight hundred and twenty-nine, on which Day, and on the same Day in every succeeding Year, the like Appointment of Auditors shall be made; and in case of Death, Resignation, or Disqualification of any of the said Auditors to be appointed under this Act, the said *Manchester* Commissioners shall appoint another or others in the Room or Stead of him or them so dying, resigning, or being disqualified; and as to all the said Elections of Directors and Auditors by this Act authorized to be made, the same Mode shall be observed as is prescribed by the said last-recited Act for the like Purposes; and the said Directors and Auditors to be from Time to Time elected under this Act shall have such and the like Powers and Authorities, and be subject to such and the like Disabilities and Penalties, as the Directors and Auditors acting under the said last-recited Act had and were subject to.

Commissioners to appoint Improvement Committee and other Committees.

XLI. And be it further enacted, That for more effectually carrying this Act into Execution with respect to the said Town of *Manchester*, it shall be lawful for the said *Manchester* Commissioners, and they are hereby authorized and required, at their said First Meeting next after their Election, out of their own Body to appoint a Committee consisting of Thirty, to be denominated "The Improvement Committee," whose Duty shall be to superintend and direct the widening, opening, altering, and improving the Streets, Squares, Lanes, Alleys, Passages, and Places, as herein-after authorized, within the said Town of *Manchester*, and who shall continue in Office and be supplied and kept up in the Manner herein-after directed; and it shall be lawful for the said *Manchester* Commissioners, and they are hereby required, annually or otherwise, from Time to Time to appoint such and so many other Committee or Committees, either of a permanent or special Nature, as they the said *Manchester* Commissioners may think fit, for any other of the Purposes that may arise under this Act within and for the said Town of *Manchester*, which, in the Discretion of the said *Manchester* Commissioners, will be better managed and regulated by means of such Committees; provided that none of the said Committees, other than and except the said Improvement Committee, shall remain or continue in Office for any longer Period than One Year from the Time of their Appointment: Provided always, that of the proposed Appointment of any Committee of a permanent Nature, other than the first Appointment hereby directed to be made of the said Improvement Committee, Notice shall be given by the Clerk or Clerks to the said *Manchester* Commissioners, in some Two at least of the *Manchester* Newspapers, Ten Days at least before the Meeting at which such Appointment shall be proposed to be made: Provided also, that no Committee which the said *Manchester* Commissioners may appoint of a permanent Nature shall be by them dismissed before the Expiration of the Period for which it may be appointed, without at least Ten Days previous Notice in Writing to them from the said *Manchester* Commissioners or their Clerk, specifying the Intention of the said *Manchester* Commissioners so to dismiss such Committee, and their Reasons for the same, nor unless the said *Manchester* Commissioners at Two succeeding Meetings, at an Interval of not less than Ten Days from each other, shall decide upon such Dismissal.

How long Committee of Improvement shall remain in Office, and manner of supplying their Places.

XLII. And be it further enacted, That the Thirty of the said *Manchester* Commissioners who shall be first appointed as herein directed upon the said Improvement Committee, shall continue in Office as such Committee-men (except in case of Death, Refusal to act, or ceasing to be qualified,) until the First *Friday* in the Month of *November* One thousand eight hundred and twenty-nine, on which Day Ten of such Committee, or of the Persons elected in the Room or Stead of any of such Committee dying, refusing to act, or ceasing to be qualified, shall go out of Office; and in like Manner on the First *Friday* in the Month of *November* One thousand eight hundred and thirty, Ten more of such Committee so first appointed, or of the Persons elected in the Room or Stead of any of such Committee dying, or refusing to act, or ceasing to be qualified, shall go out of Office; and on the First *Friday* in the Month of *November* One

thousand eight hundred and thirty-one, the Remainder of the Committee so first appointed, or of the Persons elected in the Room or Stead of any such Committee-men dying, or refusing to act, or ceasing to be qualified, shall go out of Office: Provided always, that the Number of any such Members of the said Committee as shall have died, or refused to act, or ceased to be qualified as Commissioners, in the Course of the Year ending on any such First *Friday* in the Month of *November*, and whose Places shall not have been supplied, and also the Number of such of the Ten Directors of the *Manchester* Gas Works also going out of Office on such First *Friday* in the Month of *November*, as may be Members of such Improvement Committee, shall in all Cases be taken and reckoned as Part of the Ten Members of the Committee going out of Office at such Periods as aforesaid; and upon such First *Friday* in every such Month of *November*, the said *Manchester* Commissioners (not less than Thirty being present), at a Meeting to be by them then held (which Meeting they are hereby empowered and required to hold), shall appoint Ten other Commissioners to supply the Places of the Ten Members of the Committee so going out of Office; and such Ten new Members to be so respectively appointed at the several Periods aforesaid shall continue in Office for the Space of Three Years respectively from the Time of such Appointment, (except in case of Death, Refusal to act, or ceasing to be qualified,) and no longer; and always afterwards, on the First *Friday* in the Month of *November* in each and every succeeding Year, Ten Commissioners shall be appointed to be Members of such Committee, in manner herein-before provided, in the Room or Stead of the Ten who will go out of Office according to the Provisions of this Act and by Effluxion of Time; and such Ten Commissioners to be so from Time to Time appointed to be Members of such Committee shall continue in Office for the Space of Three Years, (except in case of Death, Refusal to act, or Disqualification,) and no longer: Provided always, that the said *Manchester* Commissioners shall supply the Places of the Ten of the said Committee from Time to Time to go out of Office on the First *Friday* in the Month of *November* as aforesaid, from and out of the Eighty of the said *Manchester* Commissioners who, on the Fourth *Friday* in the preceding Month of *October*, or within the Seven Days immediately preceding, from Time to Time shall have been elected in the Room or Stead of the Eighty Commissioners then going out of Office.

In what Manner the quitting of Office by the first-elected Committee shall be determined.

XLIII. And be it further enacted, That in order to determine which of the Members first appointed on the said Improvement Committee shall make up the Number of Ten going out of Office in the Months of *November* in the Years One thousand eight hundred and twenty-nine and One thousand eight hundred and thirty, after reckoning the Number of such of the said Committee as, during the Year ending on the Fourth *Friday* in the then preceding Month of *October*, shall have ceased to be *Manchester* Commissioners, and the Number of such of the said Committee as shall be Gas Directors then going out of Office as aforesaid, it shall be lawful for the Clerk or Clerks of the said *Manchester* Commissioners, and he or they is and are hereby authorized and required, at the Meeting of the said *Manchester* Commissioners to be held next preceding the Fourth *Friday* in the Month

Month of *September* in each of the said last-mentioned Years, to write the Names of such Members of the said Improvement Committee first appointed for the Purposes of this Act, as may not form Part of such retiring *Manchester* Commissioners or Gas Directors, upon distinct Pieces of Paper of equal Sizes, each Paper containing the Name of One of such Committee only, and all such Papers shall be rolled up in the same Form as near as may be, and put into a Box or Wheel by such Clerk or Clerks; and so many of such Papers as will make up the required Number of Ten shall then be drawn out of such Box or Wheel by such Clerk or Clerks one by one, and those of such Committee whose Names shall be upon the Papers so drawn out shall complete the Number of the Ten of the said Committee going out of Office on such First *Friday* in each such Month of *November* in the Years One thousand eight hundred and twenty-nine and One thousand eight hundred and thirty respectively.

For supplying Deficiencies of Appointments of Committees or of Directors of the Gas Works.

XLIV. Provided always, and be it further enacted, That in case at the First Meeting of the said *Manchester* Commissioners under this Act, the said Improvement Committee shall not be fully appointed, or the Ten Directors of the Gas Works shall not be appointed to supply the Places of the Ten then going out of Office; or in case on the said First *Friday* in the Month of *November* One thousand eight hundred and twenty-nine, or on the First *Friday* in any subsequent Month of *November*, the Appointment of such Ten Commissioners as herein-before directed, to supply the Places of the Ten of the said Directors and of the Ten of the said Committee respectively going out of Office on those Days, shall not be made; then and in every such Case, so often as the same shall happen, the said *Manchester* Commissioners shall hold another Meeting as soon as conveniently may be, and not later than the *Friday* next but one afterwards, for the Purpose of making such Appointment; and in case no such Appointment shall be made at such last-mentioned Meeting, then and in every such Case the said *Manchester* Commissioners shall hold another Meeting as early as conveniently may be, and not later than the *Friday* next but one after such last-mentioned Meeting, for the Purpose of making such Appointment, and so *toties quoties* until such Committee and such Ten Directors, and afterwards such Ten of the said Committee and Directors respectively, as the Case may be, shall be appointed; but neither the said Committee, nor such Ten of the said Committee and Directors, nor any of them respectively, shall continue in Office for any longer Space of Time than if they had been appointed on the first fixed Day for that Purpose; and it shall and may be lawful for the said *Manchester* Commissioners who may from Time to Time remain upon the said Committee and amongst the Number of the said Directors, provided the same amount to Two Thirds of their original Number, to proceed in the Duty of their several Offices until the Appointment of others according to the Provisions hereof, as if such others had been appointed on the Day first fixed for that Purpose.

For supplying Deficiencies of Committees

XLV. And be it further enacted, That in case any Commissioner or Commissioners appointed upon the said Improvement Committee, or upon any of the said annual or other Committees, or in case any of

of the said Directors of the Gas Works, shall die, refuse, or become disqualified to act, it shall and may be lawful for the Commissioners surviving or remaining upon the said Committee or Committees, or the surviving or remaining Directors, to proceed in the Duties of their several Offices, unless by any of the Causes aforesaid any such Committee or the said Directors shall be reduced below Two Thirds of the original Number thereof; in which Case, as often as the same shall happen, the Commissioners surviving or remaining upon such reduced Committees, or the surviving or remaining Directors, shall and they are hereby required, either by themselves or their Clerk, to give Notice to the Clerk or Clerks of the said *Manchester* Commissioners of such Reduction, and such Clerk or Clerks shall thereupon convene a Special Meeting of the said *Manchester* Commissioners; and the said *Manchester* Commissioners from Time to Time assembled at such Special Meeting shall and they are hereby authorized and required to appoint a sufficient Number of their own Body in the Room or Stead of the Commissioners so dying, refusing, or becoming incapable to act, to restore such reduced Committee or the said Directors to their original Number; and the Commissioners so appointed at such Special Meeting shall have the like Powers and Authorities, and be subject to the like Bye Laws, Orders, Rules, Regulations, and Restrictions, as the Commissioners in whose Room or Stead he or they shall be so appointed, and shall continue upon the said Committee or be amongst the said Directors for such Time as the Commissioner or Commissioners in whose Room or Stead he or they shall be appointed might have continued in Office, and no longer.

if reduced below Two Thirds of original Number.

XLVI. And be it further enacted, That the said *Manchester* Commissioners, upon every Appointment of the said Improvement Committee, and of every such annual and other Committee, shall declare how many shall be competent to act, and shall also then and from Time to Time after prescribe such Bye Laws, Rules, Orders, and Regulations for the Government thereof respectively, as to them the said *Manchester* Commissioners may appear requisite and proper; and the said Improvement Committee, and all such annual and other 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 Bye Laws, Rules, Orders, and Regulations to be from Time to Time prescribed by the said Commissioners.

Commissioners to prescribe Regulations of Committees.

Authority of Committees.

XLVII. And be it further enacted, That the said Improvement Committee, and all the said annual and other Committees, so to be appointed as herein-before 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, and shall report such Appointments to the said *Manchester* 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

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

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.

Chairman of Committee, if present, to preside.

XLVIII. And be it further enacted, That at all Meetings of the said Improvement Committee, and 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, then and in every such Case the said Committee 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, except those belonging to the said Improvement Committee, shall, at all reasonable Times, be open to the Inspection of the said *Manchester* Commissioners and Committees or any of them respectively; and the said Improvement Committee shall yearly and every Year, Forty-two Days at least before the Ten of such Committee go out of Office, report to the said *Manchester* Commissioners, in Writing, the whole of their Proceedings during the preceding Year; and all the said other Committees shall in like Manner, and not later than Ten Days next after the Expiration of their respective Offices, report the whole of their respective Proceedings.

Committees to enter their Proceedings, and to report to the Commissioners.

1 & 2 G. 4. c. 126.

XLIX. And whereas an Act was passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to improve* Market Street *in the Town of* Manchester *in the County Palatine of* Lancaster, *and the Approaches thereto; and to amend an Act for building a Bridge across the River* Irwell, *from* Water Street *in the Township of* Salford *to* Saint Mary's Gate *in the Township of* Manchester: And whereas many of the Improvements contemplated by the said last-recited Act have been effected, and under the Authority of such Act a considerable Debt hath been incurred, which is charged and chargeable upon the Highway Rates to be raised within and for the said Town of *Manchester*; and others of such Improvements yet remain to be accomplished; and it may be expedient that further and additional Means be supplied for effecting the said remaining Improvements, and that the said *Manchester* Commissioners, and their Committee to be appointed as herein-before provided in that Behalf, be authorized to make other Improvements in the said Town of *Manchester*; and it may also be expedient to afford some Means towards Liquidation of the said Debt, and in Relief of the Highway Rate, in manner herein-after mentioned; be it therefore further enacted, That in case the said Commissioners acting under the said last-recited Act shall at any Time or Times be desirous of effecting any of the said Improvements yet remaining to be accomplished under the Authority of such Act, it shall and may be lawful for the said *Manchester* Commissioners, on the Recommendation of the said Improvement Committee, for such Purpose from Time to Time to pay over

Manchester Commissioners authorized to pay over Money for Improvements, &c.

to the Commissioners acting under the said last-recited Act any Sum and Sums of Money to be received by the said *Manchester* Commissioners under and by virtue of this Act; and the said Commissioners acting under the said last-recited Act shall and they are hereby authorized to effect such Improvements from Time to Time by means of the Money to be paid to them as herein-before mentioned, in such and the same Way as they could have done by means of Monies raised and paid to them under the Authority of the said last-recited Act, such Sum and Sums of Money being nevertheless limited in such Manner as is herein-after specified.

Improvement Committee authorized to make Improvements, &c.

L. And be it further enacted, That it shall and may be lawful for the said Improvement Committee to make such Improvements in the said Town of *Manchester* as they may from Time to Time think necessary, either by widening or altering any of the Streets, Lanes, Passages, and Places therein, or otherwise, and to make the necessary Purchases for such Improvements; and also to make Compensation for any Injury attending or consequent upon such Improvements to adjoining Property, by and with the Monies to be by them from Time to Time received under this Act; the Amount to be expended in and about such last-mentioned Improvements, Purchases, and Compensations being also limited in such Manner as is herein-after specified.

Also to pay over Money in relief of the Debt charged on the Highway Rates.

LI. And be it further enacted, That it shall and may be lawful for the said *Manchester* Commissioners to pay over to the Commissioners acting under the said last-recited Act any such Sum and Sums of Money by the said *Manchester* Commissioners received under the Authority of this Act, as they, on the Recommendation of the said Improvement Committee, may from Time to Time think necessary to be paid towards the Liquidation of the Debt for the Time being due and charged and chargeable upon the Highway Rates for the said Town of *Manchester*, in respect of such Improvements as have been already effected therein by the said Commissioners acting in the Execution of the said last-recited Act and under the Authority thereof, the Amount thereof being limited in such Manner as is herein-after specified: Provided always, that such Sum and Sums of Money to be paid as last aforesaid shall from Time to Time be applied by the said Commissioners acting under the said last-recited Act, so and in such Manner as that the Ley Payers of the said Town of *Manchester* shall, in proportion to the Amount thereof, be relieved from the Payment of the Highway Rates within the said Town for the then current or the next succeeding Year.

Limitation of Amount to be expended in Improvements, &c.

LII. Provided always, and be it further enacted, That the Sum and Sums of Money which the said *Manchester* Commissioners are hereby authorized to pay over to the said Commissioners acting in the Execution of the said last-recited Act, for effecting the said Improvements remaining to be accomplished under the same Act, and towards Liquidation of the said Debt, and the Sum and Sums of Money which the said *Manchester* Commissioners, on the Recommendation of the said Improvement Committee, are hereby authorized to expend in the Improvements, Purchases, and Compensations to be by them made as aforesaid, shall not, in the aggregate Amount thereof, at any Time exceed the Amount of the surplus Monies which the Directors

of

of the Gas Works, under the said recited Act of the Fifth Year of the Reign of His present Majesty, shall have actually paid to the said *Manchester* Commissioners or their Treasurer, pursuant to the Provision herein in that Behalf contained.

No Improvements to be made without Consent of Owners.

LIII. Provided also, and be it further enacted, That the Powers and Authorities hereby given to the said *Manchester* Commissioners and the said Improvement Committee, for making Improvements in the said Town of *Manchester*, shall not extend or be construed to extend to authorize and empower them to take, use, or enter, for the Purposes of such Improvements, any Houses, Erections, Buildings, or Lands whatsoever, without the several Consents in Writing of the respective Owners or Proprietors and Occupiers thereof in that Behalf previously had and obtained.

Improvement Committee not to proceed without the Sanction of the Commissioners, where the Object will incur an Expenditure exceeding 300*l.*

LIV. Provided also, and be it further enacted, That the said Improvement Committee shall not in any Case proceed to treat, contract, and agree for or purchase any Houses, Buildings, or Lands which may be thought necessary for the Purposes of any Improvements to be by them made, where the necessary Expenditure in and about such Purchase and Improvement will exceed Three hundred Pounds in the whole, unless the Object and estimated Cost of such Improvement shall have been previously advertised once in Two at least of the *Manchester* Newspapers, nor unless the said *Manchester* Commissioners, at Two successive Meetings to be held at an Interval of not less than Twenty-eight Days from each other, shall have determined upon and ordered the same.

Limitation of Actions.

LV. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done under the Provisions of this Act or of the said recited Acts, or any of them, until Twenty-one Days Notice thereof shall be first given in Writing to the Comptroller or Clerk or Clerks of the said *Manchester* Commissioners, signed by the intended Plaintiff or Plaintiffs, of the Cause and Intention of and for commencing such Action or Suit, nor at any Time whatsoever after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Three Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be so brought; and all such Actions and Suits shall be laid and tried in the County of *Lancaster*, and not in any other County or Place; and that the Defendant or Defendants in every such Action or Suit, and every of them, may plead the General Issue, and give this Act and the said recited Acts, or any of them, 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 Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of the same Acts or some of them; and if the said Matter shall appear to have been so done, or if it shall so happen that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant

Defendant or Defendants therein; and if a Verdict or Verdicts shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become non-suited, or suffer a Discontinuance of such Action or Actions, Suit or Suits, or if Judgment shall be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any other Cases by Law.

Recovery and Application of Penalties.

LVI. And be it further enacted, That all Penalties, Forfeitures, and Fines by this Act inflicted or authorized to be imposed for Offences under the same, the Manner of recovering which is not herein otherwise directed, shall be recovered in the same Manner as similar Penalties, Forfeitures, and Fines are directed to be recovered under the said first-recited Act, and shall be applied for the general Purposes of this Act.

Expences of Act.

LVII. And be it further enacted, That all Costs, Charges, and Expences of and attending the applying for, preparing, obtaining, and passing of this Act, shall be paid and discharged by the said *Manchester* Commissioners by and out of the first Monies to be by them received and raised under and by virtue of this Act, before any Part thereof be applied to any other Purpose by this Act specified.

Saving of Manorial Rights.

LVIII. Provided also, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend or be construed to extend to prevent or hinder Sir *Oswald Mosley* Baronet, his Heirs, Successors, or Assigns, Lord or Lords, Lady or Ladies of the Manor of *Manchester*, or Owner or Owners of the Fairs and Markets within the said Manor, or any Part or Parts thereof, or any of them, from holding and keeping any Fairs and Markets within the said Manor, or any Part or Parts thereof, save and except upon the Site or Ground Plot whereupon the Building in the Market Place in *Manchester* aforesaid, called the *Exchange*, stood at the passing of the said first-recited Act, or to prevent or hinder him, them, or any of them, from taking, receiving, collecting, and recovering all Tolls, Duties, and Emoluments to the said Fairs and Markets belonging (except for or in respect of the said Site or Ground Plot); or to give to the said Commissioners, or any of them, or any other Person or Persons whatever, any Power or Authority to do any Act, Matter, or Thing which may in any Manner prejudice or injure the Fairs or Markets of the said Sir *Oswald Mosley*, his Heirs, Successors, or Assigns, Owner or Owners of the same, or obstruct or injure him, them, or any of them, from holding the same in as full and ample a Manner as he was used and accustomed and by Law entitled to do before the passing of this Act (except upon the said Site or Ground Plot); or to hinder Persons resorting to or using the said Fairs or Markets from exposing their Goods, Wares, and Merchandizes to Sale there, and using and enjoying all other Privileges, Franchises, and Advantages within the said Markets, which have been used and enjoyed by Persons resorting thereto or using the same, and to which they were entitled by Law before the Commencement of this Act (except upon

upon the said Site or Ground Plot), or to make them or any of them liable for so doing to any of the Penalties contained in this Act or in the said first-recited Act; or to prevent or hinder the said Sir *Oswald Mosley* Baronet, his Heirs, Successors, and Assigns, Lord or Lords, Lady or Ladies of the said Manor, or Owner or Owners of the said Fairs and Markets, from holding of Courts or Leets (except upon the said Site or Ground Plot), and receiving, exercising, and enjoying all such other Emoluments, Payments, Duties, Rights, Immunities, Franchises, Privileges, Jurisdictions, Powers, and Authorities whatsoever, in respect to the holding of Courts or Leets, or holding and keeping of Fairs and Markets, or otherwise, which he was legally entitled to before the passing of this Act; but that he the said Sir *Oswald Mosley*, his Heirs, Successors, and Assigns, Lord or Lords, Lady or Ladies of the said Manor of *Manchester*, and Owner or Owners of the Fairs or Markets there for the Time being, shall continue to hold and keep Fairs and Markets within the said Manor, and to take, collect, recover, and receive all Tolls, Duties, and Emoluments to those Fairs and Markets appertaining (except for or in respect of the said Site or Ground Plot); and all Persons resorting to or using the said Fairs or Markets shall and may expose their Goods, Wares, and Merchandizes to Sale, and shall and may use and enjoy all other Privileges, Franchises, and Advantages within the said Fairs and Markets, which have been used or enjoyed by Persons resorting thereto or using the same, and to which they were entitled by Law before the passing of this Act (except the said Site or Ground Plot), and without being liable to such Penalties as aforesaid; and the said Sir *Oswald Mosley*, his Heirs, Successors, and Assigns, Lord or Lords, Lady or Ladies of the said Manor of *Manchester*, or Owner or Owners of the Fairs or Markets there for the Time being, shall hold Courts and Leets (except upon the said Site or Ground Plot), and receive and exercise and enjoy all such other Emoluments, Payments, Duties, Rights, Immunities, Franchises, Privileges, Jurisdictions, Powers, and Authorities, either in respect of the Courts or Leets of the said Manor, or otherwise howsoever, as well as upon, over, or in respect of the said Site or Ground Plot or elsewhere, and receive, use, exercise, and enjoy all such other Emoluments, Payments, Duties, Rights, Immunities, Franchises, Privileges, Jurisdictions, Powers, and Authorities, in respect of the holding and keeping of Fairs and Markets (except upon or in respect of the said Site or Ground Plot), in the same Manner and to the same Extent as he the said Lord, or such other Lord or Lords, Lady or Ladies, Person or Persons as shall or may be Lord or Lords, Lady or Ladies of the said Manor, or Owner or Owners of the Fairs and Markets there, was or were legally entitled to hold and keep, take, receive, collect, recover, use, exercise, and enjoy the same respectively before the passing of this Act; and that the Juries and Officers of the said Courts or Leets or Fairs or Markets within the said Manor respectively shall and may exercise and enjoy all and every the Powers, Privileges, Franchises, and Authorities, as well upon, over, or in respect of the said Site or Ground Plot or elsewhere, in as full and ample Manner to all Intents and Purposes as they have hitherto used to do and of Right could or might have done in case this Act had not been made.

LIX. And

LIX. 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, without being specially pleaded. Public Act.

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