ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. xxii.

An Act to light, watch, pave, cleanſe, and improve the Streets, Highways, and Places within the Borough of *Preſton*, in the County Palatine of *Lancaſter*, and to provide Fire Engines and Firemen for the Protection of the ſaid Borough.

[2d *May* 1815.]

WHEREAS the Borough of *Preſton*, in the County Palatine of *Lancaſter*, is very populous, and a Place of conſiderable Trade, and is alſo a great Thoroughfare for Travellers, and ſeveral of the Highways, Markets, Streets, Lanes, Ways, public Paſſages, and Places within the ſaid Borough, are not properly paved, repaired, cleanſed, lighted, and watched, and are ſubject to various Nuiſances, Annoyances, Incroachments, and Obſtructions, and it would tend to the Protection and Preſervation of the Lives and Property of the Inhabitants of the ſaid Borough, if proper Fire Engines and Firemen were provided therein; and it would likewiſe be of great Advantage to the Inhabitants of the ſaid Borough, and to all Perſons reſorting to, and travelling through the ſame, if the ſaid Highways, Markets, Streets, Lanes, Ways, Paſſages, and Places, were properly paved, repaired, cleanſed, lighted, and watched, and the Nuiſances and Annoyances, Obſtructions and Incroachments therein, were removed and prevented for the future; but as the ſeveral Purpoſes 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,

Commiſſioners. That the Mayor and Aldermen, for the Time being of the Borough of *Preſton*, and all and every other Perſon and Perſons who now is, or are, or ſhall or may, at any Time hereafter, be or become the Owner or Owners of any Meſſuage or Meſſuages, Dwelling Houſe or Dwelling Houſes, Warehouſe or Warehouſes, or Building or Buildings, Lands, Tenements, or Hereditaments, within the ſaid Borough, amounting in the whole to the yearly Value of One hundred Pounds or upwards; and all and every Perſon and Perſons, being an Innkeeper, Victualler, or Alehouſe-keeper, or Innkeepers, Victuallers, or Alehouſe-keepers, who now is, or are, or ſhall, or may, at any Time hereafter, be or become Tenant or Tenants, Occupier or Occupiers of the like Property as aforeſaid, ſituate within the ſaid Borough, amounting in the whole to the yearly Value of One hundred Pounds or upwards; and all and every other Perſon or Perſons, not being an Innkeeper, Victualler, or Alehouſe-keeper, Innkeepers, Victuallers, or Alehouſe-keepers, and being Tenant or Tenants, Occupier or Occupiers of the like Property as aforeſaid, or of any of the Deſcriptions thereof, ſituate within the ſaid Borough, amounting in the whole to the yearly Value of Fifty Pounds or upwards, ſhall be, and they are hereby conſtituted, appointed, and declared to be Commiſſioners for putting and carrying the ſeveral Powers and Purpoſes of this Act into Execution.

Oath. II. Provided always, and be it further enacted, That no Perſon, except the Mayor and Aldermen of the ſaid Borough for the Time being, ſhall be capable of acting as a Commiſſioner in the Execution of this Act, except in adminiſtering the Oaths or Affirmations herein-after mentioned, until he ſhall have taken and ſubſcribed, before any Two or more of the Perſons qualified as aforeſaid, preſent at any Meeting to be held by virtue of this Act, (and who are hereby authorized and required to adminiſter the ſame to each other), one of the Three next following Oaths or Affirmations, as his Caſe may require, and that neither the ſaid Mayor or Aldermen for the Time being, nor any other Perſon, ſhall be capable of acting as a Commiſſioner in the Execution of this Act, except for the Purpoſes herein-before mentioned, until he ſhall have taken and ſubſcribed, in like Manner, the Fourth Oath or Affirmation herein-after ſet forth:

FIRST OATH.

'I *A. B.* do ſwear, (*or*, being one of the People called *Quakers*, do ſolemnly affirm and declare), That I am really and *bonâ fide* Owner of a Meſſuage or Meſſuages, Dwelling Houſe or Dwelling Houſes, Warehouſe or Warehouſes, or other Building or Buildings, Lands, Tenements, or Hereditaments, ſituate within the Borough of *Preſton*, in the County of *Lancaſter*, amounting in the Whole to the yearly Value of One hundred Pounds or upwards. So help me GOD.'

SECOND OATH.

'I *A. B.* do ſwear, (*or*, being one of the People called *Quakers*, do ſolemnly affirm and declare), That I (being an Innkeeper, Victualler, or Alehouſe-keeper) am Tenant or Occupier of a Meſſuage or Meſſuages,

‘ ſuages, Dwelling Houſe or Dwelling Houſes, Warehouſe or Warehouſes,
‘ or other Building or Buildings, Lands, Tenements or Hereditaments,
‘ ſituate within the Borough of *Preſton*, in the County of *Lancaſter*,
‘ amounting in the Whole to the annual Value of One hundred Pounds
‘ or upwards. So help me GOD.’

THIRD OATH.

‘ I *A. B.* do ſwear, (*or*, being one of the People called *Quakers*, do
‘ ſolemnly affirm and declare), That I (not being an Innkeeper, Victualler, or Alehouſe-keeper) am Tenant or Occupier of a Meſſuage or
‘ Meſſuages, Dwelling Houſe or Dwelling Houſes, Warehouſe or Warehouſes, or other Building or Buildings, Lands, Tenements, or Hereditaments, ſituate within the Borough of *Preſton*, in the County of
‘ *Lancaſter*, amounting in the Whole to the annual Value of Fifty Pounds
‘ or upwards. So help me GOD.’

FOURTH OATH.

‘ I *A. B.* do ſwear, (*or*, being one of the People called *Quakers*, do
‘ ſolemnly declare and affirm), That I will truly and impartially, according to the beſt of my Skill and Judgement, execute and perform all
‘ and every the Powers and Authorities repoſed in me, by virtue of an Act
‘ paſſed in the Fifty-fifth Year of His Majeſty King *George* the Third,
‘ [*here inſert the Title of this Act.*] So help me GOD.’

Penalty on Perſons not qualified, acting.

III. Provided alſo, and be it further enacted, That no Perſon ſhall act as a Commiſſioner in the Execution of this Act (except in adminiſtering the Oaths or Affirmations herein-before mentioned, and except at the Firſt Meeting to be holden under this Act) on the ſame Day on which he ſhall himſelf have taken and ſubſcribed ſuch Oaths or Affirmations, and if any Perſon not named in or appointed a Commiſſioner by this Act, or not being otherwiſe duly qualified, ſhall nevertheleſs preſume to act in the Execution of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of Twenty Pounds, together with full Coſts of Suit, to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of His Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Common Pleas at *Lancaſter*, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoign, Protection, Wager of Law, or more than One Imparlance ſhall be allowed; and every Perſon ſo ſued or proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Proſecutor than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Perſon or Perſons acting as a Commiſſioner in the Execution of this Act, though not duly qualified as aforeſaid, previous to his or their being convicted of the ſaid Offence, ſhall, notwithſtanding ſuch Conviction, be as good, valid, and effectual, as if ſuch Perſon or Perſons had been duly qualified to act as a Commiſſioner or Commiſſioners, according to the Directions of this Act.

Qualification to be regulated by Valuation of Property.

IV. Provided alſo, and be it further enacted, That when and ſo ſoon as a Valuation of Property within the ſaid Borough ſhall be made and completed under the Powers and Proviſions of this Act, no Perſon ſhall thereafter

after be deemed or taken to be duly qualified to act as a Commissioner under this Act (except as before is excepted) unless the Property of such Person, in right of which he shall claim to act as such Commissioner shall, at the Time of his so acting, be really and truly stated in the then existing Valuation Book, made by virtue of this Act, to be of the actual Value of One hundred Pounds, or Fifty Pounds *per Annum*, as the Case may be or require, any Thing herein-before contained to the contrary notwithstanding.

Meetings of Commissioners without Notice.

V. And be it further enacted, That the said Commissioners shall meet and assemble at the Town Hall in *Preston*, upon the Third *Monday* next after the passing of this Act, between the Hours of Ten and Eleven in the Forenoon, in order to put this Act into Execution; and shall afterwards meet in the same Place, or at such other Place within the said Borough as the said Commissioners shall from Time to Time direct and appoint, and between the Hours aforesaid, on the First *Monday* in every Month, for the Purpose of carrying this Act into Execution, without any Notice being given to the said Commissioners of such Meeting.

Commissioners may adjourn.

VI. Provided always, and be it enacted, That it shall and may be lawful for the said Commissioners, or any Two or more of them, to adjourn for any longer or shorter Space of Time than the First *Monday* in the next Month immediately subsequent to the last Meeting, or to any other Place or Places than the said Town Hall, but that in every such Case, Notice of such Adjournment in Writing, or printed, signed by the Clerk to the said Commissioners, shall be given, by affixing such Notice on the outer Door of the Town Hall aforesaid, Four Days at least before every such Meeting.

Meetings on Emergencies.

VII. And be it further enacted, That if it shall at any Time or Times be thought necessary that a Meeting of the Commissioners should be holden on an earlier Day than the First *Monday* in the Month immediately subsequent to the last Meeting, or after any Adjournment on an earlier Day than the Day to which such Meeting shall have been adjourned, then and in every such Case the Clerk to the said Commissioners, (on an Order signed by Five or more of the said Commissioners, mentioning the Time, Place, and Purpose, of such earlier Meeting, being given to him, or left at his last or usual Place of Abode) shall forthwith give Notice of the Meeting to be holden on such earlier Day, in Manner before directed, and of the Time, Place, and Purpose, which shall be mentioned in the Order of the said Commissioners (such Time not being less than Four Days after such Notice), and all Proceedings of the Commissioners at such earlier Meeting shall be as good and valid as they would have been in case such Commissioners had met on the First *Monday* in the Month, immediately subsequent to the last Meeting, or in pursuance of any Adjournment.

No act valid unless at a Meeting.

VIII. And be it further enacted, That no Act of the said Commissioners shall be, or be deemed to be good and valid, unless made and done at a Meeting to be holden as aforesaid by virtue of this Act, (except as may be herein excepted) and all the Powers and Authorities by this Act granted to or vested in the said Commissioners, shall, from Time to Time, be exercised by the major Part of them present, at any public Meeting, the Number present at such Meeting not being less than Five, (except in such Cases where,

where, by this Act, a greater Number is required), and all the Orders and Proceedings of the major Part of such Commissioners present at such Meetings, shall have the same Force and Effect as if the same were made or done by all the Commissioners for the Time being, and at every such Meeting, one of the said Commissioners, to be appointed by a Majority of Commissioners present, shall be a Chairman, and shall have a casting Vote, in case of Equality of Votes.

Chairman to be appointed at each Meeting.

IX. And be it further enacted, That there shall be provided and kept a proper Book or Books, in which fair and regular Entries shall be made of all Acts, Orders, and Proceedings, relative to the Execution of this Act; and the Names of the Commissioners, who shall be present at the respective Meetings to be holden in pursuance of this Act, and such Entries being signed by the Chairman of each respective Meeting, or by the Clerk to the said Commissioners, by their Order, shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever, in all Cases, Prosecutions, Suits, and Actions, touching or concerning any Thing done in pursuance of this Act, and such Book and Books shall, at all the Meetings of the said Commissioners, be open and liable to their Inspection, and to the Inspection of all Persons affected by this Act, without Fee or Reward.

Proceedings to be entered.

X. And be it further enacted, That no Order made by the said Commissioners shall be revoked or altered at any subsequent Meeting, unless at some Meeting to be held for that express Purpose, of which Six Days Notice of the Intention of such Meeting shall be given by the Clerk by fixing the same upon the Door of the Town Hall in *Preston*.

No Order to be revoked, &c.

XI. And be it further enacted, That at a Meeting of the said Commissioners, which shall be held on the First *Monday* in *June* Yearly, at the Place herein-before mentioned, or to be appointed as aforesaid, the Accounts of all Monies received and paid from Time to Time, by virtue or in Execution of this Act, by any Person or Persons whomsoever, shall be produced and stated to the said Commissioners.

Annual Meetings.

XII. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act during such Time as he shall hold any Office or Place of Profit under the said Commissioners, or during such Time as he shall have any Share or Interest in any Contract or Work to be performed or done under any of the Powers of this Act, or in any Matter wherein he shall be in anywise personally or beneficially interested, (except as a Creditor on the Rates, Assessments, or Monies herein directed to be made, levied, collected, and received); but that it shall and may be lawful to and for such of the said Commissioners, as are Justices of the Peace, to act as such Justices in the Execution of this Act, notwithstanding their being Commissioners, except only in Cases where they shall be personally interested.

Commissioners not to act where interested.

XIII. And be it further enacted, That the said Commissioners shall and may, from Time to Time, whenever they shall think necessary, by Writing under their Hands, appoint and employ a Treasurer or Treasurers, Clerk or Clerks, Assessor or Assessors, Collector or Collectors, Receiver or Receivers, of the Rates, Assessments, and Monies herein mentioned, and also

Officers to be appointed.

alſo a Surveyor or Surveyors, and ſuch other Officer and Officers, Perſon and Perſons, for the Execution of this Act, as they the ſaid Commiſſioners ſhall think proper, which reſpective Officers, if the ſaid Commiſſioners ſhall ſee Occaſion, ſhall be by them ſworn to the due and faithful Diſcharge of their ſeveral Offices, in ſuch Form of Oath as the ſaid Commiſſioners ſhall appoint, according to the Nature of their reſpective Offices; and the ſaid Commiſſioners ſhall and may from Time to Time remove them, or any of them, and in like Manner appoint others in the room of thoſe removed; and out of the Monies to be raiſed by virtue of this Act, pay ſuch Salaries, Wages, or Allowances, to the ſaid Officers and other Perſons, as they the ſaid Commiſſioners ſhall think reaſonable; and the ſaid Commiſſioners ſhall, and they are hereby required, to take ſuch Security from every ſuch Treaſurer, Collector, and other Officers, as they the ſaid Commiſſioners ſhall think reaſonable; and all ſuch Officers ſo to be appointed ſhall, under their Hands (at ſuch Time and Times, and in ſuch Manner as the ſaid Commiſſioners ſhall direct), deliver to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which ſhall have been received by ſuch Officers and Perſons reſpectively, by virtue of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſes, together with the Vouchers for ſuch Payments, and ſhall pay all ſuch Money as ſhall remain due from them reſpectively to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall appoint, and if any ſuch Officer or Perſon ſhall refuſe or wilfully neglect to make and render any ſuch Accounts, or to produce or deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall refuſe or neglect to deliver to the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall appoint, within Ten Days after being thereunto required by the ſaid Commiſſioners, by Notice in Writing to be given to or left at the laſt or uſual Place of Abode of ſuch Officer or Perſon, all Books, Papers, and Writings in his Cuſtody or Power, relating to the Execution of this Act, and to give Information and Satisfaction to the ſaid Commiſſioners reſpecting the ſame, then, and in every ſuch Caſe, upon Complaint made by the ſaid Commiſſioners, or any Two or more of them, or by any Perſon or Perſons whom they ſhall appoint for that Purpoſe, of any Neglect or Refuſal as aforeſaid, to any Juſtice of the Peace for the County, City, Town Corporate, or Place wherein ſuch Officer or Perſon ſo neglecting or refuſing ſhall reſide or be; ſuch Juſtice may and is hereby authorized and required by a Warrant under his Hand and Seal, to cauſe the Officer or Perſon ſo refuſing or neglecting, to be brought before him, and upon his appearing, or having been ſummoned, and not appearing, or not being to be found, to hear and determine the Matter in a ſummary Way, and if, upon the Confeſſion of the Party, or by the Teſtimony of any credible Witneſs or Witneſſes, upon Oath (which Oath ſuch Juſtice is empowered to adminiſter), it ſhall appear to ſuch Juſtice that any of the Money which ſhall have been collected or raiſed by virtue of this Act, ſhall be in the Hands of ſuch Officer or Perſon, ſuch Juſtice may, and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer and Perſon; and if no Goods or Chattels of ſuch Officer or Perſon can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling the ſame; or if it ſhall appear to ſuch Juſtice that ſuch Officer or Perſon ſhall have

refuſed

refuſed or wilfully neglected to render, or give ſuch Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relative to the Execution of this Act, ſhall be in the Cuſtody or Power of ſuch Officer or Perſon, and he ſhall have refuſed, or wilfully neglected to deliver up, or give Satisfaction reſpecting the ſame as aforeſaid, then, and in any of the Caſes aforeſaid, ſuch Juſtice ſhall commit ſuch Offender to the Common Gaol, or Houſe of Correction for the County where ſuch Offender ſhall be or reſide, there to remain without Bail or Mainprize, until he ſhall have made and given a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the Commiſſioners for ſuch Money, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Commiſſioners are hereby empowered to make and receive), and until he ſhall have delivered up ſuch Books, Papers, and Writings as aforeſaid, or have given Satisfaction in reſpect thereof, to the ſaid Commiſſioners, provided that no Perſon who ſhall be committed by virtue of this Act, on account of his not having ſufficient Goods or Chattels, ſhall be detained in Priſon for any longer Term than Twelve Months: Provided alſo, that if any Money ſhall remain due from ſuch Officer or Perſon, Officers or Perſons, the Commitment of him or them to Priſon ſhall not be deemed a Diſcharge for the ſame, nor exonerate his or their Surety or Sureties, but ſuch Officer or Officers, or Perſons, and his and their Surety and Sureties, ſhall remain liable to the Payment thereof, in the ſame Manner as if ſuch Officer or Perſon had not been committed to Priſon.

Commiſſioners to appoint Watchmen.

XIV. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby required from Time to Time, to appoint ſuch Number of able-bodied Men as they ſhall judge proper to be employed as Firemen, Watchmen, and as a Patrol within the ſaid Borough, under ſuch Regulations and ſubject to ſuch Orders as the ſaid Commiſſioners ſhall make and give from Time to Time in that Behalf; and to provide proper Watch Houſes, Watch Boxes, or Places for the Reception of ſuch Watchmen and Patrol, and for the ſafe Cuſtody of ſuch Perſons as may be apprehended by ſuch Watchmen or Patrol while on Duty, and to pay ſuch Firemen, Watchmen and Patrol while on Duty, reaſonable Wages or Allowances; and alſo to appoint One or more fit Perſon or Perſons in the Stead of any Fireman or Firemen, Watchman or Watchmen, Patrolman or Patrolmen, who ſhall die, or who ſhall be diſcharged from his or their Office by the ſaid Commiſſioners; and alſo to impoſe from Time to Time any Fine not exceeding Forty Shillings on any Fireman or Firemen, Watchman or Watchmen, Patrolman or Patrolmen, for every Neglect or Miſbehaviour (ſuch Fine to be deducted out of the Wages of ſuch Fireman or Firemen, Watchman or Watchmen, Patrolman or Patrolmen, if the Amount of ſuch Wages ſo due are ſufficient to anſwer or pay ſuch Fine; and if ſuch Wages ſo due are not ſufficient to pay ſuch Fine, the Deficiency to be levied in the ſame Manner as any Penalty or Fine is by this Act directed to be recovered) and from Time to Time to make ſuch Orders and Regulations as they the ſaid Commiſſioners ſhall deem expedient for the better Government of the Firemen, Watchmen, or Patrolmen, to be ſo appointed, and to repeal ſuch Orders and Regulations, or any of them, and to ſubſtitute others; and it ſhall and may be lawful to and for ſuch Watchmen or Patrolmen, or any of them, and they are hereby required, in their reſpective Stations, to apprehend and ſecure, in ſome proper Place or Places of Security, to

be for that Purpoſe appointed within the ſaid Borough, all Malefactors, Rogues, Vagabonds, idle and diſorderly Perſons, Diſturbers of the public Peace, Proſtitutes, and all ſuſpected Perſons who ſhall be found wandering or miſbehaving themſelves during the Hours of keeping Watch, and to conduct all ſuch Perſons as ſoon as conveniently may be, before ſome Juſtice of the Peace for the ſaid Borough, to be examined and dealt with according to Law.

Penalty on Victuallers harbouring Watchmen.

XV. And be it further enacted, That if any Victualler, or Keeper of any Public Houſe, ſhall knowingly harbour or entertain, or ſuffer to remain in his or her Public Houſe, any ſuch Watchman or Watchmen as aforeſaid, during any Part of the Time appointed for his or their being on Duty, every ſuch Victualler or Keeper ſhall, on Conviction, forfeit and pay any Sum not exceeding Five Pounds.

Power to reward diſabled Watchmen.

XVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to give ſuch Rewards in Money to the Firemen, Watchmen, and Patrolmen reſpectively, to be appointed as aforeſaid, who may be diſabled or wounded in the Execution of their Office, as they the ſaid Commiſſioners ſhall think reaſonable, ſuch Money to be paid out of the Monies to be raiſed for the Purpoſes of this Act.

For more effectually preſerving the King's Peace within the ſaid Borough.

XVII. And whereas it is expedient for the Safety of His Majeſty's Liege Subjects, that the King's Peace be conſtantly kept within the ſaid Borough, be it therefore further enacted, That the Juſtices of the Peace acting in and for the ſaid Borough ſhall, as they ſhall ſee Occaſion, at any Quarter or Petty Seſſions to be holden in and for the ſaid Borough, upon Application made to them by the ſaid Commiſſioners, or any Five or more of them, aſſembled at any Meeting for that Purpoſe, from Time to Time, appoint a competent Number of able-bodied Men as Aſſiſtant Conſtables of the ſaid Borough in keeping the Peace therein; and alſo for executing all ſuch Warrants, Precepts, and Orders as the ſaid Juſtices, or any of them, ſhall from Time to Time direct, to the ſaid Conſtables, or Aſſiſtant Conſtables, or any of them, to be by them executed within the ſaid Borough, together with a Superior or Superintendant of ſuch Aſſiſtant Conſtables, ſuch Superintendant Conſtable to be nominated by the ſaid Commiſſioners aſſembled as aforeſaid, and for ſuch Pay as the ſaid Juſtices ſhall direct; all which Superintendant and Aſſiſtant Conſtables, when appointed, ſhall be inveſted with the like Privileges, Powers, and Authorities, and ſhall be ſubject to the like Duties, and entitled to the like Protection and Indemnity, and be ſubject to the like Puniſhment, Penalties, and Forfeitures as Conſtables are or ſhall be by virtue of any exiſting Law whatſoever.

And for defraying the Charge thereof.

XVIII. And be it further enacted, That the ſaid Juſtices, when ſuch Conſtables have been appointed as aforeſaid, at their ſaid Quarter or Petty Seſſions ſhall, from Time to Time, order and direct what Remuneration ſhall be made to ſuch Superintendant and other Conſtable or Conſtables reſpectively for his or their Services in the Execution of his or their ſaid Duties; and alſo to order and direct any ſuch Remuneration to be paid to ſuch Superintendant and other Conſtable or Conſtables, out of the Monies raiſed or to be raiſed for the Purpoſe of lighting and watching the ſaid Markets, Streets, Squares, Ways, Lanes, and public Paſſages and Places within the ſaid Borough by virtue of this Act.

XIX. And

Manner of fixing Rates.

XIX. And be it further enacted, That the Charges and Expences of lighting and watching the Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places within the ſaid Borough of *Preſton*, and of erecting a Fire Engine Houſe, and providing Fire Engines and Firemen in Manner herein directed, and of putting this Act into Execution in reſpect thereof, ſhall at all Times be borne and defrayed by the Tenants or Occupiers of Dwelling Houſes, Shops, Warehouſes, Coach Houſes, Stables, Cellars, Vaults, and other Buildings, within the ſaid Borough, and the Yards and Gardens attached to and with any of the before mentioned Buildings and Premiſes reſpectively occupied, (ſave and except any Houſes, Buildings, or other Hereditaments uſed and occupied for the Purpoſes of any public Charity, and alſo all Churches, Chapels, and other Buildings licenſed to be uſed for the Purpoſe of Divine Worſhip, which are not intended to be made liable to the Rates hereby impoſed), and that the Charges and Expences of paving, widening, amending, cleanſing, watering, improving, and regulating the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places, within the Borough aforeſaid, and otherwiſe putting this Act into Execution in reſpect thereof, ſhall at all Times be borne and defrayed by the Tenants or Occupiers of the Lands, Tenements, Tithes, Houſes, Shops, Warehouſes, Coach Houſes, Yards, Gardens, Stables, Cellars, Vaults, and other Buildings and Hereditaments within the Borough aforeſaid, (except as herein-before is excepted); and the ſaid Commiſſioners ſhall, and they are hereby authorized, empowered and required, when and as often as they ſhall think it neceſſary, make one or more ſeparate Rate or Rates, Aſſeſſment or Aſſeſſments, in every Year, to be ſigned by the ſaid Commiſſioners, or any Five or more of them, upon the Tenants or Occupiers of all ſuch Houſes, Shops, Warehouſes, Coach Houſes, Stables, Cellars, Vaults, or Buildings, Yards and Gardens, attached to and occupied as aforeſaid in the ſaid Borough of *Preſton* (except as aforeſaid), for the Purpoſe of defraying the Charges and Expences of lighting and watching the ſame, and of erecting the ſaid Fire Engine Houſe, and providing Fire Engines and Firemen as aforeſaid, and carrying this Act into Execution in reſpect of the ſame; and alſo to make One or more other Rate or Rates, Aſſeſſment or Aſſeſſments, in every Year, to be ſigned by the ſaid Commiſſioners, or any Five or more of them, upon the Tenants or Occupiers of all Lands, Tenements, Tithes, Houſes, Shops, Warehouſes, Coach Houſes, Yards, Gardens, Stables, Cellars, Vaults, Buildings, and Hereditaments in the ſaid Borough of *Preſton*, (except as before is excepted) for the Purpoſe of defraying the Charges and Expences of paving, widening, amending, repairing, cleanſing, watering, improving, and regulating the ſaid Markets, Streets, Squares, Ways, Lanes, Foot Ways, public Paſſages and Places, and otherwiſe carrying this Act into Execution in reſpect thereof; and the Money or Monies ſo rated or aſſeſſed on the ſaid Tenants or Occupiers, ſhall be paid by them reſpectively to the Collector or Collectors, or other Perſon or Perſons appointed by the ſaid Commiſſioners to collect the ſame; and if any Tenant or Occupier of any of the Premiſes aforeſaid ſhall neglect or refuſe to pay his or her Proportion or Proportions of any of the ſaid Rates or Aſſeſſments reſpectively to the ſaid Collector or Collectors, or other Perſon or Perſons, for the Space of Seven Days after Demand made thereof, the ſame ſhall be levied and recovered on all and every ſuch Tenant or Tenants, Occupier or Occupiers, ſo neglecting or refuſing, by Diſtreſs and Sale of his, her, or their Goods and Chattels, by Warrant

under the Hand and Seal, or Hands and Seals, of any One or more Juſtice or Juſtices of the Peace acting for the ſaid Borough of *Preſton*, ſuch Defaulter having been firſt duly ſummoned by ſuch Juſtice or Juſtices to appear before him or them at a Time and Place mentioned in ſuch Summons, to ſhew Cauſe for ſuch Neglect or Refuſal, and the Overplus (if any) of the Monies to be raiſed by ſuch Diſtreſs and Sale ſhall be returned on Demand to the Owner or Owners of the Goods and Chattels ſo diſtrained and ſold, together with what ſhall remain unſold, after deducting all Coſts, Charges, and Expences, previous to and attending ſuch Diſtreſs and Sale, ſuch Coſts, Charges, and Expences to be aſcertained and directed by the ſaid Juſtice or Juſtices; and in Default of ſuch Diſtreſs it ſhall be lawful for any ſuch Juſtice or Juſtices to commit ſuch Perſon to the Common Gaol or Houſe of Correction for the County of *Lancaſter*, there to remain without Bail or Mainprize, for any Time not exceeding Three Months, or until Payment of all ſuch Sum or Sums of Money as ſhall have been found to be due and in Arrear, upon all or any ſuch Aſſeſſment or Aſſeſſments as aforeſaid, together with all Coſts, Charges, and Expences attending the Recovery thereof, ſuch Coſts, Charges, and Expences to be aſcertained and directed by the ſaid Juſtice or Juſtices aforeſaid.

Proviſo in Favour of Gardens from which the Occupier ſeeks his Livelihood.

XX. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to authorize or empower the ſaid Commiſſioners to rate or aſſeſs any Perſon or Perſons whomſoever, towards the Charges and Expences of lighting and watching the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places within the ſaid Borough, or of erecting a Fire Engine Houſe, and providing Fire Engines, and Firemen, or of putting this Act into Execution in reſpect thereof, for or in reſpect of the Poſſeſſion of any Orchards, Nurſery or other Grounds, or Garden or Gardens occupied by any Perſon or Perſons whatſoever, ſeeking a Livelihood by the Occupation thereof.

Power for Commiſſioners to amend Rates.

XXI. And be it further enacted, That if the Commiſſioners ſhall, at any Time or Times, neglect or omit to rate or aſſeſs any Perſon or Perſons liable to pay or be charged with any Rate or Aſſeſſment to be made by virtue of this Act, or ſhall in any ſuch Rate or Aſſeſſment over-rate or under-rate any Perſon or Perſons liable to pay any ſuch Rate or Aſſeſſment, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners to rate and aſſeſs in the ſaid Rate or Aſſeſſment ſuch Perſon or Perſons ſo omitted to be rated and aſſeſſed, and to leſſen or raiſe the Rate or Rates, Aſſeſſment or Aſſeſſments, of ſuch Perſon or Perſons ſo over-rated or under-rated, or otherwiſe to alter or amend ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſo as to make the ſame conformable to the true Intent and Meaning of this Act; and it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby empowered to ſtrike out the Name or Names of any Perſon or Perſons not liable to the Payment of the Rates hereby directed to be made, and that all ſuch Additions to, or Alterations or Amendments in ſuch Rates or Aſſeſſments, ſhall be as valid and effectual as if the ſame had been Part of the Rates or Aſſeſſments originally made.

Houſes, &c. of the Value of 7l. a Year

XXII. And be it further enacted, That no Tenant of any Dwelling Houſe within the ſaid Borough, which is now erected or built, or which ſhall

ſhall be erected or built, inhabited, or *bonâ fide* occupied, on or before the First Day of *May* One thouſand eight hundred and fifteen, and not afterwards, and which in the Valuation to be taken by virtue of this Act ſhall be ſtated to be of any Value not exceeding Seven Pounds a Year, ſhall be liable to be aſſeſſed, or to pay to any Rate or Rates to be made under this Act, in any greater Proportion than One Half of the full Rate made in other Caſes, upon like Property of higher or greater yearly Value than Seven Pounds.

and under, built before a certain Time, to be charged with only Half the Rate.

XXIII. And be it further enacted, That the ſeveral Sums of Money laſt mentioned, ſo to be rated or aſſeſſed by virtue of this Act, ſhall be paid by the Occupiers of the Premiſes reſpectively which ſhall be ſo rated or aſſeſſed, whether ſuch Perſons ſhall be the Owners or Landlords, or Tenants thereof; and in every Caſe where the Dwelling Houſe, which any ſuch Occupier being a Tenant, ſhall hold under one and the ſame Landlord or Owner, ſhall not exceed the yearly Value of Seven Pounds, according to the Valuation to be made by virtue of this Act, every ſuch Occupier, not being the Landlord or Owner of ſuch Premiſes ſo paying ſuch Rate, ſhall and may deduct and retain, out of the Rents by him or them payable to the Landlords or Owners of ſuch Premiſes reſpectively, the whole of the Sum or Sums of Money paid in reſpect of ſuch Rate; and the ſaid Landlords or Owners of ſuch Hereditaments and Premiſes are hereby required to allow to their reſpective Tenants ſuch Sum or Sums of Money accordingly, and ſuch Tenants or Occupiers ſhall reſpectively be acquitted and diſcharged for ſuch Sum and Sums of Money ſo paid in reſpect of any ſuch Rate as aforeſaid, in ſuch Manner, and as fully and effectually in every reſpect, as if the ſame had been actually paid as Rent to ſuch Landlord or Owner, notwithſtanding any Contract or Agreement now made, or which may hereafter be made between ſuch Tenant or Occupier and ſuch Landlord or Owner to the contrary: Provided always, that nothing herein-before contained ſhall extend to any Tenant holding on any Life or Lives, or upon the Payment of any Quit Rent only for or in reſpect of any Rate aſſeſſed for or in reſpect of any Premiſes ſo held.

Mode of paying the Rates.

XXIV. And be it further enacted, That in caſe any Tenant or Tenants, Occupier or Occupiers, ſhall remove out of or from any Houſe, Building, Land, or other Hereditaments, before ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be paid by him, her, or them, and ſhall reſide out of the ſaid Borough of *Preſton*, then, and in every ſuch Caſe, if he, ſhe, or they ſhall neglect or refuſe to pay the ſame for the Space of Seven Days next after the ſame ſhall be demanded by the Collector, or by any Perſon authorized by the ſaid Commiſſioners for that Purpoſe, ſuch Part and Parts of ſuch Rate or Rates, Aſſeſſment or Aſſeſſments as is and are herein-before impoſed on ſuch Tenant and Tenants, Occupier and Occupiers, ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Tenant or Tenants, Occupier or Occupiers, by Warrant under the Hand and Seal, or Hands and Seals of any One or more Juſtice or Juſtices of the Peace for the ſaid Borough, which Warrant ſuch Juſtice or Juſtices is and are hereby empowered to grant (upon Proof made before him or them, upon Oath of ſuch Demand and Non-payment, together with the Coſts and Charges attending the ſame; ſuch Coſts and Charges to be aſcertained by ſuch Juſtice or Juſtices, and the Goods and Chattels ſo diſtrained ſhall and may be ſold and diſpoſed of for and towards the Payment of the

For recovering of Tenant's Proportion of Rates in caſe of Removal.

ſaid Rates and Aſſeſſments, Coſts and Charges, rendering the Overplus (if any) to the Owner or Owners thereof, on Demand; and in Default of ſuch Diſtreſs it ſhall be lawful for ſuch Juſtice or Juſtices to commit ſuch Perſon to the Common Gaol or Houſe of Correction for the County, there to remain without Bail or Mainprize until Payment of all ſuch Sum or Sums of Money as ſhall have been found due, and in Arrear, upon all or any ſuch Aſſeſſment or Aſſeſſments as aforeſaid, together with all Coſts, Charges, and Expences attending the Recovery thereof, ſuch Coſts, Charges, and Expences to be aſcertained and directed by the ſaid Juſtice or Juſtices as aforeſaid.

Perſons removing to pay in Proportion.

XXV. And be it further enacted, That in all Caſes where any Perſon or Perſons ſhall remove from or quit the Poſſeſſion of any Houſe, Building, Land, Ground, or other Hereditament, the Tenant or Occupier whereof ſhall be rated or aſſeſſed, or be liable to be rated or aſſeſſed by virtue of this Act, every ſuch Perſon or Perſons ſo removing from, or quitting the ſame, ſhall be liable to pay ſuch Rate or Aſſeſſment in Proportion to the Time that ſuch Perſon or Perſons occupied the ſame reſpectively, and in like Manner as if ſuch Perſon or Perſons had not removed from, or quitted the Poſſeſſion of the ſame; and in all Caſes where any Perſon or Perſons ſhall come into or occupy any Houſe, Building, Land, Ground, or other Hereditament, rated or aſſeſſed, or liable to be rated or aſſeſſed as aforeſaid, out of or from which any other Perſon or Perſons ſhall have removed, or which, at the Time of making any ſuch Rate or Aſſeſſment, was empty and unoccupied, the Perſon or Perſons coming in or occupying the ſame, ſhall be liable to pay ſuch Rate or Aſſeſſment, although his, her, or their Name or Names may not be inſerted in ſuch Rate or Aſſeſſment, in Proportion to the Time that ſuch Perſon or Perſons ſhall occupy the ſame reſpectively, and in like Manner as if ſuch Perſon or Perſons had been originally rated or aſſeſſed by Name, in ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, which ſaid Proportions, in caſe of Diſpute, ſhall be ſettled and aſcertained by the ſaid Commiſſioners.

Landlord to pay for furniſhed Houſes.

XXVI. And be it further enacted, That every Perſon being Landlord or Tenant, who ſhall let his or her Houſe, in ſeparate Apartments or Ready-furniſhed, to any Lodger or Lodgers, or for any leſs Term than One Year, ſhall for the ſeveral Purpoſes of this Act be deemed and taken to be the Occupier thereof, and may be rated and aſſeſſed accordingly.

Application of Money.

XXVII. And be it further enacted, That all the Money to ariſe by the ſaid ſeveral and reſpective Rates, Aſſeſſments, and other Monies hereby granted or allowed to be aſſeſſed and levied or received under or by virtue of this Act, or which may be borrowed on the Credit thereof, or advanced for Annuities as herein-after mentioned, ſhall be paid to the Treaſurer to the ſaid Commiſſioners, or to ſuch other Perſon or Perſons as they ſhall appoint, and ſeparate Accounts ſhall be kept of all ſuch Rates and Aſſeſſments and Sums of Money, under the ſeparate Heads of the ſeveral and reſpective Purpoſes for which the ſame have been levied or received, and ſhall be applied and diſpoſed in the firſt Place in paying and defraying the Charges and Expences which ſhall be incident to and attending the obtaining and paſſing this Act; and in the next Place, from Time to Time, in defraying the Charges and Expences of lighting, watching, paving, repairing, cleanſing, watering, and amending the Markets, Streets, Squares, Ways,

Ways, Lanes, and other public Paſſages and Places of and in the ſaid Borough, and in erecting the ſaid Engine Houſe, and finding and providing ſuch Fire Engines and Firemen as aforeſaid; and in paying and defraying all Expences which the ſaid Commiſſioners and their Officers ſhall neceſſarily ſuſtain or be put unto in carrying this Act into Execution, and in proſecuting or defending any Proſecutions, Actions, or Suits in any Manner relative to the Execution of this Act, or of any Thing to be done under or by virtue thereof, and for ſuch other Uſes and Purpoſes as are herein expreſſed, all which ſaid Monies ſhall be ſeverally and ſeparately applied to the ſeveral and reſpective Purpoſes for which the ſeveral and reſpective Rates and Sums ſhall be levied and raiſed, and to and for no other Purpoſes whatever.

Pavements, &c. veſted in the Commiſſioners.

XXVIII. And be it further enacted, That all the preſent and future Pavements in the ſeveral Markets, Streets, Squares, Ways, and Lanes, and other public Paſſages and Places within the ſaid Borough, and the Stones, Gravel, and other Materials of which, as well the Foot Ways as Carriage Ways of ſuch Markets, Streets, Squares, Ways, Lanes, and other public Paſſages and Places do and ſhall conſiſt; and all the Dirt, Duſt, Dung, Aſhes, and Filth, to be ſwept, gathered, and collected in or from thoſe Places, or any of them; and alſo all Lamps, Lamp Irons, Lamp Poſts, Fire Engines, and the Pipes, Buckets, and other Materials thereunto belonging, Watch Boxes, Watch Houſes, Fire Engine Houſes, and other Houſes and Buildings, and all other Matters and Things which ſhall hereafter be uſed, erected, or fixed up by virtue of this Act; and all Materials, Implements, and other Things which ſhall be purchaſed or provided by the ſaid Commiſſioners for the Purpoſes of this Act, ſhall belong to and be the Property of, and are hereby veſted in the ſaid Commiſſioners, which Commiſſioners ſhall be known by the Name of 'The Commiſſioners for the Improvement of the Borough of *Preſton*, in the County Palatine of *Lancaſter*;' and the ſaid Commiſſioners ſhall and may cauſe to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment, as the Caſe may require, againſt any Perſon or Perſons who ſhall ſteal, take, or carry away, detain, ſpoil, injure, or deſtroy the ſeveral Articles and Things hereby veſted in them the ſaid Commiſſioners as aforeſaid, or any of them, or any Part or Parts thereof; and in all ſuch Actions and Bills of Indictment reſpectively, it ſhall be deemed and taken to be ſufficient to ſtate generally, that the Article or Articles, Thing or Things, for or on account of which ſuch Action or Actions ſhall be brought, or Bill or Bills of Indictment preferred, is or are the Property of 'The Commiſſioners for the Improvement of the Borough of *Preſton*, in the County Palatine of *Lancaſter*,' without particularly ſtating or ſpecifying the Name or Names of all or any of the ſaid Commiſſioners; and the ſaid Commiſſioners ſhall have the Power and Authority from Time to Time to ſell and diſpoſe of for the Purpoſes of this Act, all or any of the ſaid Articles and Things, or any Part or Parts of the ſame reſpectively, to ſuch Perſon or Perſons, and in ſuch Manner as they the ſaid Commiſſioners ſhall think proper.

Commiſſioners to cauſe Streets, &c. to be repaired and paved.

XXIX. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized, empowered, and required, from Time to Time, to cauſe the preſent or any future Markets, Streets, Squares, Ways, Lanes, and other public Paſſages and Places within the ſaid Borough of *Preſton*, to be repaired, amended, raiſed, lowered, widened,

or altered, both in the Carriage and Foot-ways, and to be from Time to Time amended and kept in good Repair, upon such Levels and in such Manner, and with such Sorts and Kinds of Materials as they shall judge necessary and proper; and also to cause the said Markets, Streets, Squares, Ways, Lanes, and other public Passages and Places, to be cleansed, lighted, watched and watered, in such Manner as the said Commissioners shall think proper; and all Encroachments, Obstructions, Nuisances and Annoyances therein to be removed, and Drains, Sinks, Gutters, and Watercourses, to be made for conveying Water off and from the said Markets, Streets, Squares, Ways, Lanes, and other public Passages and Places, in such Manner as they the said Commissioners shall think proper; and that no Person shall, without the Consent of the said Commissioners, alter the Form, or break up the Ground or Pavement of the Carriage or Footways, within any of the said Markets, Streets, Squares, Ways, Lanes, or other public Passages or Places, or make the same otherwise than as directed by the said Commissioners, upon Pain of forfeiting any Sum not exceeding Five Pounds for every Offence; and such Person so offending shall also pay to the Surveyor, or other Person so appointed by the Commissioners to receive the same, all Costs, Charges, and Expences of restoring the Ground or Pavement of such Carriage-way or Footway to its former State, all such Penalties, Costs, Charges, and Expences, to be levied and recovered in like Manner as any Penalty is by this Act directed to be recovered.

Commissioners' Power to repair, cleanse, &c. Lanes, &c. not public Highways.

XXX. And whereas there are several Lanes, Courts, Passages, and Places within the Borough of *Preston* aforesaid, which are not public Highways, or repaired by virtue of the Public Highway Act, and the Occupiers of the adjoining Premises may neglect or refuse to comply with the Requisitions of this Act, and which, by reason of the Narrowness and bad State of Repairs of such Lanes, Courts, Passages, and Places, are Nuisances and Offences to the Inhabitants of the said Borough, and may contribute much to produce contagious Diseases; be it therefore further enacted, That the said Commissioners shall and may, and they are hereby empowered, (in case of any Neglect or Refusal) for the Space of Two Days after Notice, in Writing or printed, signed by the Clerk to the said Commissioners, and by their Order, and served upon the Occupier or Occupiers of such Premises respectively in Manner by this Act directed, to repair, pave, cleanse, scour, and drain such Lanes, Courts, Passages, and Places, and to charge the several Occupiers of such Premises respectively with the Expences thereof, in such Proportions as to the said Commissioners shall seem reasonable; and on their Refusal to pay or reimburse the said Commissioners all such Charges and Expences which shall or may be occasioned thereby, the same shall and may be recovered in like Manner as any Penalty or Forfeiture is by this Act authorized to be recovered.

In certain Cases Tenant may deduct Rates from his Rent.

XXXI. Provided always, and be it enacted, That in all Cases where the Landlord or Owner of such Hereditaments and Premises shall, by Agreement or otherwise, be liable to repair, pave, cleanse, scour, or drain such Lanes, Courts, Passages, and Places as aforesaid, it shall be lawful for the Tenant or Occupier of such Hereditaments and Premises to retain and deduct out of his or her Rent all such Money as shall have been so charged upon him or her by the said Commissioners as aforesaid, in like Manner as is herein-before directed with respect to the Rates upon Dwelling-

ſing-houſes and other Buildings of the Value not exceeding Seven Pounds *per Annum*: Provided alſo, that where ſuch Hereditaments and Premiſes are empty and unoccupied, it ſhall and may be lawful for the ſaid Commiſſioners to charge every ſuch Landlord or Owners thereof with the Expences ſo incurred by them in repairing, paving, cleanſing, ſcouring, and draining ſuch Lanes, Courts, Paſſages, and Places as aforeſaid.

Commiſſioners may water the Highways, Streets, &c.

XXXII. And be it further enacted, That the ſaid Commiſſioners ſhall have full Power and Authority to cauſe all or any of the Highways, Streets, Squares, Ways, Lanes, and other public Paſſages and Places within the ſaid Borough, to be watered, when, where, and as often as Need or Occaſion ſhall be or require, and for ſuch Purpoſe to cauſe ſuch Number of Wells and Pumps to be dug, ſunk, and made in any of the ſaid Highways, Streets, Squares, Lanes, or other public Paſſages and Places as may be neceſſary, and from Time to Time to alter the ſame as there ſhall be Occaſion, provided that no ſuch Well or Pump ſhall be ſunk or made ſo as to injure any Houſe or other Building, or any Vault or Cellar under any of the ſaid Highways, Streets, Squares, Lanes, or other public Paſſages or Places.

Power for Commiſſioners to declare new Streets to be public Highways.

XXXIII. And be it further enacted, That when any of the Streets, Lanes, or Ways within the ſaid Borough, which are already laid out, or which ſhall hereafter be laid out in any Part of the ſaid Borough, ſhall be well and ſufficiently made and paved, or otherwiſe put in good Order and Repair, and completed to the Satisfaction of the ſaid Commiſſioners, or any Five or more of them, aſſembled at any Meeting for putting this Act in Execution; and it ſhall and may be lawful for the ſaid Commiſſioners ſo aſſembled as aforeſaid, or any Five or more of them, and they are hereby empowered from Time to Time to declare the ſame to be Public Highways, and from and after ſuch Declaration made, and not ſooner, the ſame and every of them ſhall be deemed and taken to be Public Highways, to all Intents and Purpoſes; and it ſhall alſo be lawful for the ſaid Commiſſioners to connect any ſuch Streets or open the ſame into any other Streets or public Ways, with the Conſent of the Owner, Proprietor, and Occupier of the Lands, Houſes, and Premiſes, which may intervene and be neceſſary to uſe for ſuch Purpoſe.

Builders to be compellable by the Commiſſioners to pave and complete Streets.

XXXIV. Provided alſo, and be it further enacted, That all new Streets which ſhall hereafter be made in the ſaid Borough ſhall be paved and completed by the Perſon or Perſons building the Houſes in ſuch new Streets, in ſuch Manner, and in ſuch Proportions, as ſhall be ordered and directed by the ſaid Commiſſioners, ſo as that ſuch new Streets ſhall be made and completed with Pavement and Footways in like Manner as the other Parts of the ſaid Borough, and ſhall thereafter become ſubject to the like Rules and Regulations as to the future Care and Repair thereof, as the other Streets of the ſaid Borough.

In caſe Owners do not pave, Commiſſioners may at the Owners Expence.

XXXV. Provided always, and be it further enacted, That in caſe the Perſon or Perſons building Houſes in any ſuch new Street ſhall not pave and complete the ſaid new Street in Manner aforeſaid, within Two Months after Notice given ſo to do by the Clerk to the ſaid Commiſſioners, it ſhall and may be lawful to and for the ſaid Commiſſioners, by Writing under their Hands, to order any ſuch Street to be paved and completed, and the Coſts

Coſts and Charges thereof ſhall be paid and reimburſed to the ſaid Commiſſioners or their Order, by the Owner or Owners of ſuch Houſe or Houſes, and in Default of Payment thereof on Demand, the ſame may be recovered in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered; and in caſe the Owner or Owners of any ſuch Houſe ſhall not reſide in the ſaid Borough, then the Occupier or Occupiers of ſuch Houſe or Houſes ſhall be liable to pay the Share or Shares of ſuch Owner or Owners in Manner aforeſaid, and ſhall and may deduct the ſame out of the Rent payable by him or them to ſuch Owner or Owners.

Streets, &c. heretofore repaired by the Corporation to be repaired under this Act, the Corporation paying to the Commiſſioners an annual Sum of 80l.

Commiſſioners to repair Markets, &c.

XXXVI. And whereas the Mayor, Bailiffs, and Burgeſſes of the ſaid Borough of *Preſton* have for a long Series of Years paſt made, repaired, and cleanſed the Pavements and Highways in the Market Place, and Parts of the ſeveral Streets called the *Fiſher Gate*, *Friar Gate*, and *Church Gate*, and in ſome other Parts of the ſaid Borough; and for the Convenience of the Inhabitants of the ſaid Borough have alſo heretofore made, repaired, and cleanſed, at the Expence of the ſaid Mayor, Bailiffs, and Burgeſſes, public Pumps in the Market Place, and alſo in the Streets called *Fiſher Gate*, *Friar Gate*, *Church Gate* or *Church Street*, and *Saint John's Street*, within the ſaid Borough, the annual Charge of which amounting upon an Average *Communibus Annis* to the Sum of Eighty Pounds or thereabouts, has been heretofore borne by the ſaid Mayor, Bailiffs, and Burgeſſes: And whereas it would be more convenient for the Purpoſes of this Act if the ſaid Market Place and Streets, or Parts of Streets, and the ſeveral Pumps and Pump Wells which have been ſo made, repaired, and cleanſed, by and at the Expence of the ſaid Mayor, Bailiffs, and Burgeſſes, were hereafter made, repaired, and cleanſed by and under the Powers of this Act, and the ſaid Mayor, Bailiffs, and Burgeſſes were wholly exonerated therefrom, upon Payment by the ſaid Mayor, Bailiffs, and Burgeſſes, and their Succeſſors, unto the Commiſſioners to be appointed under this Act, of a certain yearly Sum, in the Manner herein-after mentioned; be it therefore enacted, That the ſaid Mayor, Bailiffs, and Burgeſſes of the ſaid Borough for the Time being, and their Succeſſors, ſhall, and they are hereby authorized and required to take Order for the paying, and cauſing to be effectually paid, yearly and every Year, by Two equal Half-yearly Payments, from the paſſing of this Act, the Sum of Eighty Pounds to the ſaid Commiſſioners, or their Treaſurer for the Time being, or to ſuch other Perſon or Perſons as they ſhall direct, to be by them applied towards the Purpoſes of this Act, in Manner following; that is to ſay, the Sum of Thirty-two Pounds, Part thereof, to be by the ſaid Commiſſioners applied towards the making, repairing, amending, and ſupporting all ſuch Pumps and Pump Wells as ſhall, after the paſſing of this Act, be made, repaired, amended, and ſupported by the ſaid Commiſſioners, by virtue thereof, and the Sum of Forty-eight Pounds, the Reſidue of ſuch Sum of Eighty Pounds, to be by the ſaid Commiſſioners applied towards the paving, widening, amending, cleanſing, watering, improving, and regulating the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places within the ſaid Borough; and in default of Payment of the ſaid Sum of Eighty Pounds by ſuch equal Half-yearly Payments as aforeſaid, the ſame ſhall and may be levied and recovered by the ſame Means as are herein provided for the Recovery of any other Rate or Aſſeſſment; and in conſideration of ſuch annual Payment, they the ſaid Mayor, Bailiffs, and Burgeſſes, and their Succeſſors, ſhall be exonerated and for ever diſcharged from

from all future Charges and Expences of making, repairing, and cleanſing any of the Pavements of the ſaid Markets, Streets, Squares, Ways, Lanes, and Paſſages and Places within the ſaid Borough, or any Part or Parts thereof, as well as all and every the Pumps and Pump Wells aforeſaid, which they or any of them are now liable to make, repair, or cleanſe, but that all ſuch Parts of the ſame, as alſo all the ſaid Pumps and Pump Wells, which have heretofore been made, repaired, or cleanſed by the ſaid Mayor, Bailiffs, and Burgeſſes as aforeſaid, ſhall for ever hereafter be paved, repaired, and cleanſed under the Direction and at the Charge of the ſaid Commiſſioners under the Powers and Authorities of this Act; and that it ſhall and may be lawful for the ſaid Commiſſioners, whenever they ſhall ſee neceſſary, from Time to Time, to remove all or any of ſuch Pumps, and to fill up ſuch Pump Wells, and to ſink and place others in ſuch Situations within the ſaid Borough as the ſaid Commiſſioners ſhall direct, and to defray the Expence thereof, and of repairing and cleanſing the ſame, and to make Satisfaction and Compenſation to all Perſons whatſoever, for any Injury which the ſaid Commiſſioners, their Servants or Agents, or any of them, may cauſe to be done to any ſuch Perſons or their Property by reaſon of the removing ſuch Pumps, or filling up ſuch Pump Wells, or in making any of the Alterations aforeſaid.

Power to remove Pumps and place them elſewhere conveniently.

XXXVII. And be it further enacted, That for the better carrying this Act into Execution, it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby empowered, from Time to Time, as they ſhall ſee Occaſion, to deſcribe and determine the Limits and Extents of the ſeveral Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places within the ſaid Borough, which ſhall be within their Juriſdiction under the Powers of this Act, in ſuch Manner as they ſhall think proper, (ſubject nevertheleſs to the Power of the Mayor, Bailiffs, and Burgeſſes of the ſaid Borough, to remove, alter, vary, or extend the ſaid Markets as herein-after mentioned), and ſhall and may paint, engrave, or deſcribe, or cauſe to be painted, engraved, or deſcribed, on a conſpicuous Part of ſome Houſe or other Building, at or near the Corner of every ſuch Market, Street, Square, Way, Lane, public Paſſage and Place, the Name or Number by which ſuch Market, Street, Square, Way, Lane, public Paſſage and Place now is or ſhall be called, and may order and direct the ſeveral Houſes, Shops, Warehouſes, and Buildings within the ſaid ſeveral Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places, or any of them, to be numbered with Figures painted or placed on the Door of every ſuch Houſe, Shop, Warehouſe, or other Building, or ſuch other Part thereof as the ſaid Commiſſioners ſhall think proper; and if any Perſon ſhall wilfully deſtroy, obliterate, or deface any of ſuch Names or Numbers, or any Part thereof, or cauſe or procure the ſame to be done, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds.

Streets, &c. to be named.

XXXVIII. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to authorize the ſaid Commiſſioners to interfere with, or in any Manner to affect any Power or Authority belonging to the ſaid Mayor, Bailiffs, and Burgeſſes of the ſaid Borough for the Time being, by any Charter, Law, Cuſtom, or immemorial Uſage, to remove, alter, vary, and extend, all or any of the Public Markets and

Commiſſioners not to prevent the Corporation from altering Markets.

Market Places of the ſaid Borough, and to aſcertain the Limits thereof, in caſe of any Diſpute or Queſtion in relation thereto.

Penalty on Owners not reſtoring Numbers.

XXXIX. And be it further enacted, That when any ſuch Number or Numbers, Figure or Figures, painted or put on any Houſe, Shop, Warehouſe, or other Building, or on the Door or Doors thereof, within the ſaid Borough, ſhall be defaced or rubbed out; the Owner or Owners, Occupier or Occupiers, of ſuch Houſe, Shop, Warehouſe, or other Building, where the Number or Numbers, Figure or Figures, ſhall have been ſo defaced or rubbed out, ſhall, upon perſonal Notice given to him, her, or them, or upon Notice in Writing left at ſuch Houſe, Shop, Warehouſe, or other Building, ſigned by the Clerk to the ſaid Commiſſioners, cauſe the ſame Number or Numbers, Figure or Figures, to be in the ſame Manner painted or put on ſuch Houſe, Shop, Warehouſe, or other Building, or on the Door thereof reſpectively, within Seven Days after ſuch Notice; and in caſe of Neglect or Refuſal to comply with ſuch Order, every ſuch Owner or Occupier ſhall forfeit and pay for every ſuch Offence any Sum not exceeding Five Pounds.

For preventing Annoyances in the Streets.

XL. And be it further enacted, That if any Perſon or Perſons ſhall, upon any of the Foot Ways or Foot Pavements within the ſaid Borough, run, draw, drive, or carry thereon, any Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatſoever, or carry any Sedan Chair (no Perſon being therein), or roll any Caſk or Tub, other than for the neceſſary loading or unloading thereof, unto, upon, from, or out of any Carriage, or for any longer Space than the Extent of the Premiſes in the Occupation of the Perſon from or to whoſe Houſe or Building ſuch Caſk or Tub ſhall be rolled (ſuch Premiſes adjoining to or having immediate Communication with ſuch Houſe or Building from or to which ſuch Caſk or Tub ſhall be rolled); or if any Perſon ſhall wilfully drive any Cart or Carriage whatſoever, or ſhall ride, lead, or drive any Horſe or other Beaſt, or any Cattle whatever, on any of the ſaid Foot Ways or Foot Pavements, or ſet any Caſk, Tub, Pail, Bucket, Stool, Bench, Stall, or any other Matter or Thing, ſo as in any Manner to cauſe any Obſtruction or Impediment in the Foot Way or on the Foot Pavement, or ſhall in any Market, Street, Square, Way, Lane, or other public Paſſage or Place within the ſaid Borough, 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 any Coach, Chaiſe, Waggon, Sledge, or other Carriage (except ſuch as may want immediate Repair from any ſudden Accident on the Spot, or which cannot conveniently be removed for that Purpoſe, ſuch unavoidable Repair to be done and completed with all convenient Speed); or if any Perſon ſhall hang out, or cauſe to be hung out, any Linen or Cloth, or any Article of Wearing Apparel, or other Article for the Purpoſe of Sale, or of airing the ſame upon or from any Door or Window within any Market, Street, Square, Way, Lane, public Paſſage or Place within the ſaid Borough, or fix or tie up any Line, Rope, or Cord for any ſuch Purpoſe; or if any Perſon ſhall, in or upon any Market, Street, Square, Way, Lane, public Paſſage or Place within the ſaid Borough, ſhoe, bleed, farry, or kill any Horſe or other Beaſt or Cattle, (except in caſe of Accident); or if any Perſon ſhall, within any Market, Street, Square, Way, Lane, or other public Paſſage or Place within the ſaid

ſaid Borough (except only in ſuch Places as the ſaid Commiſſioners ſhall direct), ſhow or expoſe any Stallion or Stonehorſe, or expoſe to Sale any Horſe or other Beaſt, or turn or drive looſe any Horſe, Mare, Mule, or Aſs, or ride or lead any Horſe, Mare, Mule, or Aſs for the Purpoſe of exerciſing or airing the ſame; or if any Perſon ſhall make or aſſiſt in making of any Bonfire, (except by the Permiſſion of the Mayor of the ſaid Borough for the Time being, or in his Abſence, of ſome other Juſtice of the Peace for the ſaid Borough), or let off or fire any Gun, Piſtol, Blunderbuſs, or other Fire Arms, or any Serpent or Rocket, or throw any Cracker, Squib, or other Fireworks, or play at Foot-ball, or any other Game or Games; or if any Perſon ſhall kill or ſlaughter, or ſhall ſcald, ſinge, dreſs, or cut up any Animal, either wholly or in any part, in any of ſuch Markets, Streets, Lanes, public Paſſages or Places, or cauſe or permit any Blood to run from any Slaughter Houſe, Butcher's Shop, or Shambles into the ſame, or any of them; or ſhall ſlack, water, or mix any Lime, Mortar, or Cement, or ſhall hang up, place, or expoſe to Sale any Goods, Wares, or Merchandize whatſoever, or any Fruit, Vegetables, or Garden Stuff, Butchers Meat, Paſtry, Confectionary, or other Matter or Thing in, upon, or projecting over the Foot Way or Carriage Way of any ſuch Markets, Streets, Squares, Ways, Lanes, public Paſſages or Places, ſo as to obſtruct or incommode the Paſſage of any Perſon, Carriage, or Horſe therein; or ſhall cauſe any Privy, Neceſſary Houſe, or Middingſtead within the ſaid Borough to be emptied, except within the Hours of Ten of the Clock at Night and Six of the Clock in the Morning, or ſhall at any Time throw out of any Door or Window upon any ſuch Carriage Way or Foot Way, any Water or Filth, or the Contents of any Utenſil or Veſſel whatſoever; or ſhall lay or depoſit, or ſhall cauſe or permit to be laid or depoſited, the Contents of any ſuch Privy, Neceſſary Houſe, or Middingſtead, or any Part thereof, upon any Carriage Way or Foot Way within the ſaid Borough, or ſhall, for the Purpoſe of obtaining or collecting Manure, or for any other Purpoſe, ſtop up or impede the Paſſage of any Common Sewer, Ditch, or Watercourſe; or if any Perſon or Perſons ſhall permit or ſuffer his, her, or their Maſtiff, Bull Dog, or any other dangerous Animal to go at large without being ſafely and ſufficiently muzzled; or ſhall commit or permit any other Kind of Obſtruction or Annoyance in or upon any ſuch Street, Way, Lane, public Paſſage or Place within the ſaid Borough, then and in every ſuch Caſe every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Five Pounds: Provided nevertheleſs, that nothing herein contained ſhall extend, or be conſtrued to extend, ſo as to prevent or hinder any Perſon or Perſons from placing by lawful Authority any Stall, Booth, Stool, Bench or Form for the Sale of Goods or Wares, or from expoſing to Sale any Meat, Poultry, Vegetables, Fruit, or any other Matter or Thing in any Market Place or Street within the ſaid Borough, and in ſuch Place, and on ſuch Day or Days as are now or ſhall hereafter be permitted by the ſaid Mayor, Bailiffs, and Burgeſſes, or their Succeſſors, ſo as ſuch Stall, Booth, Stool, Bench, or Form be not placed upon any Foot Path within the ſaid Borough, and ſo as there may be free Acceſs to the Houſes, Shops, and other Buildings in the ſaid Market Place or Street.

Penalty for ſuffering Carts and

XLI. And be it further enacted, That if after the paſſing of this Act any Waggon, Cart, Dray, or other Carriage ſhall be left to ſtand or remain

Carriages to remain in the Streets.

main in or upon any Market, Street, Square, Way, Lane, public Paſſage or Place, within the ſaid Borough, and with or without Horſes or other Cattle, for any Time longer than ſhall be neceſſary for unloading or loading thereof; or in caſe the ſame ſhall not be ſtanding during the Time of the unloading or loading thereof as near to the Side of ſuch Market, Street, Square, Way, or Lane, Paſſage or Place, or if any Stage-coach, Diligence, Poſt-chaiſe, or other Carriage let to Hire, ſhall be left to ſtand or remain in any of the ſaid Markets, Streets, Squares, Ways, Lanes, Paſſages, and Places aforeſaid, with or without Horſes, for any longer Time than ſhall be neceſſary for the taking up or ſetting down the Paſſengers thereof, and for loading or unloading their Baggage; or if any Sacks of Grain, Potatoes, Fruit, or any Timber, Bricks, Lime-ſtones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares, or Merchandize, or other Materials or Things whatſoever, ſhall be laid or placed, or left to remain in or upon any of the ſaid Streets, Squares, Ways, Lanes, public Paſſages or Places, either in the Carriage-way or Footway, for any longer Time than ſhall be neceſſary for moving and houſing the ſame; or if any broken Glaſs or Earthen Ware, Aſhes, Rubbiſh, Duſt, Dirt, Dung, Filth, or any other Nuiſance or Annoyance whatſoever, ſhall be wilfully thrown, or caſt into, or laid in or upon any of the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages or Places, then and in every ſuch Caſe, the Driver or other Perſon ſo leaving to ſtand or remain every ſuch Waggon, Cart, Dray, Coach, Diligence, Poſt chaiſe, or other Carriage, and the Perſon or Perſons who ſhall have ſo laid, placed, or left ſuch Sacks of Grain, Potatoes, Fruit, or any Timber, Bricks, Lime, Goods, Wares and Merchandize, Materials, and other Things, in or upon any of the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages or Places; and the Perſon and Perſons who ſhall wilfully throw, caſt, or lay, or cauſe to be thrown, caſt, or laid, any broken Glaſs or Earthen Ware, Aſhes, Rubbiſh, Dirt, Dung, Filth, or any other Nuiſance or Annoyance, into or upon any of the ſaid Markets, Streets, Ways, Lanes, public Paſſages, or Places, ſhall, for every Offence, in any of the Caſes aforeſaid, forfeit and pay any Sum not exceeding Twenty Shillings.

Proviſo in Favour of Builders.

XLII. Provided nevertheleſs, That no Perſon ſhall be ſubject to any Penalty by virtue of this Act, for or on account of any Building Materials, Rubbiſh, or Dirt, being in or upon any of the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages or Places, before or near the Houſe or Building of ſuch Perſon, occaſioned by the building or pulling down, rebuilding or repairing ſuch Houſe or Building, ſo as there be convenient Room left for Carriages to paſs, and a ſufficient Way kept clear for Foot Paſſengers, and ſo as the Owner or Occupier of ſuch Houſe or Building do cauſe ſuch Materials, Rubbiſh, and Dirt to be removed out of ſuch Market, Street, Square, Way, Lane, public Paſſage, or Place, within a reaſonable Time after ſuch building, pulling down, or repairing ſhall be finiſhed, or upon Notice to be given to him or her in Manner herein-after directed for the Service of Notices, ſigned by the Clerk to the ſaid Commiſſioners, and ſo that during the Time the ſame ſhall be laying in ſuch Market, Street, Square, Way, Lane, public Paſſage or Place, ſuch Owner or Occupier ſhall guard and fence off the ſame, either by a temporary Railing or otherwiſe, and alſo ſet up and maintain a ſufficient Light or ſufficient Lights during the whole of the Night Time, to the Satisfaction

of

of the ſaid Commiſſioners, to prevent Accidents and Miſchief happening therefrom.

For repairing the Pavement when broken up for Repair.

XLIII. And be it further enacted, That whenever the Pavements or Flagging of any of the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages or Places within the ſaid Borough ſhall be broken up for the making or repairing any Vault, Drain, or Sewer, or for the Purpoſe of laying, altering, or repairing any Pipe or Pipes, Aqueduct or Aqueducts, or any Plug or Plugs thereof, under the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages or Places, or any of them, or for any other lawful Purpoſe, the Perſon or Perſons breaking up ſuch Pavement or Flagging, or liable to the Repair of ſuch Vault, Drain, Sewer, Pipe, Aqueduct, or Plug, and the Perſon or Perſons for whom or by whoſe Order the ſame ſhall be ſo done, ſhall, and he, ſhe, or they is and are hereby required, at their own proper Coſts and Charges, to make or repair ſuch Vault, Drain, Sewer, Pipe, Aqueduct, and Plug, with the leaſt Delay, and forthwith afterwards to relay, amend, and repair the Pavement or Flagging of the ſaid Market, Street, Square, Way, Lane, public Paſſage or Place, ſo broken up, in a good and ſubſtantial Manner, to the Satisfaction of the ſaid Commiſſioners, or the Surveyor appointed for the Purpoſes of this Act; and in Default thereof, it ſhall and may be lawful to and for the Surveyor to the ſaid Commiſſioners, or any Perſon or Perſons acting by or under the Authority of the ſaid Commiſſioners, to repair, amend, and make good the Market, Street, Square, Way, Lane, public Paſſage or Place ſo broken up, and the Coſts and Charges ſhall be borne and paid by the Perſon or Perſons by whom or by whoſe Order ſuch Market, Street, Square, Way, Lane, public Paſſage or Place, or any Part thereof, ſhall have been ſo broken up, and in Default of Payment thereof, for Seven Days next after Demand ſhall be made by ſuch Surveyor or other Perſon acting by or under the Authority of the ſaid Commiſſioners, ſuch Coſts and Charges, together with any Sum not exceeding Ten Shillings by Way of Penalty, ſhall and may be levied and recovered, in ſuch and the like Manner, as any Penalty can or may be levied and recovered by virtue of this Act, from the Perſon or Perſons ſo making Default.

Situation of Water Pipes may be altered by and at the Expence of the Commiſſioners.

XLIV. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, and they are hereby empowered, when and as often, and in ſuch Manner and in ſuch Place or Places as they ſhall think proper within the ſaid Borough, to raiſe, ſink, or otherwiſe alter the Situation of any Water Pipe or Pipes, Plug or Plugs, Cock or Cocks, or any other Water Works within the ſaid Streets, Squares, Ways, Lanes, public Paſſages or Places, or any of them; provided that the Water Pipe or Pipes, Plug or Plugs, Cock or Cocks, or other Water Works be not injured thereby, or the Water prevented from flowing in its proper Channel, and the Coſts, Charges, and Expences attending ſuch raiſing, ſinking, and altering, ſhall be paid out of the Money to be raiſed by virtue of this Act.

Penalty on damaging Materials, &c.

XLV. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or maliciouſly break up, injure, deſtroy, or otherwiſe damage, any of the Articles or Things hereby veſted in the ſaid Commiſſioners, or any of the Works done by them in purſuance of this Act, every Perſon ſo offending

offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Pounds, beſides what ſhall be ſufficient to repair ſuch Damage.

Where Materials may be lodged.

XLVI. And be it further enacted, That during the Time any Market, Street, Square, Way, Lane, public Paſſage or Place, ſhall be new paving, flagging, or repairing, or any of the Grates, Drains, Sewers, or other Works therein ſhall be altering or repairing, the ſaid Commiſſioners ſhall have Power to order the neceſſary Materials to be lodged in that or any adjoining Market, Street, Square, Way, Lane, public Paſſage or Place, or Markets, Streets, Squares, Ways, Lanes, public Paſſages, or Places, according to their Diſcretion, as alſo to ſtop up the Way through that or any adjacent Market, Street, Square, Way, Lane, public Paſſage or Place, ſo long as they ſhall judge neceſſary, and the ſaid Commiſſioners and all Perſons acting under the Direction of the ſaid Commiſſioners, are hereby indemnified from any Proſecution or Action whatſoever for ſo doing.

Paviors, &c. to be appointed.

XLVII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners from Time to Time to appoint ſuch and ſo many Paviors, Artificers, Workmen, Labourers, Carters and others, and alſo to purchaſe any Horſes, Carts, Tools, Implements and Materials, as they ſhall judge neceſſary for the Purpoſe of carrying this Act into Execution.

Land to be provided for depoſiting Materials, &c.

XLVIII. And be it further enacted, That the ſaid Commiſſioners ſhall have full Power to purchaſe or rent Lands, ſo that ſuch Lands do not exceed One Half of an Acre, for depoſiting of Stone and other Materials, for the ſeveral Purpoſes of this Act, and for depoſiting Dirt, Dung, Soil, Aſhes, Cinders and Rubbiſh, and the Purchaſe Money or Rent thereof ſhall be paid out of the Money or Fund raiſed or to be raiſed for paving, widening, amending, cleanſing, watering, and regulating the Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places, by virtue of this Act; and the Property thereof ſhall be and is hereby veſted in the ſaid Commiſſioners, for the Purpoſes of this Act.

Power to remove Projections and Encroachments.

XLIX. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to take down, remove, alter or regulate, in ſuch Manner as they ſhall from Time to Time judge proper, all Signs or other Emblems, uſed to denote the Trade, Occupation, or Calling, of any Perſon or Perſons, and all Sign Irons, Sign Poſts, and other Poſts, Sheds, Pent-houſes, Spouts, Gutters, Steps, Stairs, Cellar Doors, Cellar Lids, Bow and other projecting Windows, Window Shutters, Window Flaps, Stumps, Trees, Rails, Pails, Paliſadoes, Porches, Bulks, Shew-glaſſes, and Shew-boards, Pools, Ceſs Pools, Ciſterns and Reſervoirs for Water, and other Encroachments, Projections, and Annoyances, belonging, or which ſhall hereafter be affixed or belong to any Houſe or Houſes or other Buildings, or which ſhall in any other Way be placed or fixed, and which do or ſhall in the Judgment of the ſaid Commiſſioners, obſtruct the free and commodious Paſſage along the Carriage or Footways of any of the ſaid Markets, Squares, Streets, Ways, Lanes, public Paſſages or Places, of or within the ſaid Borough, or which ſhall in any ways interrupt the free Circulation of the Air therein, and alſo to cauſe the Water to be conveyed from the Roofs, Cornices, Eaves, and Pent-houſes, of or belonging to ſuch Houſes or other Buildings reſpectively, by proper Pipes or Trunks

to

to be affixed to the Sides of ſuch Houſes or other Buildings reſpectively; and to be brought down to the Ground, and that the Coſts, Charges, and Expences attending the taking down, taking away, removing, altering, or regulating ſuch Signs, Sign Irons, Sign Poſts, and other Poſts, Sheds, Pent-houſes, Spouts, Gutters, Steps, Stairs, Cellar Doors, Cellar Lids, Bow or other projecting Windows, Window Shutters, Window Flaps, Stumps, Trees, Rails, Pails, Paliſadoes, Porches, Bulks, Shew-glaſſes, Shew-boards, Pools, Ceſs-pools, Ciſterns and Reſervoirs for Water, and other Encroachments, Projections, and Annoyances, or any of them, and of making and affixing ſuch Pipes or Trunks, as aforeſaid, ſhall be borne and defrayed out of the Money to be raiſed by virtue of this Act.

For preventing future Projections.

L. And be it further enacted, That if any Houſe or other Building, in or near any Market, Square, Street, Way, Lane, or other public Paſſage or Place within the ſaid Borough, ſhall, after the paſſing of this Act, be made, erected, or built in ſuch Manner or Form as in the Front or in any of the Gables or Sides thereof, to project into or over ſuch Market, Square, Street, Way, Lane, or other public Paſſage or Place, or in any other Manner or Form than in a perpendicular Line or Direction upwards, from the Foundation of ſuch Houſe or Building; or if any Spout, Pipe, or Trunk for conveying Water from the Roof, Eaves, or Cornices of any Houſe or other Building, in any Market, Square, Street, Way, Lane, public Paſſage or Place in the ſaid Borough, ſhall be affixed otherwiſe than from the Roofs, Eaves, or Cornices thereof, by ſuch Spouts, Pipes, or Trunks, on the Fronts or Sides of ſuch Houſes or Buildings reſpectively, and brought down to the Ground; or if any Sign, Sign Iron, Sign Poſt, or other Poſt, Shed, Penthouſe, Step, Stair, Cellar Door, Cellar Lid, Bow Window, or other projecting Window, Window Shutter, Window Flap, Stump, Rail, Paliſadoe, Porch, Bulk, Shew-glaſs, Shew-board, Pool, Ceſs-pool, Ciſtern, or Reſervoir for Water, or any other Encroachment or Projection againſt, or in front or outſide of any Houſe or other Building, within or adjoining to any Market, Square, Street, Lane, public Paſſage or Place within the ſaid Borough, ſhall be made, erected, or built, ſo as to obſtruct the free and commodious Paſſage along the Carriage or Footways of the ſame, then and in every ſuch Caſe the Owner and Owners of every ſuch Houſe or other Building, Sign, Sign Iron, Sign Poſt, or other Poſt, Shed, Penthouſe, Step, Stair, Cellar-door, Cellar-lid, Bow or other projecting Window, Window Shutter, Window Flap, Stump, Rail, Pail, Paliſadoe, Porch, Bulk, Shew-glaſs, Shew-board, Pool, Ceſs-pool, Ciſtern, or Reſervoir for Water, or other Encroachment or Projection, which ſhall be ſo made, erected, or built as aforeſaid, or of every ſuch Spout, Pipe, or Trunk, which ſhall be ſo made or affixed otherwiſe than aforeſaid, contrary to this Act, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Ten Shillings a Day, for every Day ſuch Houſe or other Building, Sign, Sign Iron, Sign Poſt, or other Poſt, Shed, Penthouſe, Step, Stair, Cellar Door, Cellar Lid, Bow or other projecting Window, Window Shutter, Window Flap, Stump, Rail, Pail, Paliſadoe, Porch, Bulk, Shew-glaſs, Shew-board, Pool, Ceſs-pool, Ciſtern, or Reſervoir for Water, Spout, Pipe, or Trunk, or other Encroachment or Projection, ſhall continue in ſuch State as is herein provided againſt; and it ſhall and may be lawful to and for the ſaid Commiſſioners (whether any ſuch Penalties or Forfeitures ſhall be levied or not) to cauſe all ſuch Houſes and other Buildings, Signs, Sign Irons,

Sign Posts, Sheds, Penthouses, Steps, Stairs, Cellar Door, Cellar Lid, Bow Windows or other projecting Windows, Window Shutters, Window Flaps, Stumps, Trees, Rails, Pails, Palisadoes, Porches, Bulks, Shew-glasses, Shew-boards, Pools, Cess-pools, Cisterns, and Reservoirs for Water, Spouts, Pipes, Trunks, and other Encroachments and Projections, or any of them, to be taken down, removed, and taken away.

Protection for Corners of Buildings.

LI. Provided always, That if the said Commissioners shall cause to be taken up or removed any Stumps, Posts, or other Guards at the Corner of any House or Building, forming a Corner of any Street or Lane for the Protection of such House from Injury by Carriages, they the said Commissioners shall, by some other proper Ways or Means, sufficiently guard or protect the same from Damage as aforesaid, and in case any Damage shall at any Time happen to any such House by reason of taking up or removing any such Stumps, Posts, or other Guards by the said Commissioners, they the said Commissioners shall, from Time to Time, make good such Damage out of the Monies to be raised by virtue of this Act, for paving and repairing the Streets of the said Borough.

Power for the Corporation of Preston to advance the Fronts of their Houses, Shops, &c. on the East Side of Cheapside, so as to line with the West Front of their Guildhall.

LII. Provided always, and it is further enacted, That the Mayor, Bailiffs, and Burgesses of the said Borough, who are the Owners of certain ancient Houses, Shops, and other Buildings, situate on the East Side of a certain Street within the said Borough called *Cheapside*, the West Fronts of which are at present retired beyond the Line of the West Front Wall of that Part of the Building called the *Guildhall* of the said Borough, which forms a Part of the said Street called *Cheapside*, and their Successors, shall, at any Time or Times hereafter, at their Pleasure, have the Power of projecting the Fronts of such Houses, Shops, and other Buildings, or any of them, or any Part thereof, as they may see Occasion, to erect and build upon the Scites of such old Houses, Shops, and other Buildings, so as that no such Projection or Front shall extend further into the said Street than the Line of the said West Front Wall of the said *Guildhall*, any Thing herein-before contained to the contrary in anywise notwithstanding: Provided always, that it shall be lawful for the said Commissioners to permit at their Discretion any new Building or Buildings to be advanced into any of the said Markets, Streets, Squares, Ways, Lanes, Passages, and Places, so as to preserve Uniformity, and to be on a Line with any other adjoining Building or Buildings.

Power to make Cess-pool, &c.

LIII. And be it further enacted, That it shall be lawful for the said Commissioners to make, or cause to be made, proper Cess-pools, Sinks, Soughs, Sewers, Gutters, Drains, and Watercourses, for conveying the Water off and from the several Markets, Streets, Squares, Ways, Lanes, Passages, and Places, and the several Houses and Buildings within the said Borough, into the present public and private Sewers within the said Borough, making good any Damage that may be occasioned thereby; but the said present public and private Sewers shall be from Time to Time and at all Times repaired and renewed by the Person and Persons, and by and out of such Fund or Funds, as is and are now liable to and chargeable with the repairing and renewing the same; save and except all such public Sewers as have heretofore been repaired by the Mayor, Bailiffs, and Burgesses of the said Borough, and which are by this Act transferred to the

the Management and Direction of, and which are henceforward to be repaired by the ſaid Commiſſioners under the Powers of this Act.

Regulating Cellar Doors or Flaps.

LIV. And be it further enacted, That where any Opening is now or may be made in the Paving or Flagging of any of the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages or Places, as an Entrance into or for the Purpoſe of conveying Coals or other Articles into any Vault or Cellar, whether ſuch Vault or Cellar be inhabited or uninhabited, or for the Purpoſe of conveying Light into any Room or Cellar, or for any other Purpoſe, the Door, Lid or Lids, Flap or Flaps, Covering or Grating to ſuch Opening, ſhall be made at the Expence of the Perſon or Perſons requiring the ſame, and ſhall be made of Iron, or ſuch other Materials, of ſuch Dimenſions, and in ſuch Manner and Form as the ſaid Commiſſioners ſhall direct and approve of; and every ſuch Door, Lid, Flap, Grating, and Covering, ſhall, from Time to Time, be repaired, varied, and altered, at the like Expence of the Perſon or Perſons for whoſe Uſe and Benefit the ſame ſhall be poſſeſſed and enjoyed, and in ſuch Manner and Form as the ſaid Commiſſioners ſhall direct or appoint; and in caſe any Perſon or Perſons ſhall cauſe any ſuch Grating or Covering to be made, repaired, varied, or altered, or ſhall neglect or refuſe to make, repair, vary, or alter ſuch Grating or Covering, contrary to ſuch Direction or Appointment as aforeſaid, or ſhall cauſe or permit any ſuch Cellar Door, Cellar Lid, Flap, or Cover, within the ſaid Borough, to be left open unneceſſarily at any Time, nor between Sun-ſetting in the Afternoon and Sun-riſing in the Morning, on any Pretence whatſoever, without the ſame being well and ſufficiently lighted and guarded, ſo as to prevent Accidents from happening, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Ten Shillings, as alſo any further Sum not exceeding Twenty Shillings, for every Week the ſaid Offence ſhall be continued.

Scavengers Duty.

LV. And be it further enacted, That the Perſon or Perſons employed by or contracting with the ſaid Commiſſioners for cleanſing the ſeveral Markets, Streets, Squares, Ways, Lanes, public Paſſages, and Places within the ſaid Borough, or the Perſon or Perſons employed by or acting under the Direction of ſuch Perſon or Perſons ſo contracting with the ſaid Commiſſioners, ſhall, once in every Week, (that is to ſay), on every *Monday*, between ſuch Hours of the Day, and alſo on ſuch other Days and at or between ſuch Hours as the Commiſſioners aforeſaid ſhall from Time to Time appoint, ſweep and collect together all Dirt, Duſt, Manure, Filth, or Rubbiſh, in ſuch Markets, Streets, Squares, Ways, Lanes, public Paſſages, and Places, and ſhall alſo bring or cauſe to be brought, a Cart or other proper Carriage into ſuch Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places, where ſuch Cart or other Carriage can paſs, and ſhall, at his or their Approach with ſuch Cart or other Carriage, and not before, by Sound of Bell, Voice, or otherwiſe, give Notice to the Inhabitants of his or their coming, and give the like Notice in every Court, Paſſage, or Place, into which ſuch Cart or Carriage cannot paſs; and ſuch Perſon or Perſons aforeſaid ſhall immediately take the Duſt, Dirt, Manure, Rubbiſh, Cinders, Aſhes, or other Filth, (except Filth from any Privy or Neceſſary-houſe) from the reſpective Premiſes in ſuch ſeveral Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places, and put the ſame into ſuch Cart or Carriage; all which Duſt, Dirt, Manure, Rubbiſh, Cinders, Aſhes, and Filth, (except as aforeſaid) as well as all ſuch Dirt, Dung, Aſhes, and other Filth, as ſhall be

ſwept up and collected together as aforeſaid, ſuch Perſon or Perſons ſhall then immediately, or as ſoon as may be, carry away, or cauſe to be carried away to the Place or Places appointed for depoſiting the ſame, upon Pain of forfeiting any Sum not exceeding Forty Shillings for every Offence or Neglect therein; and the Perſon or Perſons ſo employed as aforeſaid, ſhall cauſe the Words, "Scavenger's Cart," to be painted in large Roman Letters, at leaſt One Inch in Length each, on the Front or ſome other conſpicuous Part of every Cart or Carriage uſed for the Purpoſes aforeſaid, on Pain of forfeiting any Sum not exceeding Ten Shillings for every Neglect therein; and if any ſuch Perſon ſo employed as aforeſaid ſhall ſweep or throw away any Duſt, Dirt, Manure, Aſhes, or Filth, into any Drain, Sewer, Sink, or Watercourſe within the ſaid Borough, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

No Perſon to take away Dirt, &c. but Contractors.

LVI. And be it further enacted, That if any Perſon or Perſons whomſoever, other than the Perſon or Perſons employed by or contracting with the ſaid Commiſſioners for cleanſing the ſeveral Markets, Streets, Squares, Ways, Lanes, public Paſſages or Places within the ſaid Borough, or the Perſon or Perſons employed by or acting under the Direction of the Perſon or Perſons ſo contracting as aforeſaid, ſhall take or carry away, or cauſe to be taken and carried away any Duſt, Dung, Manure, Dirt, Aſhes, or other Filth, out of any ſuch Markets, Streets, Squares, Ways, Lanes, or other public Paſſages or Places as aforeſaid, every ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings.

Perſons may keep the Duſt, &c. occaſioned within their own Premiſes.

LVII. Provided always, and be it further enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to any Aſhes, Cinders, Duſt, Dirt, Manure, Filth, Soil, Dung, or Rubbiſh, which any of the Inhabitants of the ſaid Borough ſhall have Occaſion, and think fit to preſerve and keep within their own reſpective Houſes, Yards and Gardens, but the ſame ſhall reſpectively belong to, and be at the Diſpoſal of the Perſon or Perſons ſo reſerving the ſame, ſo as ſuch Aſhes, Cinders, Duſt, Dirt, Manure, Filth, Soil, Dung, or Rubbiſh, be not laid down or placed in any of the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages or Places in the ſaid Borough, for any longer Time than ſhall be neceſſary for the loading and carrying away the ſame, and ſo as the ſame do not annoy the Neighbour or Neighbours of ſuch Perſon or Perſons, nor the Public in general; and in caſe ſuch Perſon or Perſons ſo reſerving ſuch Aſhes, Cinders, Duſt, Dirt, Manure, Filth, Soil, Dung, or Rubbiſh, ſhall wilfully or negligently permit or ſuffer the ſame to lay in any of the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages or Places in the ſaid Borough, for any longer Time than Three Hours for the Purpoſe of loading and carrying away the ſame, or ſhall ſuffer the ſame to annoy his or their Neighbour or Neighbours, or the Public in general, or permit or ſuffer the Soil or Contents of any Privy or Neceſſary Houſe to remain in any of the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places after the Hour of Six in the Morning, or permit or ſuffer the Door, Lid, or Cover, of any Privy or Neceſſary Houſe to remain open longer than ſhall be requiſite for the emptying the Soil or Contents thereof, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Forty Shillings; and it ſhall and may be lawful for the Perſon or Perſons to be appointed by, or contracting with the

the ſaid Commiſſioners for cleanſing the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places, and they are hereby authorized and directed to take and convert ſuch Aſhes, Cinders, Duſt, Dirt, Manure, Filth, Soil, Dung, and Rubbiſh to his or their own Uſe and Uſes, and to ſell and diſpoſe of the ſame without rendering any Satisfaction for the ſame.

The Occupiers of Houſes, &c. Churchwardens, &c. and others, to ſweep the Foot Ways adjoining to Churches, Walls, &c.

LVIII. And be it further enacted, That the reſpective Occupiers of Houſes or other Buildings, with the Appurtenances within the ſeveral Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places within the ſaid Borough, the Churchwardens and Chapelwardens of every Church and Chapel, or any One or more of them; the Owner or Owners and Proprietor and Proprietors of every dead Wall and vacant Piece of Land, or any One or more of them; the Proprietor and Proprietors, Truſtee and Truſtees, Treaſurer and Miniſter of every Meeting Houſe, or other Place of Public Worſhip, or any One or more of them; and the Perſon or Perſons who for the Time being ſhall be the oſtenſible Director or Directors, Manager or Managers of every Hoſpital, Priſon, School, and other public Building reſpectively, ſituate or being in the ſeveral Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places, within the ſaid Borough, ſhall and they are hereby required, to cauſe to be well and ſufficiently ſwept and cleanſed the Foot Ways and Foot Pavements, the whole Length of the Front of their reſpective Houſes, Buildings, Churches and Church Yards, Chapels and Chapel Yards, dead Walls, vacant Pieces of Ground, Meeting Houſes, Hoſpitals, Priſons, Schools, and other public Buildings, Tenements, Yards, Gardens, or other Hereditaments, and the Channels and Watercourſe oppoſite the ſame reſpectively, to the full Extent of the ſaid Foot Ways and Foot Pavements before, behind, and on the Side or Sides of the ſame reſpectively previous to the Hour of Nine of the Clock in the Morning, on every *Monday*, *Wedneſday*, and *Friday* in every Week, and oftener on ſuch other Days and at ſuch other Times, if the ſaid Commiſſioners ſhall from Time to Time order or require the ſame, and ſhall alſo cauſe the Dirt and Soil to ariſe from ſuch ſweeping and cleanſing, to be collected and put together (ſo as not to obſtruct either the Carriage or Foot Way or the Channel or Watercourſe aforeſaid) in order that the ſame may be removed by the ſaid Scavenger, or other Perſon to be employed for that Purpoſe, upon Pain of forfeiting any Sum not exceeding Five Shillings for every Neglect therein.

Power to impound Beaſts wandering in the Streets.

LIX. And be it further enacted, That if any Sort of Cattle, Swine, or Pig, ſhall at any Time be found wandering about any of the Markets, Streets, Squares, Ways, Lanes, or other public Paſſages or Places within the ſaid Borough, the Owner or Owners thereof ſhall, for every ſuch Head of Cattle, Swine, or Pig, forfeit and pay any Sum not exceeding Ten Shillings; and moreover it ſhall and may be lawful to and for any Perſon or Perſons appointed by the ſaid Commiſſioners, if he or they ſhall think proper, to ſeize and impound ſuch Cattle, Swine, or Pig in the Common Pound of the ſaid Borough, or in ſuch other Place as the ſaid Commiſſioners ſhall appoint, and the ſame there to remain until the Owner or Owners thereof ſhall, for every ſuch Head of Cattle, Swine, or Pig, ſo impounded, pay the Sum of Five Shillings to the Perſon impounding the ſame, together with the reaſonable Charges and Expences of impounding and keeping the ſame; and in caſe the ſaid Sum, Charges, and Expences ſhall not be paid within Four Days after ſuch impounding, it ſhall

and may be lawful to and for the ſaid Commiſſioners, to ſell or cauſe to be ſold the ſame, and the Money ariſing from ſuch Sale, after deducting the ſaid Sum of Five Shillings, and the Charges and Expences of impounding, keeping, and ſelling ſuch Cattle, Swine, or Pig, ſhall be paid to the Perſon or Perſons whoſe Property the Cattle, Swine, or Pig ſo ſold, ſhall appear to have been.

Lamps to be ſet up.

LX. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized and empowered, from Time to Time, and at any Time or Times after the paſſing of this Act, to purchaſe and provide ſuch and ſo many Glaſs Lamps of ſuch Sorts and Sizes, and ſuch and ſo many Lamp Irons and Lamp Poſts, and all ſuch other Matters and Things for lighting ſuch Lamps, either by Oil or Gas, as they ſhall judge neceſſary, and to direct the ſame to be affixed and ſet up on or againſt the Walls or Paliſadoes of all or any of the Houſes, Tenements, or Buildings, or againſt any other Walls, or for ſupplying ſuch Lamps with Gas under any of the Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places within the ſaid Borough, or in any other Manner they ſhall think proper and convenient, and to be taken down, altered, or removed, when and as often as they ſhall think fit, and to cauſe ſuch Lamps or any of them, to be lighted at ſuch Seaſons of the Year, on ſuch Evenings, in ſuch Manner, and at ſuch Hours of the Evening, and to be kept burning for ſo many Hours as ſhall to them the ſaid Commiſſioners ſeem neceſſary or proper for the well and ſufficient lighting of all or any of the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places within the ſaid Borough: Provided always, that it ſhall be lawful for the ſaid Commiſſioners to make any Contract, or authorize the making of any Contract or Contracts for the lighting the ſaid Borough with Gas, and to prepare or permit the preparing, or lay down, or prepare the laying down of all neceſſary Iron Pipes or Reſervoirs, or Matters or Things neceſſary for the lighting the ſaid Borough with Gas: Provided alſo, that if any Injury or Damage ſhall be occaſioned to any Rail, Paliſadoe, Building or Wall, by the affixing, ſetting up, taking down, altering, or removing any ſuch Lamp or Lamps, or any Lamp Iron or Lamp Irons, or other Faſtener thereof, the Commiſſioners ſhall immediately cauſe the ſaid Injury or Damage to be well and ſufficiently repaired, out of the Money to be raiſed by virtue of this Act.

Commiſſioners to repair Damage done to Walls or Rails by affixing or altering Lamp Irons.

Penalty for wilfully breaking Lamps.

LXI. And be it further enacted, That if any Perſon or Perſons ſhall wilfully break, take away, throw down, or otherwiſe deſtroy or damage any Lamp or Lamps already erected, or which ſhall be erected by or by Order of the ſaid Commiſſioners, or by the ſaid Mayor, Bailiffs, and Burgeſſes, or their Succeſſors, or by any Perſon or Perſons, at his or their own Expence, for the Purpoſe of lighting any of the ſaid Markets, Streets, Squares, Ways, Lanes, public Paſſages and Places, or any Poſt, Iron, Cover, or other Furniture thereof, or ſhall wilfully extinguiſh the Light or Lights of any ſuch Lamp or Lamps, it ſhall and may be lawful to and for any Juſtice of the Peace for the ſaid Borough, and he is hereby required upon Complaint to him made by any One or more credible Witneſs or Witneſſes of any ſuch Offence, to iſſue a Warrant for apprehending the Party or Parties accuſed; or it ſhall and may be lawful to and for any Perſon or Perſons who ſhall ſee ſuch Offence committed, to apprehend, and alſo for any Perſon or Perſons to aſſiſt in apprehending the Offender or Offenders; and by Authority of this Act, without any other Warrant, to deliver

deliver him or them into the Cuſtody of a Peace Officer, in order to be ſecured and conveyed before ſome Juſtice of the Peace of the ſaid Borough, and on the Party or Parties accuſed being brought before ſuch Juſtice, ſuch Juſtice ſhall proceed to examine upon Oath any Witneſs or Witneſſes who ſhall appear or be produced to give Evidence touching ſuch Offence; and if the Party or Parties accuſed ſhall be convicted of ſuch Offence, either by his, her, or their Confeſſion, or upon ſuch Evidence as aforeſaid, then and in every ſuch Caſe, he, ſhe, or they ſhall, for each and every ſuch Offence reſpectively, and if more than One, ſhall ſeverally forfeit and pay any Sum not exceeding Five Pounds, and ſhall beſides make a full Satisfaction (to be aſcertained by ſuch Juſtice) to the ſaid Commiſſioners or other Party injured, for the Damage ſo done; and in caſe ſuch Offender or Offenders ſhall not, upon Conviction, forthwith pay ſuch Penalty by him, her, or them incurred, and alſo ſuch Satisfaction as aforeſaid, ſuch Juſtice is hereby required to commit ſuch Offender or Offenders to the Common Gaol or Houſe of Correction of the ſaid County, there to be kept to hard Labour for any Time not exceeding Six Months, unleſs ſuch Penalty and Satisfaction as aforeſaid ſhall be ſooner paid.

Penalty for negligently breaking Lamps.

LXII. And be it further enacted, That if any Perſon or Perſons ſhall careleſsly, negligently or accidentally break, throw down, or otherwiſe deſtroy or damage any ſuch Lamp or Lamps, ſo being hung out or ſet up as aforeſaid, or any Poſt, Iron Cover or Furniture thereof reſpectively, and ſhall not upon Demand make Satisfaction for the Damage ſo done, then and in every ſuch Caſe it ſhall and may be lawful to and for any Juſtice of the Peace for the ſaid Borough, and he is hereby required, upon Complaint thereof made, by One or more credible Witneſs or Witneſſes, by Warrant under his Hand, to ſummon before him the Party or Parties complained of for doing ſuch Damage, and upon his, her, or their appearing, or making Default to appear (Oath being made that the Party complained againſt had been ſerved with ſuch Summons, or that the ſame had been left at his, her, or their uſual Dwelling or Place of Abode, if known, or that he, ſhe, or they could not be found) ſuch Juſtice ſhall proceed to examine the Cauſe of ſuch Complaint, and upon Proof thereof, either upon Confeſſion of the Party, or the Oath of One or more Witneſs or Witneſſes, ſhall award and order ſuch Satisfaction to be made by the Party or Parties complained againſt, for the Damage ſo done to the ſaid Commiſſioners, or other Owner or Owners of ſuch Lamp or Lamps, as to ſuch Juſtice ſhall appear juſt and reaſonable; and in caſe the Sum ſo awarded ſhall not be paid forthwith, it ſhall and may be lawful to and for ſuch Juſtice, and he is hereby required to cauſe the ſame to be levied and recovered as any Fine or Penalty can or may be levied by virtue of this Act.

Commiſſioners to direct Streets to be cleanſed, &c.

LXIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby required to nominate and appoint any Perſon or Perſons, and to purchaſe or hire any Cart or Carts, or other Carriage or Carriages, and alſo any Horſe or Horſes, for the Purpoſe of cleanſing and watering the ſeveral Markets, Streets, Squares, Ways, Lanes, public Paſſages or Places within the ſaid Borough, and of carrying away the Duſt, Dung, Manure, Dirt and Soil thereof, or it ſhall and may be lawful to and for the ſaid Commiſſioners to contract with any Perſon or Perſons for cleanſing and watering the ſame, and for carrying away the Duſt, Dung, Manure, Dirt and Soil thereof, upon ſuch Terms as

as they ſhall deem neceſſary, and to do and perform every Act for carrying ſuch Contract into complete Execution.

Fire Engines may be provided.

LXIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to erect or build, or cauſe to be erected and built, one or more Fire Engine, Houſe or Houſes within the ſaid Borough, and to provide one or more Fire Engine or Engines, together with all ſuch Pipes, Buckets, and other Articles and Things as may be neceſſary for working and uſing the ſame, and to defray the Expences thereof out of the Rates to be raiſed by virtue of this Act.

Power for Commiſſioners to contract for Purchaſe of Buildings, etc.

LXV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to contract and agree with any Perſon or Perſons, Body or Bodies Politic, Corporate, Collegiate, or Sole, as ſhall be or be deemed to be the Owner or Owners, Proprietor or Proprietors, or otherwiſe intereſted in any Building or Buildings, Erection or Erections, Lands, Tenements or Hereditaments, within the ſaid Borough, or of any Door or Doors of any Cellar or Cellars, or of any Steps belonging thereto, or in any other Building whatſoever, which the ſaid Commiſſioners ſhall judge neceſſary and proper to be purchaſed, for the Purpoſe of opening, improving, and widening any of the ſaid Markets, Streets, Lanes, public Paſſages or Places, or any of them, or for the Purpoſe of opening any Communication between any One or more Markets, Squares, Streets, Ways, Lanes, public Paſſages and Places, and for otherwiſe improving the ſaid Borough, for the abſolute Purchaſe of all ſuch Buildings, Erections, Doors, Cellars, Steps, Projections, Encroachments, Lands, Tenements or Hereditaments, or any of them, or for the Damage to be done thereto reſpectively in the Execution, or for the Purpoſes of this Act; and to take down or alter all or any of ſuch Buildings, Erections, Steps, Projections, Encroachments, Tenements, and Hereditaments ſo to be purchaſed, or any Part or Parts of the ſame reſpectively, and alſo to appropriate all or any of the Lands, Tenements, or Hereditaments ſo to be purchaſed, for all or any of the Purpoſes aforeſaid, as they the ſaid Commiſſioners ſhall think fit.

Powers for Bodies Politic to ſell, &c.

LXVI. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, and all Corporations, whether Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees of or for Lunatics and Idiots, and other Truſtees whomſoever, not only for and on Behalf of themſelves and their Heirs and Succeſſors, but alſo for and on Behalf of their reſpective Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, or Femes Covert, and alſo to and for all Femes Covert, who are or ſhall be ſeiſed in their own Right, and to and for all Perſons, whether Tenants for Life or Tenants in Tail, General or Special, or for Years determinable on any Life or Lives, and to and for all and every Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Houſes, Erections, Cellars, Steps, Projections, Encroachments, Lands, Tenements, or other Hereditaments, or any Part thereof, which the ſaid Commiſſioners are, by this Act, enabled to purchaſe for any of the Purpoſes of this Act, to treat, contract, and agree with the ſaid Commiſſioners for the Sale thereof, or any Part thereof, and to ſell and convey all or any Part thereof, and all Eſtate, Right, Title, and Intereſt whatſoever of, in, and to the ſame, to the ſaid Commiſſioners, and

and their Succeſſors, for any of the Purpoſes of this Act; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be made by virtue and in purſuance of this Act, ſhall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Aſſurances in the Law whatſoever, be good, valid, and effectual, to all Intents and Purpoſes, not only to convey all Eſtate, Right, Intereſt, Uſe, Property, Claim, and Demand whatſoever of the ſaid ſeveral and reſpective Ceſtuique Truſts, and all claiming, or to claim, by, from or under them, any Law, Statute, Uſage, or any other Matter or Thing whatſoever to the contrary thereof notwithſtanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt; Executors, Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, and all other Perſons whomſoever, are and ſhall be hereby indemnified for what they ſhall do by virtue and in purſuance of this Act.

Proviſions in caſe of Refuſal or Inability to ſell.

LXVII. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any Corporation, whether Aggregate or Sole, or any Feme Covert, or any Tenant for Life, or Tenant in Tail, General or Special, or for Years determinable on any Life or Lives, Owner or Owners, Occupier or Occupiers, or other Perſon or Perſons whomſoever, intereſted in any Building or Buildings, Erection or Erections projecting in or upon any of the Carriage-ways or Footways within the ſaid Borough, or of any Door or Doors of any Cellar or Cellars, or of any Steps belonging thereto, or in any other Projection or Incroachment upon any ſuch Carriage-way or Footway whatſoever, or in any Lands, Houſes, or other Buildings, Tenements, or Hereditaments which the ſaid Commiſſioners are enabled by this Act to purchaſe or treat for, ſhall refuſe to treat, contract, or agree as aforeſaid, or by reaſon of Abſence, or otherwiſe, ſhall be prevented from treating, contracting, or agreeing, or ſhall decline or refuſe to ſell, convey, and diſpoſe of the Premiſes, whereof, or wherein, or whereunto they reſpectively ſhall be ſo ſeized, poſſeſſed, intereſted, or entitled as aforeſaid, or their reſpective Rights, Titles, Claims, or Intereſts into or upon the ſame, or any Part thereof, unto the ſaid Commiſſioners, or to ſuch Perſon or Perſons as they ſhall nominate for the Purpoſes, and according to the Tenor, true Intent, and Meaning of this Act, or ſhall not or cannot produce or make out a clear Title to the Premiſes they are in the Poſſeſſion of, or to the Intereſt they claim therein, to the Satisfaction of the ſaid Commiſſioners; or if any Diſpute or Difference ſhall ariſe touching ſuch Purchaſe or Purchaſes, then and in every ſuch Caſe, the ſaid Commiſſioners are hereby empowered and authorized, before any General or Quarter Seſſions of the Peace to be holden for the ſaid Borough, or any Adjournment thereof, to give, or cauſe to be given, to ſuch Owner or Owners, or the Principal Officer or Officers of ſuch Bodies Politic, Corporate, or Collegiate, or to leave, or cauſe to be left, at the Houſe of the Tenant in Poſſeſſion, Ten Days Notice in Writing, denoting and particularly deſcribing the Lands, Buildings, Houſes, Tenements, or other Hereditaments intended to be purchaſed, and purporting that the Value thereof ſhall be adjuſted and ſettled by a Jury at the ſaid Seſſions, or Adjournment thereof; and the Juſtices at the ſaid Seſſions, or any Adjournment thereof, upon Proof to them made of ſuch Notice having been given or left, are hereby authorized and required to charge the Grand Jury at ſuch Seſſion aſſembled, or the Jury, to try Priſoners at ſuch Seſſions, well and truly upon their Oaths to aſſeſs the Value of the ſaid Lands, Buildings, Houſes,

Houſes, Tenements, or other Hereditaments comprized in the Notices ſo given, and the Damages and Recompence to be awarded or given for the ſame to the reſpective Owner or Owners thereof, according to their reſpective Intereſts therein; and to which ſaid Jury the ſaid Commiſſioners, and all Perſons intereſted in the ſaid Lands, Buildings, Houſes, Tenements, or other Hereditaments, ſhall have their lawful Challenges; and the Jury being ſo ſworn and charged as aforeſaid, and after proper Evidence on Oath to them given, concerning the Nature, Quality or Value of the Lands, Houſes, Buildings, Tenements, or other Hereditaments ſo to be ſold or conveyed as aforeſaid ſhall, by their Verdict, aſſeſs the Damages and Recompence to be given for the ſame to the reſpective Owner or Owners, Occupier or Occupiers thereof, according to their reſpective Intereſts therein, and ſuch Verdict of the ſaid Jury, and the Judgment of the ſaid Juſtices upon the ſame, ſhall be final, binding, and concluſive to the ſaid Commiſſioners, and to all Perſon and Perſons intereſted in the ſaid Lands, Buildings, Houſes, Tenements, and other Hereditaments, and ſuch Verdict, and the Judgment of the Juſtices thereupon, ſhall be fairly entered and kept among the Records of the Seſſions for the ſaid Borough; and the ſame, or true Copies thereof, ſhall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatſoever, and all Perſons may have Recourſe to the ſame *gratis*, and take Copies thereof, paying Eight-pence for every Seventy-two Words, and ſo in Proportion for any greater or leſs Number of Words.

The Verdict of the Jury not to be binding unleſs the Money be paid within Three Calendar Months.

LXVIII. Provided always, That in caſe the Sum or Sums ſo aſſeſſed by the ſaid Jury, and ordered and adjudged to be paid by the ſaid Commiſſioners, as a Satisfaction to the Owners, Occupiers, or others, for their reſpective Intereſts in the ſaid Premiſes, ſhall not be paid, tendered, left, or depoſited according to the true Intent and Meaning of this Act, within Three Calendar Months after the ſame ſhall have been ſo aſſeſſed, ordered, and adjudged, then and in ſuch Caſe the Verdict of the ſaid Jury ſhall not be binding upon the ſaid Parties, any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Payment of Coſts of Verdict.

LXIX. And be it further enacted, That in all Caſes where any Verdict ſhall have been given for a greater Sum or Recompence than ſhall have been previouſly offered by or on the Behalf of the ſaid Commiſſioners for any ſuch Lands, Houſes, Buildings, Tenements, or other Hereditaments, or Damages as aforeſaid, all the Expences of taking ſuch Inqueſt, and of the Witneſſes attending therein, and recording or entering the Verdict and Judgment thereupon, ſhall be paid by the ſaid Commiſſioners out of the Monies to ariſe by virtue of this Act; but if a Verdict ſhall be given for no greater or for a leſs Sum than ſhall have been ſo previouſly offered by or on the Behalf of the ſaid Commiſſioners, then and in every ſuch Caſe ſuch Expences ſhall be paid by the Owners or Perſons intereſted in the Premiſes in Queſtion: Provided that whenever, by reaſon of Abſence, any Perſon or Perſons ſhall have been prevented from treating with the ſaid Commiſſioners, the whole of ſuch Coſts and Expences ſhall be borne and paid by the ſaid Commiſſioners, and whenever any Coſts or Charges ſhall or may be payable to the ſaid Commiſſioners, ſuch Coſts and Charges ſhall and may be deducted out of the Sums to be paid by the ſaid Commiſſioners, to the ſaid Owners or Perſons reſpectively intereſted, and the Payment or Tender of the Remainder of ſuch Monies, or diſpoſing of the

ſame in Manner by this Act directed, ſhall be deemed and taken, to all Intents and Purpoſes whatſoever, to be a Payment, Tender, or Diſpoſal of the whole Sum or Sums ſo aſſeſſed and adjudged.

Application of Compenſation Money if amounting to 200l.

LXX. And be it further enacted, That if any Money ſhall be paid or agreed, or awarded to be paid, for the Purchaſe of any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed, by virtue of this Act, for the Purpoſes thereof, which ſhall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Ceſtuique Truſts, or to any Perſon whoſe Lands, Tenements, or other Hereditaments are limited, in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever, ſuch Money ſhall, in caſe the ſame ſhall be equal to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Commiſſioners for executing this Act, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments, in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrance or Part thereof, as the ſaid Court ſhall authorize to be paid affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, and Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents and Purpoſes, and in the ſame Manner as the Lands, Tenements, or Hereditaments, which ſhall be ſo purchaſed, taken or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court, upon ſuch Application thereto, be inveſted by the ſaid Accountant General in his Name in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Where leſs than 200l. and exceeding 20l.

LXXI. Provided always, and be it enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, to be purchaſed, taken or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under any Diſability

Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England* in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid, at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by Five or more of the ſaid Commiſſioners for executing this Act, (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money, and the Dividends ariſing thereon, may be applied in Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where leſs than 20l.

LXXII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as laſt before mentioned ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Commiſſioners ſhall think fit; or in caſe of Infancy, Idiotcy, or Lunacy, then ſuch Money ſhall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles, or if Perſons cannot be found, Purchaſe Money to be paid into the Bank.

LXXIII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Lands, Tenements, or Hereditaments to be purchaſed by virtue of this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Commiſſioners, or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be awarded as aforeſaid cannot be found, or if the Perſon or Perſons entitled to ſuch Lands, Tenements, and Hereditaments be not known or diſcovered; then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, to order the ſaid Sum or Sums of Money ſo awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the ſaid Lands, Tenements, or Hereditaments [deſcribing them] ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court of Chancery, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the

the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England* who ſhall receive ſuch Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Where any Queſtion ſhall ariſe as to the Title to Money, &c.

LXXIV. Provided always, and be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in purſuance of this Act, for the Purchaſe of any Lands, Tenements, or Hereditaments, or of any Eſtate, Right, or Intereſt in any Lands, Tenements, or Hereditaments to be purchaſed in purſuance of this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhewn to the Satisfaction of the ſaid Court of Chancery; and the Dividends and Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly, unleſs it ſhall be made appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

Court of Chancery may order Expences, &c.

LXXV. Provided alſo, and be it enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Lands, Tenements, or Hereditaments to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, and Hereditaments to be ſettled to the like Uſes in purſuance of this Act, it ſhall and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes to be from Time to Time made in purſuance of this Act, or ſo much of ſuch Expences as the Court ſhall deem reaſonable to be paid by the ſaid Commiſſioners out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

LXXVI. And be it further enacted, That all Sales, Conveyances, and Aſſurances of any Lands, Tenements, or Hereditaments, to be made to the ſaid Commiſſioners, ſhall be made in the Form or to the Effect following; *videlicet*,

'I, of

Form of Conveyance.

'I, of , in Conſideration of the Sum of , to me paid by the Commiſſioners acting by virtue of an Act of Parliament made in the Fifty-fifth Year of the Reign of King *George* the Third, intituled [*here ſet forth the Title of this Act*] do hereby grant and convey to the ſaid Commiſſioners and their Succeſſors, and all my Right, Title, and Intereſt, to and in the ſame, and every Part thereof, to hold to the ſaid Commiſſioners and their Succeſſors for ever. In Witneſs whereof I have hereto ſet my Hand and Seal, this Day of , in the Year of our Lord .'

And every ſuch Sale, Conveyance, and Aſſurance ſo made, ſhall be good, valid, and effectual, to all Intents and Purpoſes whatſoever, any Law, Statute, Uſage, or Cuſtom to the contrary thereof notwithſtanding.

Proviſion for Payment of Purchaſe Money.

LXXVII. And be it further enacted, That every Sum of Money to be agreed for or awarded or aſſeſſed as aforeſaid, ſhall be paid out of the Monies to be received by virtue of this Act, and upon Payment thereof to the Party or Perſons reſpectively entitled to ſuch Monies, or their Agents, or depoſiting the ſame in the Bank of *England* (as the Caſe may be) in Manner by this Act directed and required, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law and Equity, of the Perſon or Perſons reſpectively to whoſe Credit or Uſe the ſame ſhall have been paid, in, to, and out of ſuch Lands, Buildings, Houſes, Tenements, or other Hereditaments, ſhall veſt in the ſaid Commiſſioners in Truſt for effecting the Purpoſes of this Act, and they ſhall be deemed in Law to be in the actual Seizin and Poſſeſſion thereof, to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon having any Eſtate in the Premiſes had actually conveyed the ſame by Leaſe and Releaſe Bargain and Sale inrolled, Feoffment with Livery of Seizin, Fine, Common Recovery, Surrender, or any other Conveyance or Aſſurance whatſoever; and ſuch Payments ſhall not only bar all Right, Title, Intereſt, Claim, and Demand of the Perſon or Perſons to whoſe Uſe or Credit ſuch Payments ſhall have been made as aforeſaid, but alſo extend to, and be deemed and conſtrued to bar Dower of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail, and other Eſtates in Poſſeſſion, Reverſion, Remainder, or Expectancy, and the Iſſue of ſuch Perſon and Perſons claiming under them, as effectually as Fines or Common Recoveries would do if levied or ſuffered by the proper Parties in due Form of Law.

Poſſeſſion to be delivered up.

LXXVIII. And be it further enacted, That all and every Perſon and Perſons, Body and Bodies Politic, Corporate, and Collegiate, in Poſſeſſion of any Houſes or Buildings, Lands, Tenements, or Hereditaments, which ſhall be purchaſed by virtue of this Act, by the ſaid Commiſſioners, or any Part thereof, ſhall, at the End of Twelve Months next after Notice ſhall be given to him, her, or them, for that Purpoſe, under the Hands of Five or more of the ſaid Commiſſioners, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes, to ſuch Perſon or Perſons as ſhall be authorized by the ſaid Commiſſioners to take Poſſeſſion thereof, they the ſaid Commiſſioners making ſuch Satisfaction to every ſuch Perſon or Perſons, Bodies Politic, Corporate, or Collegiate, in caſe he, ſhe, or they ſhall be required to quit before the Expiration of his, her, or their Term

in the Premiſes, as the ſaid Commiſſioners ſhall deem juſt and reaſonable; and in caſe any Diſpute or Difference ſhall ariſe, touching or concerning the ſame, ſuch Satisfaction or Compenſation ſhall be ſettled and aſcertained by a Jury, in Manner herein-before mentioned; and in caſe any ſuch Perſon or Body Politic, Corporate or Collegiate, ſhall refuſe to give up ſuch Poſſeſſion as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners, to iſſue their Precept or Warrant, ſigned by any Five or more of the ſaid Commiſſioners, to the Serjeant at Mace, of and for the ſaid Borough, to deliver Poſſeſſion of the Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Warrant be nominated to receive the ſame, and the ſaid Serjeant is hereby required to deliver ſuch Poſſeſſion accordingly, and to levy ſuch Coſts as ſhall accrue upon the iſſuing or Execution of ſuch Precept or Warrant, on the Perſon or Perſons ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, and their Goods, returning the Overplus (if any) to the Owner thereof on Demand.

Power for Commiſſioners to ſell ſuch Lands as ſhall not be wanted by them.

LXXIX. And whereas by reaſon of the Purchaſes which the ſaid Commiſſioners are hereby empowered to make, they may happen to be poſſeſſed of ſome Building or Buildings, Piece or Pieces of Ground, over and above what may be neceſſary for affecting the Improvements hereby directed to be made, or for other the Purpoſes of this Act; be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners to ſell and diſpoſe of ſuch Building or Buildings, Piece or Pieces of Ground, either together or in Parcels, as they ſhall find moſt advantageous and convenient, to ſuch Perſon or Perſons as ſhall be willing to contract for and purchaſe the ſame, and the Money to ariſe by Sale of ſuch Building or Buildings, Piece or Pieces of Ground, ſhall be applied to the reſpective Purpoſes of this Act; but the Purchaſer or Purchaſers thereof ſhall not be anſwerable or accountable for the Miſ-application or Non-application thereof.

Perſons from whom ſuch Lands ſhall have been purchaſed to have the firſt Offer thereof.

LXXX. Provided always, and be it further enacted, That the ſaid Commiſſioners, before they ſhall ſell and diſpoſe of any ſuch Buildings or Grounds, ſhall firſt offer the ſame for Sale to the Perſon or Perſons reſpectively from whom they ſhall have purchaſed ſuch Buildings or Grounds; and in caſe ſuch Perſon or Perſons ſhall not then and thereupon agree, or ſhall refuſe to re-purchaſe the ſame, then and in every ſuch Caſe any Affidavit to be made and ſworn before a Maſter Extraordinary in the High Court of Chancery, or before One or more of His Majeſty's Juſtices of the Peace for the ſaid County of *Lancaſter*, by ſome Perſon or Perſons no way intereſted in the ſaid Buildings or Grounds, ſtating that ſuch Offer was made by or on Behalf of the ſaid Commiſſioners, and that ſuch Offer was not then and thereupon agreed to, or was refuſed by the Perſon or Perſons to whom the ſame was ſo offered, ſhall in all Courts whatſoever be ſufficient Evidence and Proof that ſuch Offer was made, and was not agreed to, or was refuſed by the Perſon or Perſons to whom it was made (as the Caſe may be).

Commiſſioners may contract;

LXXXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, to enter into any Contract or Contracts, for

for lighting, watching, paving, flagging, widening, amending, cleanſing, watering, improving, and regulating the ſeveral Markets, Squares, Streets, Ways, Lanes, public Paſſages and Places within the ſaid Borough, or any of them, or for furniſhing Materials or any other Matters or neceſſary Things whatſoever, or for any other the Purpoſes of this Act; but before any ſuch Contract or Contracts ſhall be entered into, Fourteen Days Notice at the leaſt ſhall be given in ſome public Newſpaper circulated in the ſaid County of *Lancaſter*, and ſuch other public Notice as the ſaid Commiſſioners ſhall for that Purpoſe order or direct, expreſſing the Purpoſe or Purpoſes of ſuch Contract or Contracts, in order that any Perſon or Perſons willing to undertake the ſame may make Propoſals for that Purpoſe to be offered to the ſaid Commiſſioners, at a certain Time and Place in ſuch Notice to be mentioned; and the ſaid Commiſſioners ſhall and they are hereby required to take Security from every ſuch Contractor for the due Performance of his or her Contract.

and compound for Breach of Contract.

LXXXII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, from Time to Time, and at all Times hereafter, to compound and agree with any Perſon or Perſons, on account of any Breach or Non-performance of ſuch Contract or Contracts, for ſuch Sum or Sums of Money, or upon ſuch Terms and Conditions as they the ſaid Commiſſioners ſhall think proper.

Contracts to be ſigned by Commiſſioners.

LXXXIII. And be it further enacted, That every ſuch Contract or Contracts ſhall ſpecify the ſeveral Works to be done, and the Prices to be received or paid for the ſame, and the Time or Times when the ſaid Works are to be completed, and the Penalties to be ſuffered in caſe of Non-performance thereof, and ſhall be ſigned by the ſaid Commiſſioners or any Three or more of them, and alſo by the Perſon or Perſons contracting to perform ſuch Work reſpectively, which Contract or Contracts ſhall be entered in a Book or Books, to be kept for that Purpoſe by the Clerk to the ſaid Commiſſioners.

Commiſſioners not anſwerable in their private Capacity;

LXXXIV. Provided always, and be it further enacted and declared, That no Contract which ſhall be made by the ſaid Commiſſioners for any of the Purpoſes of this Act, ſhall be binding upon the ſaid Commiſſioners as Individuals, or in their private Capacity; nor ſhall any of the ſaid Commiſſioners perſonally, or their reſpective Eſtates, be anſwerable for or ſubject to the Payment of any of the Mortgages or Annuities to be granted in purſuance of this Act, and that all Money which ſhall be expended by or recovered againſt any of the ſaid Commiſſioners, or any Perſon or Perſons employed by them, by means of any Action, Proſecution, or Appeal, to be brought by or againſt them, or any of them, touching the Execution of this Act, ſhall be borne and defrayed out of the Money which ſhall come to the Hands of the Treaſurer to the ſaid Commiſſioners, or any other Perſon by virtue of this Act: Provided nevertheleſs, that nothing herein contained ſhall extend to exonerate or diſcharge any of the ſaid Commiſſioners, their Houſes, Lands, Tenements, Hereditaments, Goods, Chattels,

but to be ſubject to Rates.

Chattels, or Effects, from the Payment of the Rates or Aſſeſſments to be raiſed by virtue of this Act.

Commiſſioners Power to borrow Money.

LXXXV. And, in order to enable the ſaid Commiſſioners to carry this Act into immediate Execution, be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, from Time to Time, to borrow and take up at Intereſt ſuch Sum or Sums of Money, ſo as that the Sum borrowed ſhall not at any one Time exceed in the whole Ten thouſand Pounds, as they ſhall judge neceſſary for the ſeveral Purpoſes of this Act, upon the Credit of the ſaid Rates, Aſſeſſments, and Monies to be made, levied, collected, and received, by virtue of this Act, and by Writing under their Hands and Seals, to aſſign all or any Part of the ſaid Rates, Aſſeſſments, or Monies, to ſuch Perſon or Perſons as ſhall lend or advance any Money thereon, or to his, her, or their Truſtee or Truſtees, as a Security for the Principal Money to be advanced, with legal Intereſt for the ſame, and the Charges and Expences of ſuch Aſſignment thereof (to be made as herein-after mentioned) ſhall be, from Time to Time, defrayed by the ſaid Commiſſioners out of the Monies ſo borrowed, and every ſuch Aſſignment ſhall be in the Words or to the Effect following:

'WE, of the Commiſſioners acting in Execution of an Act of Parliament, made in the Fifty-fifth Year of the Reign of King *George* the Third, intituled [*here ſet forth the Title of this Act*], in Conſideration of the Sum of advanced and lent by upon the Credit and for the Purpoſes of the ſaid Act, do hereby grant and aſſign unto the ſaid his Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Rates, Aſſeſſments, and Monies to be raiſed, levied, collected, and received by virtue of the ſaid Act, as the ſaid Sum of doth or ſhall bear to the whole Sum, which may at any Time be borrowed or become due and owing, or be charged upon the Credit of the ſaid Rates, Aſſeſſments, or Monies, to be had and holden from this Day of until the ſaid Sum of with Intereſt at *per Centum per Annum*, for the ſame ſhall be repaid and ſatisfied. In Witneſs whereof, we the ſaid Commiſſioners have hereunto ſet our Hands and Seals the Day of in the Year .'

And all ſuch Aſſignments ſhall be numbered, commencing with Number One, and ſo proceeding in an arithmetical Progreſſion aſcending, whereof the common Exceſs or Difference ſhall always be One, and every ſuch Security ſhall be good, valid, and effectual, and ſhall entitle the Perſon or Perſons to whom the ſame ſhall be made, his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act.

Power to borrow Money at a lower Intereſt, &c.

LXXXVI. Provided always, and be it enacted, That in caſe the ſaid Commiſſioners can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Intereſt than the Aſſignments or Securities which ſhall

ſhall be then in force ſhall bear, it ſhall and may be lawful to and for the ſaid Commiſſioners to charge the ſaid Rates, Aſſeſſments, or Monies in Manner aforeſaid, with ſuch Sum or Sums of Money as they ſhall think proper, and the Intereſt thereof at ſuch low Rate as aforeſaid, and to pay off and diſcharge the Aſſignments or Securities bearing a higher Rate of Intereſt, according to the Directions and Regulations herein preſcribed for paying off Aſſignments or Securities.

Securities may be transferred.

LXXXVII. And be it further enacted, That it ſhall and may be lawful to and for the Perſons entitled to any of the Securities for the Money to be borrowed upon legal Intereſt as aforeſaid, and their reſpective Executors, Adminiſtrators, or Aſſigns, (as the Caſe may be), at any Time by Writing under their Hands and Seals, to transfer ſuch Securities to any Perſon or Perſons whomſoever, and every ſuch Transfer may be in the Words or to the Effect following:

'I being entitled to the Sum of
'ſecured to , and his Aſſigns (or his
'Executors, Adminiſtrators, and Aſſigns) [*as the Caſe may be*], by virtue
'of an Aſſignment bearing Date the Day of , under the
'Hands and Seals of of the Commiſſioners acting in the Execution
'of an Act of Parliament made in the Year of the Reign
'of King *George* the Third, intituled [*ſet forth the Title of this Act*]
'upon the Credit of the Rates, Aſſeſſments, and Monies granted or payable by the ſaid Act, do hereby transfer all my Right and Title in and to
'the ſame Sum, and all Intereſt and other Money now due and ariſing
'thereon, unto his Executors, Adminiſtrators, and Aſſigns.
'Dated the Day of .'

Power to transfer Aſſignments.

And a Copy of every Security or Aſſignment, together with the Number or Numbers thereof, and an Extract or Memorial of every Transfer thereof reſpectively, ſhall be entered in a Book to be kept for that Purpoſe, by the Clerk to the ſaid Commiſſioners; which Extract or Memorial ſhall ſpecify and contain the Date, Names of the Parties and Sums of Money thereby transferred, to which Book any Perſon intereſted ſhall, at all ſeaſonable Times, have Acceſs, and ſhall have free Liberty to inſpect the ſame without Fee or Reward; and for entering every ſuch Transfer, the ſaid Clerk ſhall be paid by the Perſon to whom ſuch Transfer ſhall be made, the Sum of Five Shillings and no more; and every ſuch Transfer, after Entry thereof as aforeſaid, ſhall entitle the Perſon to whom the Transfer ſhall be made, and his or her Executors, Adminiſtrators, and Aſſigns, to the Benefit of the Security thereby transferred without any other Regiſtry or Inrolment whatſoever.

Proviſion for the Payment of Creditors by Ballot.

LXXXVIII. And be it further enacted, That the ſaid Commiſſioners ſhall yearly, and every Year after the Expiration of the firſt Two Years from the Day of the Commencement of this Act, pay off and diſcharge One Tenth Part at the leaſt of the Monies borrowed on the Credit of this Act, together with the Intereſt due thereon, and ſhall for that Purpoſe cauſe the Numbers of all Aſſignments or Securities granted and then in force for ſecuring the Principal Monies lent and advanced upon the

Credit of the ſaid Rates, Aſſeſſments, or Monies, to be written upon diſtinct Pieces of Paper, of an equal Size, and all ſuch Papers ſhall be rolled up in the ſame Form, as near as may be, and be put into a Box or Wheel, and the Number or Numbers of the ſaid Aſſignments or Securities, to the Amount then intended to be paid off, ſhall be drawn ſeparately out of the ſaid Box or Wheel, by the Clerk to the ſaid Commiſſioners, and after every ſuch Ballot, the ſaid Commiſſioners ſhall cauſe Notice, ſigned by their Clerk, to be given to or left at the laſt or uſual Place of Abode of the Perſon or Perſons who ſhall be entitled to the Money to be paid off purſuant to ſuch Ballot; and where there is only One Creditor, to give Six Calendar Months Notice to ſuch Creditor of the Intention of the ſaid Commiſſioners to pay him or her as aforeſaid; and every ſuch Notice ſhall expreſs the Sum to be paid off, together with the Intereſt due thereon, and that the ſame ſhall be paid on a Day and at a Place to be ſpecified in ſuch Notice, ſuch Day not being ſooner than Six Calendar Months after the Day of giving or leaving ſuch Notice as aforeſaid, and the Intereſt of the Principal Money to be ſo paid off ſhall, from and after the Day ſo ſpecified, ceaſe and be no longer paid or payable, unleſs ſuch Money ſhall be demanded purſuant to ſuch Notice, and not paid; but the Principal Money in reſpect whereof ſuch Notice ſhall be given, and alſo the Intereſt thereof, to the Day ſo ſpecified, ſhall nevertheleſs be payable on Demand, but nothing herein contained ſhall extend, or be conſtrued to extend, ſo as to enable or require the ſaid Commiſſioners to pay off and diſcharge any Monies lent on the Credit of the ſaid Rates or Aſſeſſments, until all other the Creditors on the ſaid Rates, Aſſeſſments, or Monies, ſhall be paid off and diſcharged.

Drivers of Carriages puniſhable for Miſbehaviour.

LXXXIX. And be it further enacted, That if the Driver of any Waggon, Cart, Car, Dray, or other Carriage, ſhall ride upon any ſuch Carriage, in any Highway, Market, Street, Square, Way, Lane, public Paſſage or Place, within the ſaid Borough, not having ſome other Perſon on Foot or on Horſeback to guide the ſame, (ſuch Carriages as are uſually conducted by ſome Perſon holding the Reins of the Horſe or Horſes drawing the ſame excepted) or if the Driver of any Carriage whatſoever ſhall in any ſuch Highway, Market, Street, Square, Way, Lane, public Paſſage or Place, furiouſly drive the ſame, or ſhall by Negligence or wilful Miſbehaviour, cauſe any Hurt or Damage to any Perſon or Carriage, or ſhall wilfully be at ſuch Diſtance from ſuch Carriage, whilſt it ſhall be paſſing in any ſuch Highway, Market, Street, Square, Way, Lane, public Paſſage or Place, that he cannot have the Directions and Government of the Horſe or other Cattle drawing the ſame, or ſhall by furious or overdriving the ſame, or by Negligence or wilful Miſbehaviour, prevent, hinder, or interrupt the free Paſſage of any other Carriage, or of any of His Majeſty's Subjects in any ſuch Highway, Market, Square, Street, Way, Lane, public Paſſage or Place, or if the Driver of any empty or unloaded Waggon, Cart, or other Carriage, ſhall refuſe or neglect to turn aſide and make Way for any Coach, Chariot, Chaiſe, loaded Waggon, Cart, or other loaded Carriage, then and in every ſuch Caſe, every ſuch Driver ſo offending and being convicted of any ſuch Offence, either by his own Confeſſion, the View of a Juſtice of the Peace, or by the Oath of One or more credible Witneſs or Witneſſes, before any Juſtice of the Peace for the

ſaid Borough, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Shillings, in caſe the Driver ſhall not be the Owner of ſuch Carriage; and in caſe ſuch Driver be the Owner of ſuch Carriage, then any Sum not exceeding Forty Shillings; and every ſuch Driver offending in any of the ſaid Caſes ſhall and may by Authority of this Act, with or without any Warrant, be apprehended by any Perſon or Perſons who ſhall ſee ſuch Offence committed; and it ſhall and may be lawful to and for the Perſon or Perſons ſo apprehending ſuch Driver, to convey ſuch Driver, or to cauſe him to be conveyed or delivered to a Conſtable or other Peace Officer, in order to be conveyed before ſome Juſtice of the Peace for the ſaid Borough, to be dealt with according to Law; and if any ſuch Driver, in any of the Caſes aforeſaid, ſhall refuſe to diſcloſe his Name, it ſhall and may be lawful to and for the Juſtice of the Peace to whom he ſhall be taken, or to whom any ſuch Complaint ſhall be made, to commit him to the Houſe of Correction for any Time not exceeding Three Months, or to proceed againſt ſuch Offender for the Penalty aforeſaid, by a Deſcription of the Perſon and the Offence, and expreſſing in ſuch Proceedings that ſuch Driver refuſed to diſcloſe his Name.

Commiſſioners to make Bye Laws for regulating Sedan Chairs, Hackney Coaches, and Chaiſes, plying in Preſton.

XC. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, to make, conſtitute, ordain, and provide from Time to Time, ſuch Bye Laws, Rules, and Orders as they ſhall think fit, (ſuch Bye Laws, Rules, and Orders, not being repugnant to the Proviſions of this Act, and the Laws of that Part of the United Kingdom called *England*), for licenſing and authorizing a ſufficient Number of Sedan Chairs, Hackney Coaches, and Chaiſes, within the Borough of *Preſton* aforeſaid, and in what Manner the Carriers, Coachmen, or Drivers thereof ſhall conduct and behave themſelves in their Employments; and alſo in what Manner ſuch Sedan Chairs and Hackney Coaches and Chaiſes ſhall be furniſhed and provided; and for puniſhing the Miſconduct and Miſbehaviour of Chairmen or Carriers of Sedan Chairs, and of Coachmen or Drivers of Hackney Coaches or Chaiſes within the ſaid Borough, and for aſcertaining what Fares and Prices, as well for Time as Diſtance, ſhall be allowed to be taken by ſuch Chairmen, Coachmen, or Drivers, and to what Diſtance ſuch Chairmen, Coachmen, or Drivers ſhall be obliged to go and come in, over, round, and about every Part of the ſaid Borough and the Precincts thereof, and the Rates and Fares to be taken for the ſame; and the ſaid Commiſſioners may, from Time to Time, as they ſhall think fit, repeal, alter, or amend ſuch Bye Laws, Rules, and Orders, or any of them, and ſhall ſet down what pecuniary Penalties or Forfeitures ſhall be incurred by Perſons breaking or evading the ſame or any of them, provided no ſuch Penalty or Forfeiture ſhall exceed the Sum of Twenty Shillings for any One Offence.

Bye Laws to be printed and affixed up.

XCI. And be it further enacted, That the ſaid Commiſſioners ſhall cauſe the Rules, Orders, and Bye Laws by this Act authorized to be made, to be from Time to Time printed and diſtributed, and a Copy thereof, ſigned by the Clerk of the ſaid Commiſſioners, to be affixed up in his Office, for the free and open Inſpection of all Perſons at convenient Hours, without Fee or Reward, and alſo to be affixed upon the principal Door of the Pariſh Church of *Preſton*, and the Chapel called *Saint*

Saint George's Chapel, and the Town Hall, in the Borough aforeſaid, which Bye Laws ſhall be ſubject to Appeal in Manner herein-after mentioned.

Licences to be in force for a Year, and to be ſigned by Five Commiſſioners.

XCII. And be it further enacted, That every Licence to be granted for the Purpoſes aforeſaid under this Act ſhall be granted without Fee or Reward, ſhall be ſigned by Five of the ſaid Commiſſioners at the leaſt, preſent at ſome Meeting to be held under this Act, and every Licence not ſo ſigned ſhall be void; and every ſuch Licence ſhall continue and be in force for One Year from the Day of the Date of ſuch Licence, and ſhall be made out by the Clerk for the Time being to the ſaid Commiſſioners, and be duly entered into the Book of Proceedings of the ſaid Commiſſioners.

Penalty on Perſons uſing Sedan Chairs without Licence.

XCIII. And be it further enacted, That if the Carrier or Carriers of any Sedan Chair, or the Coachman or Coachmen, Driver or Drivers of any Hackney Coach or Chaiſe, ſhall be found uſing any Sedan Chair, Hackney Coach or Chaiſe, in the ſaid Borough, without ſuch Licence as aforeſaid, or having ſuch Licence, ſhall be found uſing any Sedan Chair, Hackney Coach or Chaiſe, in the ſaid Borough, contrary to the Rules or Regulations of the ſaid Commiſſioners for licenſing and regulating Sedan Chairs, Hackney Coaches, or Chaiſes, and the Carriage Rates or Fares of the ſame; or if any Perſon or Perſons ſhall refuſe or neglect to pay, on Demand, any licenſed Chairman or Chairmen, Coachman or Coachmen, Driver or Drivers, the Money juſtly due to him or them, for the Fares, Hire, or Service done under any Licence or Bye Law, made in purſuance of this Act, all and every of ſuch Offences, and alſo all and every other Offences, Miſbehaviours, Puniſhments, Penalties, and Forfeitures whatſoever, that may ariſe, happen, or be incurred, committed, or done by any Carrier or Carriers of any Sedan Chair, or any Coachman or Coachmen, Driver or Drivers of any Hackney Coach or Chaiſe, whether licenſed or not, againſt any of the Proviſions of this Act, or any of the Bye Laws to be made in purſuance thereof, for licenſing of and regulating Sedan Chairs, Hackney Coaches, or Chaiſes, and the Carriers, Coachmen, or Drivers thereof, ſhall be heard and determined by any One or more Juſtice or Juſtices of the Peace for the Borough of *Preſton* aforeſaid, who, on Complaint made thereof to him or them, is and are hereby authorized and required to grant his or their Summons againſt the Perſon or Perſons complained of, to appear before him or them at ſome Time and Place to be mentioned in ſuch Summons, to anſwer the Matter of the ſaid Complaint, and on Proof on Oath of the Service thereof, ſuch Juſtice or Juſtices ſhall proceed to hear the Matter of the ſaid Complaint on Oath, whether the Perſon ſummoned ſhall appear or not, and to make ſuch Order therein as to ſuch Juſtice or Juſtices ſhall appear to be juſt touching ſuch Complaint, and for paying the Coſts attending the Application, Hearing, and Determination of the ſame; and in caſe of any Diſobedience to ſuch Order, or in caſe any ſuch Perſon or Perſons ſhall be convicted before ſuch Juſtice or Juſtices of any Offence under this Act, or any Bye Law to be made as aforeſaid, and ſhall not immediately pay the Money or Penalty in which he or they ſhall be ſo convicted, that then in caſe of Non-payment thereof, it ſhall be lawful for ſuch Juſtice or Juſtices to

grant his or their Warrant of Diſtreſs againſt the Goods and Chattels of ſuch Perſon or Perſons, and to ſeize and diſtrain the ſame, and the ſame to ſell and diſpoſe of for raiſing ſuch Monies or Penalties and all Coſts attending the ſame, and after Payment thereof to return the Overplus (if any) on Demand, to the Owner of the Goods and Chattels ſo diſtrained; and if no ſufficient Diſtreſs can be found, or in caſe of any Diſobedience of ſuch Order, then to commit the Perſon or Perſons ſo convicted aš aforeſaid to the Common Gaol or Houſe of Correction for the County of *Lancaſter* aforeſaid, for any Time not exceeding Three Calendar Months, there to remain, without Bail or Mainprize, unleſs the Money mentioned in ſuch Order, if it be an Order for Payment of Money, ſhall be ſooner paid.

Not to prevent the Uſe of private Sedan Chairs, &c.

XCIV. Provided always, and be it further enacted, That this Act, or any Thing therein contained, or any Bye Law, Rule, or Order to be made by the ſaid Commiſſioners for any of the Purpoſes aforeſaid, ſhall not extend, or be conſtrued to extend, to prohibit or hinder any Perſon or Perſons for having or uſing his, her, or their own Sedan Chair, Coach, or Chaiſe, ſo as the ſame be not uſed for Hire, or plying for Hire, within the Borough of *Preſton* aforeſaid.

Extinction of Quit Rents for Bulks, &c. removed.

XCV. And be it further enacted, That where any Bulk, Poſt, Porch, or other Projection or Obſtruction, ſhall be removed by Authority of this Act, for the Purpoſe of widening or altering any Market, Street, Square, Way, Lane, or other public Paſſage or Place within the ſaid Borough, and for or in reſpect of which any annual Sum or Sums hath or have been uſually paid by way of Quit Rent, Fee Farm Rent, or other Acknowledgement, to any Perſon or Perſons, Body or Bodies Politic or Corporate, then, and in every ſuch Caſe, ſuch annual Sum or Sums of Money ſhall ceaſe to be any longer paid or payable, and ſhall be conſidered as abſolutely extinguiſhed: Provided always, that the ſaid Commiſſioners ſhall, in every ſuch Caſe, make ſuch Satisfaction and Compenſation to the Perſon or Perſons, Body or Bodies Politic or Corporate, to whom any annual Sum or Sums hath or have been ſo paid as aforeſaid, by the Payment of a groſs Sum or Sums of Money out of the Monies to be raiſed by virtue of this Act, as the ſaid Commiſſioners ſhall judge to be of the Value of the annual Sum or Sums ſo paid; and in caſe of any Difference or Diſpute between the ſaid Commiſſioners, and any ſuch Perſon or Perſons, Body or Bodies Politic or Corporate, reſpecting the Sum or Sums of Money ſo to be paid by the ſaid Commiſſioners as a Satisfaction and Compenſation for any ſuch Quit Rent, Fee Farm Rent, or other Acknowledgment as aforeſaid, ſuch Satisfaction and Compenſation ſhall be ſettled and aſcertained in ſuch and the like Manner as the Satisfaction and Compenſation to be made by the ſaid Commiſſioners for the Purchaſe of any Lands, Tenements, or Hereditaments, for the Purpoſes of this Act are herein directed to be aſcertained and ſettled; and ſuch Sum and Sums of Money, when ſo ſettled and aſcertained, ſhall be paid to or diſpoſed of, for the Uſe and Benefit of the Party or Parties entitled thereto, in ſuch and the like Manner as any Sum or Sums of Money to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments, by the ſaid Commiſſioners, is and are herein directed to be paid or diſpoſed of.

XCVI. And

Penalty on obſtructing Officers, etc.

XCVI. And be it further enacted, That if any Perſon or Perſons ſhall, at any Time or Times hereafter, obſtruct, hinder, or moleſt any Collector or Collectors, Surveyor, or other Officer or Officers, or any Workmen or other Perſon or Perſons whomſoever, who ſhall be employed by virtue of this Act, or in any Manner concerned in the Execution thereof, in the Performance or Execution of his or their Duty or Work, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding Twenty Pounds.

Penalties how to be recovered.

XCVII. And be it further enacted, That all Penalties and Forfeitures by virtue of this Act impoſed (the Manner of levying and recovering whereof is not hereby particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of any Juſtice of the Peace for the County, City, Borough, or Place where ſuch Offence ſhall be committed, which Warrant ſuch Juſtice is hereby empowered and required to grant, upon the Confeſſion of the Party or Parties, or upon the Oath of One or more credible Witneſs or Witneſſes, (which Oath ſuch Juſtice is hereby empowered to adminiſter) rendering the Overplus (if any) of the Money ariſing by ſuch Sale, upon Demand, to the Party or Parties whoſe Goods and Chattels ſhall be ſo diſtrained or ſold, after deducting the Coſts and Charges previous to and attending ſuch Diſtreſs and Sale; and all ſuch Penalties and Forfeitures when recovered ſhall, if not herein directed to be otherwiſe applied, be paid to the Treaſurer to the ſaid Commiſſioners and applied to the Purpoſes of this Act, in ſuch Manner and Proportion, as to the different Purpoſes thereof, as ſhall be ordered by the ſaid Commiſſioners; or in caſe it ſhall appear to ſuch Juſtice by the Oath of any credible Witneſs, (which Oath ſuch Juſtice is hereby authorized to adminiſter) or on the Confeſſion of the Offender or Offenders, that ſuch Offender or Offenders hath or have not ſufficient Goods and Chattels within the Juriſdiction of ſuch Juſtice, whereon the Penalty, Forfeitures, Coſts, and Charges aforeſaid, can be raiſed; or in caſe ſufficient Diſtreſs ſhall not be found, after ſuch Warrant ſhall have been iſſued, or if ſuch Penalty and Forfeiture ſhall not be forthwith paid, it ſhall be lawful for ſuch Juſtice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol or Houſe of Correction for the ſaid County, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, nor leſs than Seven Days, unleſs ſuch Penalties and Forfeitures, Coſts and Charges, ſhall be ſooner paid and ſatisfied.

XCVIII. And be it further enacted, That all and every Juſtice and Juſtices, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe ſuch Conviction to be drawn in the Form or to the Effect following; *videlicet*,

Form of Conviction.

‘ BE it remembered, That on the Day of
‘ in the Year of our Lord , is convicted
‘ before of His Majeſty's Juſtices of the Peace for the
‘ of having [*here ſtate the Offence*], and I [*or*, we] the ſaid Juſtice [*or*, ‘ Juſtices]

'Juſtices] do adjudge him, her, or them, to forfeit and pay the Sum 'of . Given under my Hand and Seal [*or*, 'Hands and Seals], the Day and Year aforeſaid.'

Diſtreſs not unlawful for want of Form.

XCIX. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers on account of any Irregularity that ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularities may recover Satisfaction for the ſpecial Damage in an Action on the Caſe.

Appeal.

C. Provided always, and be it enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or Aſſeſſment which ſhall be made or be demanded in purſuance of this Act, or if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Bye Law, or any other Order, Judgment, or Determination of the ſaid Commiſſioners, or by any Penalty impoſed, or by any Conviction made, or by any other Thing done in purſuance of this Act (ſave and except in ſuch Caſes where any Order, Judgment, or Determination is herein directed to be final and concluſive, and ſave and except in ſuch Caſes for which any particular Method of Relief is herein appointed), ſuch Perſon or Perſons may appeal to the Juſtices of the Peace at the General Quarter Seſſions of the Peace to be holden for the County of *Lancaſter*, next after the Cauſe of Complaint ſhall have ariſen, or at any Adjournment of ſuch Seſſion, the Perſon or Perſons appealing firſt giving or cauſing to be given to the Perſon or Perſons appealed againſt, or to the Clerk to the ſaid Commiſſioners, in caſe ſuch Appeal ſhall be made againſt any Rate or Aſſeſſment, Bye Law, Rule, or other Judgment, Determination, Matter, or Thing made or done by the ſaid Commiſſioners, Fourteen Days Notice in Writing of his, her, and their Intention to bring ſuch Appeal, and the Cauſe or Matter thereof, and within Six Days next after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for the ſaid County or Borough, with Two ſufficient Sureties conditioned to try ſuch Appeal, and to abide the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Seſſions or Adjournment thereof; and the Juſtices at the ſaid Seſſion, or Adjournment thereof, upon due Proof of ſuch Notice having been given, and of ſuch Recognizance having been entered into as aforeſaid, ſhall hear and finally determine every ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing or appealed againſt, as the ſaid Juſtices ſhall think proper, and ſhall and may at their Diſcretion diſcharge or mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which ſhall be levied in purſuance of any ſuch Bye Law, Rule, Order, Judgment or Determination of the ſaid Commiſſioners, and may alſo order and award ſuch further Satisfaction to be made to the Party injured as they ſhall think reaſonable; and the Determination of the

ſaid Juſtices in their ſaid General Quarter Seſſions, or Adjournment thereof, ſhall be final, binding, and concluſive, to all Intents and Purpoſes whatſoever.

Juſtices may relieve on Appeal from Rates without quaſhing the Whole.

CI. Provided always, and be it enacted, That in any Appeal from the ſaid Rates or Aſſeſſments, or any of them, to be made for the Purpoſes of this Act, the Juſtices at the General Quarter Seſſions to be holden for the County of *Lancaſter*, or at any Adjournment thereof, ſhall and may amend the ſame in ſuch Manner as may be neceſſary for giving Relief, without quaſhing or altering ſuch Rates or Aſſeſſments with reſpect to other Perſons mentioned therein; but if upon Appeal for the whole Rate or Aſſeſſment it ſhall be found neceſſary to ſet aſide the ſame, then and in every ſuch Caſe it ſhall and may be lawful to and for ſuch Juſtices to order a new Rate or Aſſeſſment to be made in Manner herein directed.

Inhabitants may be Witneſſes.

CII. And be it further enacted, That no Perſon ſhall in any Action, Proſecution, or other Proceeding whatſoever, relating to or concerning the Execution of this Act, be deemed an incompetent Witneſs, on account of his or her being charged with or liable to pay any Rate or Aſſeſſment to be raiſed, levied, and collected, by virtue of this Act.

Proviſions for bringing and defending Actions in the Name of the Clerk.

CIII. And be it further enacted, That the ſaid Commiſſioners may ſue and be ſued in the Name of their Clerk for the Time being, and all Actions and Suits which may be neceſſary or expedient to be brought for the Recovery of any Penalty, or Sum or Sums of Money, due or payable by virtue of this Act, or for or in reſpect of any other Matter or Thing relating to this Act, may be brought in the Name of the ſaid Clerk, and that no Action or Suit which may be brought, commenced, or proſecuted by or againſt the ſaid Commiſſioners, or any of them, by virtue or on account of this Act, in the Name of their Clerk, ſhall abate or be diſcontinued by the Death, Suſpenſion, or Removal of ſuch Clerk, or by any Act or Default of ſuch Clerk done or ſuffered without the Conſent or Direction of the ſaid Commiſſioners, but the Clerk to the ſaid Commiſſioners for the Time being ſhall be always deemed Plaintiff or Defendant in every ſuch Action or Suit (as the Caſe may be) except in ſuch Action or Actions as ſhall be proſecuted between the ſaid Commiſſioners and their Clerk for the Time being, in which Action or Suit any One of the ſaid Commiſſioners ſhall or may be Plaintiff or Defendant, as the Caſe may be: Provided always, that every ſuch Clerk or Commiſſioner in whoſe Name any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of this Act, ſhall always be reimburſed and paid out of the Monies to ariſe by virtue of this Act all ſuch Damages, Coſts, Charges, and Expences as ſuch Clerk or Commiſſioner ſhall be put to, or become chargeable with, by reaſon of his being ſo made Plaintiff or Defendant therein, and no ſuch Clerk or Commiſſioner ſhall be perſonally anſwerable or liable for the Payment of the ſame, or any Part of the ſame, unleſs ſuch Action or Suit ſhall ariſe in conſequence of his own wilful Neglect or Default, or have been brought or commenced without

the

the Order or Direction of the ſaid Commiſſioners, or any Five or more of them.

Plaintiff not to recover after Tender of Amends.

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

Limitation of Actions.

CV. And be it further enacted, That no Action or Suit ſhall be brought againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or in relation to the Matters herein contained, after Three Calendar Months from the Fact committed, and every ſuch Action or Suit ſhall be brought and tried in the County where the Cauſe of Action ſhall have ariſen, and not elſewhere; and the Defendant and Defendants in every ſuch Action or Suit ſhall or may, at his or their Election, plead ſpecially or the General Iſſue, and give this Act and ſpecial Matter in Evidence at any Trial, and that the ſame was done in purſuance and under the Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if ſuch Action or Suit ſhall have been brought before the Expiration of Twenty-eight Days next after ſuch Notice ſhall have been given as aforeſaid, or after ſufficient Satisfaction made or tendered as aforeſaid, or after the Time limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then and in every of the ſaid Caſes, the Jury ſhall find a Verdict for the Defendant or Defendants, and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited or diſcontinue his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared, or upon any Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, then and in every ſuch Caſe, the Defendant or Defendants ſhall recover Treble Coſts, and have ſuch Remedy for recovering the ſame, as any other Defendant or Defendants hath or have in other Caſes by Law.

Juſtices empowered to adminiſter Oaths.

CVI. And be it further enacted, That in all Caſes where Cognizance is given to any Juſtice or Juſtices of the Peace by this Act, it ſhall and may be lawful to and for ſuch Juſtice and Juſtices of the Peace to adminiſter an Oath to any Perſon, for his or their more certain Information in the Matter then depending; and if any Perſon or Perſons ſhall, upon his, her, or their Examination on Oath, before the ſaid Commiſſioners,

ſioners, or before any Juſtice or Juſtices wilfully and corruptly give falſe Evidence, ſuch Perſon and Perſons ſo offending, and being thereof duly convicted, ſhall be and is and are hereby declared to be ſubject and liable to ſuch Pains and Penalties, as by any Law in Force and Effect, Perſons convicted of wilful and corrupt Perjury are ſubject and liable to.

No Proceedings to be removed by Certiorari.

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

Commiſſioners may reward Informers.

CVIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, to reward any Informer or Informers as they ſhall think proper, ſo as ſuch Reward ſhall not exceed the Amount of the Penalty or Forfeiture, proved by the Information of ſuch Informer or Informers to have been incurred, any Thing herein contained to the contrary notwithſtanding.

Directing the Manner of ſerving Orders, Summonſes, and Notices.

CIX. And be it further enacted and declared, That all Orders, Notices, and Summonſes, which are directed or required to be given by this Act, or which are or may be directed and required to be given, by any Rules, Orders, or Bye Laws, made or to be made in purſuance of this Act, or which ſhall or may be neceſſary for carrying into Execution any of the Powers of the ſame, or any ſuch Rules, Orders, or Bye Laws, of which the Manner of ſerving the ſame is not particularly directed by this Act, the Service of any ſuch Order, Notice or Summons, either on the Perſon to whom the ſame ought to be given, or leaving the ſame, or a true Copy thereof, ſigned by the Clerk for the Time being, to the ſaid Commiſſioners, at the Dwelling Houſe, or uſual or laſt Place of Abode of ſuch Perſon, ſhall be good and ſufficient Service of any ſuch Order, Notice, or Summons.

Not to prejudice the Rights of the Corporation of the Borough.

CX. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, in any way to change, leſſen, abridge, impeach, annul, prejudice or deſtroy any Rights, Privileges, Juriſdictions, Immunities, Rents, Tolls, Stallage, or lawful Cuſtoms, belonging, due, or in anywiſe appertaining to the Mayor, Bailiffs, and Burgeſſes, of the ſaid Borough of *Preſton*, either as Lords of the Manor, or reputed Manor of *Preſton* aforeſaid, or as Lords or Owners of the ſaid Borough, or of the Fairs and Markets within the ſaid Borough, or in any other Capacity whatſoever, or of the Mayor of the ſaid Borough as Clerk of the Markets therein, or in any other lawful Capacity; but all and every ſuch Rights, Privileges, Juriſdictions, Immunities, Rents, Tolls, Stallage, and Cuſtoms, may be exerciſed, demanded, exacted, received, and enjoyed, in as full and ample Manner, to all Intents and Purpoſes, as the ſame were enjoyed before the paſſing of this Act.

Public Act. CXI. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1815.