ANNO SEPTIMO

GEORGII IV. REGIS.

Cap. cxviii.

An Act for lighting, cleansing, watching, and otherwise improving the Streets, Lanes, and other public Passages and Places within the Town of *Stockport* in the County Palatine of *Chester*, and for regulating the Police of the said Town.

[26th *May* 1826.]

WHEREAS the Township of *Stockport* in the County Palatine of *Chester* is a Township of very considerable Trade and Population, and is continually increasing in Population and Extent of Buildings: And whereas the said Township has for some Years past been lighted and watched by Means of the voluntary Contributions of some of the Inhabitants thereof, but the same has not been done in a sufficient Manner, and the Expence thereof has been very unequally borne, and a considerable Part of the said Township is altogether deprived of the Benefit which would arise from having the same effectually lighted and watched; and there are many Streets, Lanes, Passages, and public Places within the said Township which are not properly made, repaired, and cleansed, and are subject to various Nuisances and Annoyances: And whereas it would tend greatly to the Safety, Convenience, and Advantage, not only of the Inhabitants of the said Township, but of all other Persons resorting to and travelling through the same, if the said Township were effectually lighted and watched, and if proper Fire Engines, Fire Engine Houses, and Firemen were provided therein, and efficient Provisions made respecting the cleansing, making, and repairing

of the said Streets, Lanes, Passages, and public Places, and removing and preventing Nuisances and Annoyances therein, and for improving the Police of the said Township; but 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, That the Mayor of *Stockport* aforesaid for the Time being, and every Male Person who now is or shall be Occupier of any Messuage or Messuages, Warehouse or Warehouses, Building or Buildings, Tenement or Tenements, within the said Township, of the actual yearly Rent or Value of Thirty-five Pounds at the least, and also all and every Male Person who now is or shall be the Owner of any such Messuage or Tenement, Messuages or Tenements, of the actual yearly Rent or Value of Fifty Pounds, and not residing more than Three Miles Distance from the present Market Place in *Stockport* aforesaid, shall be and they are hereby constituted and declared, during such Occupancy and Ownership only, to be Commissioners for carrying all the several Purposes of this Act into Execution, but the Occupation or Ownership of a Messuage or Tenement, Messuages or Tenements, as aforesaid, by Two or more Persons, shall not confer a Right of acting as a Commissioner on more than One of them.

Commissioners.

Disqualification of Commissioners.

II. And be it further enacted, That no Innkeeper, Victualler, or Alehouse Keeper, residing within the said Township, shall be qualified to act as a Commissioner, nor any other Person whose Qualification arises from Occupancy until he shall have so occupied One or more Messuage or Tenement as aforesaid for the Space of Three Calendar Months, or during the Time he shall hold any Place of Profit, or have any Interest, directly or indirectly, in any Contract or Bargain entered into or made for the Purposes of this Act; but such of the said Commissioners as are or may be Justices of the Peace may act as such in the Execution of this Act notwithstanding their being Commissioners.

Oaths of Qualification to be taken by Commissioners.

III. Provided always, and be it further enacted, That no Person shall act as a Commissioner (except in administering the Oaths or Affirmations herein-after mentioned) until he shall have taken and subscribed before any Two of the said Commissioners, who are hereby empowered to administer the same, One of the Two next following Oaths or Affirmations, as the Case may require; and no Person shall act as a Commissioner in the Execution of this Act, (except for the Purpose herein-before mentioned,) until he shall also have taken and subscribed, in like Manner, the Third Oath or Affirmation herein-after set forth:

Occupier's Oath or Affirmation of Qualification.

'I *A. B.* do swear, [*or, being One of the People called Quakers,* do solemnly declare and affirm,] That I am really Occupier of a Messuage, Dwelling House, Warehouse, Building, or Tenement, [*or* of Messuages, Dwelling Houses, Warehouses, Buildings, or Tenements, *as the Case may be,*] situate in [*naming the Streets or Places*] within the Township of *Stockport* in the County of *Chester*, of the yearly Rent or Value of Thirty-five Pounds. So help me GOD.'

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

Owner's

Owner's Oath or Affirmation of Qualification.

'I *A.B.* do swear, [*or, being One of the People called Quakers*, do solemnly affirm,] That I am really the Owner of a Messuage or Dwelling House, Warehouse, Building, or Tenement, [*or* of Messuages, Dwelling Houses, Warehouses, Buildings, or Tenements, *as the Case may be*,] situate in [*naming the Streets or Places*] within the Township of *Stockport* in the County of *Chester*, of the yearly Rent or Value of Fifty Pounds, and that my usual Place of Abode is not, to the best of my Knowledge and Belief, more than Three Miles distant from the Market Place in *Stockport* aforesaid. So help me GOD.'

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

Oath to execute the Act.

'I *A.B.* do swear, [*or, being One of the People called Quakers*, do solemnly declare and affirm,] That I will truly, honestly, and impartially in all Things, according to the best of my Knowledge and Judgment, execute and perform all and every the Powers and Authorities reposed in me as a Commissioner by virtue of an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act.*] So help me GOD.'

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

Mayor qualified ex officio.

Provided always, that the Mayor of the said Township of *Stockport* for the Time being shall and may act as a Commissioner *ex officio*, without any other Qualification, having first taken and subscribed the last-mentioned Oath or Affirmation, as the Case may require.

Penalty on Persons not qualified acting as Commissioners.

IV. And be it further enacted, That if any Person not being so qualified as aforesaid, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed the said Oaths or Affirmations hereby required, shall act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered on the Information or Prosecution of any Person whomsoever, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, nor more than One Imparlance, shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of acting qualified as aforesaid, or shall pay the said Penalty, without any other Proof being given on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Commissioner: Provided always, that all Acts and Proceedings of any Person acting as a Commissioner in the Execution of this Act, (although not duly qualified as aforesaid) previous to his being convicted of any such Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual as if he had been qualified according to the Directions of this Act.

Acts of Commissioners good before Conviction.

First and other Meetings of the Commissioners.

V. And be it further enacted, That the said Commissioners shall, upon the Fourth *Monday* next after the passing of this Act, hold their First Meeting for carrying this Act into Execution, at the Hour of Ten of the Clock in the Forenoon, or as soon after as conveniently may be, at the *Warren Bulkeley Arms Inn*, or at some other convenient House or Place in *Stockport* aforesaid; and a like Meeting shall be held on the First *Monday*

Monday in every Month after the said First Meeting, at the same Hour and Place, unless the Commissioners assembled at the said First or any subsequent Meeting shall adjourn to any other Day, Hour, or Place within the said Township, which they are hereby fully authorized to do, as they shall see proper and convenient; and in case there shall not be Seven Commissioners present at such Meeting, or at any other Meeting appointed to be held by virtue of this Act, such Meeting shall stand adjourned to the Day on which the next Meeting ought to be held, and at the Hour and Place when and where Meetings may have then been usually held under this Act; and at every Meeting to be held under this Act the Commissioners present shall pay and defray their own Expences.

Meetings on Emergencies may be called.

VI. And be it further enacted, That if after any Adjournment of any Meeting of the said Commissioners, it shall be thought necessary that an earlier Day of Meeting should be appointed than the Day appointed by such Adjournment, it shall be lawful for any Seven or more of the said Commissioners, or for the Clerk to the said Commissioners, having an Order for that Purpose in Writing, signed by any Seven or more of them, although not assembled at a Meeting, to appoint a Time and Place for such earlier Meeting, and to give Notice thereof, and of the Purpose thereof, in the Manner herein directed respecting the Meetings of the said Commissioners; and every such Meeting, not being less than Seven Days after such Notice, shall and may be held accordingly; and all Proceedings of the said Commissioners at any such Meeting, with regard to the Matters specified in such Notice, shall be as good and valid as they would have been in case the Commissioners had met in pursuance of an Adjournment.

Seven Commissioners may act.

VII. And be it further enacted, That all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may from Time to Time be exercised by any Seven or more of them.

Notice of Meetings.

VIII. And be it further enacted, That the Clerk to the said Commissioners for the Time being shall give Notice of all the several Meetings to be held by virtue of this Act, (except the First of such Meetings,) by inserting the same once at least in some Newspaper published in the Town of *Stockport* aforesaid, in case there shall be One then published there, and if not, then by affixing the same on some conspicuous Part of the Outside of the Premises where the same is intended to be held, and also by Letter sent by the General Post to each of the Persons who shall have taken and subscribed the Oaths or Affirmations herein-before mentioned, or in such other Manner as the said Commissioners shall direct.

Orders valid at Meetings only.

IX. And be it further enacted, That no Act, Order, Rule, Resolution, or Proceeding of the said Commissioners shall be valid unless made and done at some Meeting held in pursuance of this Act, (except as herein is mentioned,) and at all Meetings a Chairman shall in the first Instance be appointed, and in all Cases where there shall arise a Difference of Opinion upon any Question relating to this Act, the same shall be decided by a Majority of the Commissioners present, and if there shall happen to be an equal Number of Votes (including the Chairman's Vote) the Chairman shall have and give another or casting Vote.

X. And

Revocation of Orders.

X. And be it further enacted, That no Order, Resolution, or Proceeding of the said Commissioners shall be revoked, suspended, or altered, unless at a Special Meeting held for that Purpose, and unless a greater Number of Commissioners than were present at the making thereof shall be present and concur in such Revocation, Suspension, or Alteration.

Proceedings to be entered.

XI. 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 the Acts, Orders, Resolutions, and Proceedings of the said Commissioners at their several Meetings relative to the Execution of this Act; and the Chairman of every Meeting shall sign his Name at the End or Foot of the Entry of each Day's Proceedings, and the Names of the said Commissioners who shall be present at each Meeting of the said Commissioners shall be entered in such Book or Books, and all such Entries shall be deemed Originals, and shall be admitted in Evidence in all Courts and upon all Occasions whatsoever; and the said Book or Books shall be open to the Inspection of the said Commissioners, and also of all Persons rated, and all Mortgagees of the Rates made under the Authority of this Act; and any of the said Commissioners, Persons, and Mortgagees respectively, shall at all seasonable Times have Copies of any of the Entries therein, paying for the same after the Rate of Sixpence for every Seventy-two Words.

Commissioners may appoint Officers, and pay Salaries, &c.

XII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, at any of their Meetings to be held under or by virtue of this Act, to nominate and appoint such Clerks, Treasurers, Assessors, Collectors, and other Officers, and to employ such Persons as the said Commissioners shall think necessary for the Execution of this Act, and to take such Security from every such Treasurer, Collector, and other Officer, for the due Execution of their respective Offices, as they shall think proper, and from Time to Time to remove and displace all or any of such Clerks, Treasurers, Assessors, Collectors, and other Officers as Occasion shall require, and appoint others in the Room of any of them so removed, or of such as shall die, resign, or decline such Offices, or become incapable of acting therein; and also from Time to Time, by and out of the Monies to be raised or received by virtue of this Act, to pay such Wages, Salaries, Charges, and Allowances to the said Clerks, Treasurers, Assessors, Collectors, and other Officers and Persons respectively, as to the said Commissioners shall seem reasonable.

Clerk not to be Treasurer, and vice versâ.

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or being the Partner of any such Treasurer, or the Clerk or other

other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act; or if any Treasurer shall accept any Place of Profit or Trust under this Act other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Penalty on Assessors or Collectors refusing to act.

XIV. And be it further enacted, That in case any Person or Persons appointed Assessor or Assessors, Collector or Collectors, shall refuse or neglect to take upon him or them respectively his or their Office or Offices, or duly to execute the same according to the true Intent and Meaning of this Act, each of them so offending shall forfeit and pay for every such Offence the Sum of Ten Pounds; but such Person or Persons shall not be again appointed into either of the said Offices for the Space of Five Years: Provided always, that nothing herein contained shall render any Female, or any Person incapable by reason of Infirmity, or any Person above the Age of Seventy Years, liable to be appointed to either of the said Offices of Assessor or Collector.

Penalty on Officers taking Fees, or being concerned in Contracts.

XV. And be it further enacted, That if any Officer employed for the Purposes of this Act shall demand or accept any Emolument or Reward whatsoever, (other than such Salary or Allowances as shall be allowed by the said Commissioners, on account of any thing done by virtue of this Act, or for forbearing to do any thing directed by the said Commissioners, or on any other Account whatsoever relative to his Employment or Duty, or shall be concerned or interested in any Bargain or Contract for the Purposes of this Act, unless with the Consent of the said Commissioners,) every such Officer so offending shall forfeit and pay the Sum of Fifty Pounds for every such Offence, to any Person or Persons who shall sue for the same, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at *Westminster*, within Six Calendar Months after the Offence committed, with full Costs of Suit, in which Suit or Prosecution no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Officers to account.

XVI. And be it further enacted, That each of the Officers and Persons to be appointed as aforesaid shall, under his Hand, at such Times and in such Manner as the said Commissioners shall direct, deliver to the said Commissioners, or to such Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his Charge, and also of all Monies which shall have been received by him by virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with proper Vouchers for such Disbursements, and shall pay all such Monies as shall remain in his Hands to the said Commissioners, or to such Person as they shall appoint; and if any of such Officers or Persons shall not make and deliver such Accounts, and produce and deliver such Vouchers, and make such Payments as aforesaid, or shall not deliver to the said Commissioners, or to such Person as they shall appoint (within Fourteen Days after being thereunto required), all Books,

Books, Papers, and Writings in his Custody or Power relating to the Execution of his Office, then and in any of the Cases aforesaid the said Commissioners shall and are hereby authorized and empowered to bring any Action or Actions against the Officer or Person so neglecting or refusing, for the Recovery of the Monies that shall be in the Hands of and unaccounted for by such Officer or Person; or the said Commissioners may make Complaint of any such Neglect or Refusal as aforesaid to any Justice of the Peace for the said County Palatine of *Chester*; and such Justice is hereby authorized and required to summon such Officer or Person to appear before him, or before any other Justice of the Peace for the said County Palatine of *Chester*; and in case of his not appearing upon such Summons, the same having been served on him personally, or left at his last or usual Place of Abode (no reasonable Cause being shown for his Non-appearance), to issue a Warrant or Warrants for his Apprehension; and upon his appearing upon such Summons, or being apprehended or brought before him, or such other Justice of the Peace as aforesaid, by virtue of such Warrant, or having absconded, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account or Accounts, if produced, in the same Manner as the Commissioners might have done; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath, or, being one of the People called *Quakers*, upon Affirmation, it shall appear to such Justice that any of the Monies which shall have been received by virtue of this Act shall be in the Hands of such Officer or Person, the said Justice is hereby authorized and required to order the Payment thereof, and upon Nonpayment thereof, by a Warrant or Warrants under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person, together with the Costs of such Distress and Sale, to be settled and ascertained by such Justice, rendering the Overplus (if any) to the Party so distrained on; and if no Goods or Chattels can be found sufficient to answer and satisfy the said Money and Charges, or if it shall appear to such Justice that such Officer or Person shall have refused or neglected to render or give such Account, or to produce and deliver up such Vouchers, Books, Papers, and Writings, then and in any of the Cases aforesaid such Justice may, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender to the Common Gaol or House of Correction for the said County Palatine of *Chester*, until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall compound with the said Commissioners for such Money, and shall have paid or secured such Composition in such Manner as they shall appoint, which Composition the said Commissioners are hereby empowered to make, or until he shall have delivered such Account and have delivered up such Vouchers, Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof to the said Commissioners; but no Person so committed shall be detained in Prison for Want of sufficient Distress only for a longer Space of Time than Six Calendar Months: Provided always, that if any Money shall remain due from any such Officer or Person, his Commitment to Prison shall not be a Discharge for the same, nor exonerate his Surety, but such Officer or Person and his Surety shall remain liable to the Payment thereof in the same Manner as if no such Commitment had been made.

Commitment not to exonerate from the Debt.

XVII. And

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

XVII. And be it further enacted, That in case of the Death of any such Officer or other Person, or of such Officer or Person becoming bankrupt before he shall have delivered up all Books, Papers, Writings, and other Things concerning his Office under this Act, the Executors or Administrators of each such Officer or Person, or the Assignees of his Estate and Effects, or other Persons possessing the same, or in whom the same have or hath vested, shall deliver up to the said Commissioners all such Books, Papers, Writings, and other Things; and in case of the Non-delivery thereof for the Space of Ten Days after the same shall be demanded, it shall be lawful for the said Commissioners to commence and prosecute any Action or Suit in any of His Majesty's Courts of Record at *Westminster* against such Executor, Administrator, Assignee, or other Persons possessing the Estate and Effects which did belong to such deceased Officer or Bankrupt, for the Recovery of Damages for the Non-delivery of such Books, Papers, Writings, and Things; and in case the said Commissioners shall succeed in such Action or Suit, they shall be entitled to Treble Costs.

Commissioners may sue and be sued in the Name of any one of the Commissioners, or their Clerk.

XVIII. And be it further enacted, That the said Commissioners shall and may sue and be sued, and otherwise proceed or be proceeded against, at Law or otherwise, in the Name or Names of any one or more of the said Commissioners, or of their Clerk for the Time being; and no Action or Suit to be brought or commenced by or against the said Commissioners, or any of them, for or in respect of any Matter or Thing relating to this Act, which shall be brought and prosecuted in the Name or Names of any one or more of the said Commissioners, or of their Clerk for the Time being, shall abate or be discontinued by the Death or Removal of such Commissioner or Commissioners or Clerk, or by the Act or Default of such Commissioner or Commissioners or Clerk, done or suffered without the Direction or Consent of the said Commissioners, but one or more of the said Commissioners, or their Clerk for the Time being, shall always be deemed Plaintiff or Defendant (as the Case may be) in all such Actions or Suits; and such Commissioner or Commissioners or Clerk shall always be reimbursed and paid, out of the Monies to be raised by virtue of this Act, all such Costs, Charges, and Expences as he shall be put unto or become chargeable with by reason of his or their being made Plaintiff or Defendant, Plaintiffs or Defendants as aforesaid; and shall not be personally answerable or liable for the Payment of the same, or any Part thereof, unless such Action or Suit shall arise in consequence of his or their own Neglect or Default, or shall have been commenced or defended without the Direction of the said Commissioners.

Accounts to be kept of Receipts and Disbursements.

XIX. And be it further enacted, That the said Commissioners shall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for the Purposes of this Act, and of the several Articles, Matters, and Things for which such Money shall have been disbursed, laid out, and paid, which Book or Books shall at all reasonable Times be open to the Inspection of the said Commissioners and any Mortgagee of the Rates granted by this Act, without Fee or Reward; and the said Commissioners and Mortgagees may take Copies of or Extracts from the said Book or Books without paying any thing for the same; and in case the said Clerk shall refuse

refuse to permit the said Commissioners or Mortgagees to inspect the same, or take such Copies or Extracts as aforesaid, he shall forfeit and pay any Sum not exceeding Five Pounds.

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

XX. And be it further enacted, That all the Accounts of the said Commissioners relating to the Execution of this Act shall be respectively balanced and made up to, and also settled and allowed on every Twenty-fifth Day of *March* in each Year, unless it be found impracticable, or such Twenty-fifth Day of *March* shall happen to be on a *Sunday*, and in either of the said Cases as soon then after as possible; and such Accounts shall lie open at the Office of the Clerk to the said Commissioners, or in such other convenient Place as the said Commissioners shall direct, for the Inspection of any Person or Persons interested in the same, every Day (except *Sunday*) between the Hours of Nine of the Clock in the Forenoon and Four of the Clock in the Afternoon, for the Space of Seven Days before the same shall be signed and allowed by such Commissioners; and after such Accounts shall have been signed and allowed, the same shall be final and conclusive in all respects whatsoever, unless an Appeal shall be commenced and prosecuted against such Accounts in pursuance of the Power and Authority herein-after given.

Annual Accounts to be circulated.

XXI. And be it further enacted, That the said Annual Account of all the Monies received, paid, and disbursed by virtue of this Act, from the Twenty-fifth Day of *March* in each Year to the same Day in the following Year, shall be printed, published, and circulated as soon as conveniently may be after the End of every Year, under the Order and Direction of the said Commissioners, amongst the Persons rated by virtue of this Act, gratuitously.

Lands, Lamps, &c. vested in the Commissioners.

XXII. And be it further enacted, That the Right and Property of, in, and to all Lands, Buildings, Apparatus, Machinery, Mains and other Pipes, Lamps, Lamp Irons, Posts, Fire Engines, Buckets, Watch-houses, Fire Engine Houses, Horses, Carts, Tools, Arms, Implements, Materials, Matters, and Things, purchased or provided by the said Commissioners, or by their Order, or under their Authority, by virtue of this Act, and all the Dust, Dirt, Dung, Ashes, and other Filth to be swept, gathered, and collected under the Authority of this Act, shall be held and deemed to belong to and be the Property of, and the same are hereby vested in the said Commissioners for the Time being; and the said Commissioners shall and may cause any Action to be brought, or direct any Bill of Indictment to be preferred, as the Case may require, against any Person who shall deface, damage, injure, or destroy the said Land or Buildings, or who shall steal, take, or carry away, detain, deface, damage, injure, or destroy any of the said several other Articles and Things so hereby vested in the said Commissioners as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively, it shall be sufficient to state generally that the Articles or Things, for or on account of which such Action shall be brought, or such Bill of Indictment preferred, is or are the Property of the Commissioners for lighting, cleansing, and watching the Township of *Stockport*, without stating or specifying the Names of all or any of the said Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time

to sell by public Auction, or otherwise, all or any Part of the said Materials, and any thing which shall not be wanted for the Purposes of this Act.

For providing Lamps and lighting the Streets, &c.

XXIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered from Time to Time, and at any Time or Times hereafter, to purchase and provide such and so many Glass Lamps of such Sorts and Sizes, and also such and so many Lamp Irons and Lamp Posts, with all requisite Materials for the same respectively, as they shall judge necessary, and to direct the same to be affixed or set up upon or against the Posts, Rails, Palisadoes, or Walls of all or any of the several Houses or Buildings, or upon or against any other Walls or Posts, Rails, or Palisadoes, or such other Places within the said Township of *Stockport*, and to be altered, taken down, or removed in such Manner as they shall think fit, but so as not to injure any Buildings, or to interfere with or prevent any Person from erecting Buildings on any Land or Ground; and also to cause such Lamps or any of them to be provided and lighted either with Gas, Oil, or otherwise, at such Times and Seasons of the Year, and on such Mornings and Evenings, and during such Hours of the Morning and Evening, and to be kept burning for so many Hours, and to use the same in such Manner, as to them shall seem necessary or proper for well and sufficiently lighting all and every or any of the Streets, Lanes, Highways, Passages, and other public Places within the said Township; and it shall be lawful for the said Commissioners from Time to Time to contract with any Gas Light Company now or hereafter to be established within the said Township, or in the Neighbourhood thereof, or with any other Person or Persons, Body or Bodies Politic or Corporate, for lighting the said Streets, Lanes, Highways, Passages, and other public Places, with Gas, Oil, or otherwise, for any Number of Years or other Time, and upon such Terms and Conditions in all respects as the said Commissioners shall from Time to Time think proper.

Commissioners may erect Apparatus to make Gas themselves.

XXIV. Provided always, and be it further enacted, That it shall be lawful for the said Commissioners (in case they shall deem it expedient to light the said Streets, Lanes, Highways, Passages, and other public Places within the said Township with Gas or Inflammable Air, without contracting for the same) to set up and establish a Manufactory of Gas for the Use of the said Township, with all necessary Boilers, Gasometers, Works, and Apparatus requisite for the same, and to purchase from any Person or Persons, Body or Bodies Politic or Corporate, who shall be willing to sell the same, any Buildings, Lands, Tenements, Hereditaments, or Premises whatsoever within the said Township, or within any other Township near or contiguous thereto, not exceeding One Statute Acre of superficial Content, for the Purpose of continuing or increasing any present Works or Apparatus, or erecting and making suitable and necessary Erections, Buildings, Works, and Apparatus for the manufacturing of Gas; and when and as often as it may be necessary to break up the Soil or Pavement of any of the Footways or Carriageways of any of the said Streets, Lanes, Highways, Passages, and other public Places within the said Township, or within any other Township near or contiguous thereto, where the said Buildings, Works, and Apparatus shall be made or are situate, and also to cause Mains or Pipes for the Conveyance of Gas to be laid and carried, altered and removed, as may be necessary, along, through,

through, and under the said Streets, Lanes, Highways, Passages, and other public Places, or any of them: Provided always, that nothing herein contained shall authorize and empower the said Commissioners to carry, lay, or affix, or to continue any Pipe through, into, or against any Dwelling House, Manufactory, public or private Buildings, Yards, or Grounds, without the Consent of the Owner and Occupier, or the Person or Persons for the Time being having the Superintendence or Control thereof respectively; and if any Injury or Damage shall be occasioned to any Post, Rail, Palisado, Building, or Wall, by the affixing or setting up, taking down, altering, or removing of any Lamps or Lamp Irons, or any Fastener thereof, the said Commissioners shall immediately cause the same to be well and sufficiently made good and repaired out of the Money to be raised by virtue of this Act: Provided also, that in laying down any Pipe or other Apparatus for conveying Gas over, across, or upon any public Bridge within or adjoining the said Township, or within or under the Roads belonging thereto, such Pipe or other Apparatus shall be conveyed under the Footpaths over such Bridge, and within Brick or Stone Soughs set in Lime Mortar, and covered with sufficient Flags to form the Surface of such Footpaths.

No Pipes, &c. to be laid against any Buildings, &c. without Consent.

XXV. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life, and in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, or Femes Covert, and for all other Persons whomsoever who are or shall be seised, possessed of, or interested in any Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Commissioners to be purchased for the Uses and Purposes of this Act, such Lands not exceeding One Statute Acre, to contract and agree with the said Commissioners for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof to the said Commissioners for the Purposes of this Act; and all Contracts, Bargains, Sales, and Conveyances which shall be made by virtue of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, and without Enrolment, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Body or Bodies Politic or Corporate, Collegiate, Ecclesiastical, or Lay, Aggregate or Sole, or other Person or Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their said several and respective Cestuique Trusts, and all Persons whomsoever claiming or to claim by, from, or under them, and of all Persons entitled in Remainder or Reversion expectant on any such particular Estate, and the same shall be deemed and considered to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Remainder, Reversion, or Expectancy, and the Issue and Issues of such Person or Persons claiming under them, as effectually as Fines or Common Recoveries would

Bodies Politic empowered to sell.

would do if levied or suffered by the proper Parties in due Form of Law, any Law, Statute, or Usage, or any other Matter or Thing whatsoever to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Ecclesiastical or Lay, Aggregate or Sole, and all Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is, are, and shall be hereby indemnified for what he, she, or they shall do by virtue of this Act.

Application of Purchase Money when amounting to 200*l.*

XXVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased by virtue of the Powers of this Act, which shall belong to any Body Politic, Corporate, or Collegiate, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount 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 Court of Exchequer, to be placed to his Account *ex parte* the Commissioners for lighting, cleansing, and watching the Township of *Stockport*, pursuant to the Directions of an Act passed in the First Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money 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 Body or Bodies, 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 Land Tax, or in or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or Part or Parts thereof, or other Lands, Tenements, or Hereditaments settled therewith to the same or the like Uses, Intents, and 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, and Hereditaments which shall be purchased for the Purposes of this Act stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made, the said Money shall by Order of the said Court, upon Application being made thereto as aforesaid, 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 meantime and until the said Bank Annuities shall

1 G. 4. c. 35.

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 Body or Bodies, 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 then actually made.

Application of Purchase Money when less than 200*l.* and exceeding 20*l.*

XXVII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or any Estate or Estates, Interest or Interests therein, purchased for the Purposes of this Act, belonging to any Body or Bodies, Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Body or Bodies, Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, and Hereditaments, or Parts, Estates, or Interests so purchased, 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 in the Name and with the Privity of the said Accountant General of the Court of Exchequer, 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 named by the Body or Bodies, Person or Persons, making such Option, and approved of by the said Commissioners, such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties, in order that such Principal Money and the Dividends to arise thereon may be applied in manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court.

Application of Purchase Money when not exceeding 20*l.*

XXVIII. And be it further enacted, That where such Money so to be paid as last before mentioned shall not exceed or amount to the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Body or Bodies, Person or Persons, who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments, Parts, Estates, and Interests so to be purchased for the Purposes of this Act, in such Manner as the said Commissioners or any Three or more of them shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then 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 disputed Titles.

XXIX. And be it further enacted, That where any Question shall arise touching the Title of any Body or Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or for any Share, 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, Share or Shares, 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, Share or Shares, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court; and the Dividends or 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 Body or Bodies, Person or Persons, was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Expences of Purchases may be allowed by the Court.

XXX. And be it further enacted, That where, by reason of any Disability or Incapacity of any 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 said Court of Exchequer, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of the Expences as the said Court shall deem reasonable, to be paid by the said Commissioners, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

On Payment of Purchase Money, Premises to vest in the Commissioners.

XXXI. And be it further enacted, That upon Payment of the Money so contracted or agreed to be paid for the Purchase of such Lands, Tenements, or Hereditaments, by the said Commissioners, to the Party or Parties or Person or Persons respectively entitled to such Money, or their Agents, or upon Payment thereof into the Bank of *England* for the Purpose of being disposed of in manner herein directed, as the Case may be, and upon the Conveyance in manner herein directed of such Lands, Tenements, or Hereditaments, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law or in Equity, of the Party and Parties and Person and Persons respectively to whom or for whose Use the same shall be paid, in, to, or out of such Lands, Tenements, and Hereditaments, shall vest in the said Commissioners and their Successors for ever, for the Purposes of this Act.

Form of Conveyance to the Commissioners.

XXXII. And be further enacted, That all Sales, Conveyances, and Assurances to be made to the said Commissioners of any Messuages, Buildings, Lands, Tenements, or Hereditaments, by virtue of this Act, may be made in the Form or to the Effect following; (that is to say),

‘ I [*or* We] of in consideration of the Sum
‘ to me [*or* us, *or* into the Bank of *England*,
‘ *as the Case may be*] paid by the Commissioners acting by virtue of an
‘ Act passed in the Seventh Year of the Reign of King *George* the Fourth,
‘ intituled [*here set forth the Title of this Act*], do hereby grant and
‘ convey to the Commissioners all [*describe the Premises*], and all my

'[*or* our] Right, Title, and Interest to and in the same, and every Part thereof, to hold to the said Commissioners for ever, for [*or* such other Estate and Interest, *as the Case may be*] to and for the Uses and Purposes of the said Act. In witness whereof I [*or* we] have hereunto set my [*or* our] Hand and Seal [*or* Hands and Seals] this Day of in the Year of our Lord .'

And every such Sale, Conveyance, and Assurance shall be valid and effectual to all Intents and Purposes, and be sufficient in the Law to vest the Property of and in any such Messuages, Buildings, Lands, Tenements, and Hereditaments so purchased and conveyed as aforesaid, in the said Commissioners for the Uses and Purposes of this Act.

For the Sale of Lands not wanted.

XXXIII. And be it further enacted, That it shall be lawful for the said Commissioners to sell and dispose of, and by Indenture or Indentures to grant and convey by way of absolute Sale in Fee Simple or otherwise, according to the Nature thereof, for a Consideration in Money, all or any Part of the Lands, Tenements, or Hereditaments which may be purchased by or become vested in them, and which shall not be wanted for the Purposes of this Act; and the Person or Persons to whom any such Disposition and Conveyance shall be made, having *bonâ fide* paid his, her, or their Purchase Money, shall not afterwards be answerable or accountable for any Loss, Misapplication, or Non-application thereof.

Restraining the Commissioners from purchasing more than One Statute Acre of Land from incapacitated Persons, &c.

XXXIV. And whereas the said Commissioners are enabled to purchase One Statute Acre of Land, whereon they may erect Works for the Purposes of this Act, and all Persons whomsoever are empowered to sell such Quantity of Land to the said Commissioners: And whereas it is expedient to restrain the said Commissioners from selling any Lands so purchased from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, and again purchasing other Lands from the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, in lieu or stead of the Lands sold; be it therefore enacted, That it shall not be lawful for the said Commissioners to purchase from any Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, and Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, more than such One Statute Acre of Land; and in case the said Commissioners shall

shall afterwards sell the whole or any Part of such Land so purchased, it shall not be lawful for the said Commissioners to purchase from, or for the same or any other Body or Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees or Feoffees in Trust for charitable or other Purposes, Executors, Administrators, Husbands, Guardians, Committees, or other Trustees for or in behalf of Infants, Lunatics, Idiots, Femes Covert, Cestuique Trusts, Tenants for Life or in Tail, Persons to whom or for whose Benefit Lands are limited in strict Settlement, and other Persons being under legal Disability or Incapacity, to sell to the said Commissioners any other Lands in lieu or in stead of those so sold or disposed of by the said Commissioners, or any Part thereof.

Requiring Commissioners to reinstate Pavements after Pipes, &c. have been laid down.

XXXV. And be it further enacted, That when and as often as the said Commissioners shall have broken up or removed the Soil or Pavement of any of the Footways or Carriageways aforesaid, the said Commissioners shall and they are hereby required immediately after to reinstate and make good such Footways and Carriageways to the Satisfaction of the Surveyors, Trustees, or other Persons having the Controul, Direction, or Superintendence thereof respectively, and the said Commissioners shall cause to be carried away all surplus Earth, Filth, and Rubbish occasioned thereby at their own Costs and Charges, and during the Time that such Works are carrying on, and until such Ground, Soil, and Pavement are being so reinstated and made good as aforesaid, the said Commissioners shall provide necessary Lights at Night, and otherwise guard the same, so as to prevent Damage or Inconvenience to Passengers, Cattle, or Carriages; and in case the said Commissioners shall make default in any of the Matters aforesaid, it shall be lawful for the said Surveyors, Trustees, or other Persons having such Controul, Direction, or Superintendence as aforesaid, to reinstate and make good such Ground, Soil, and Pavement, and carry away all Rubbish occasioned thereby, and during the Time that such Works are carried on to provide necessary Lights at Night, and the Expences attending the same shall be repaid by the said Commissioners, and, in default of Payment thereof within Twenty-eight Days next after Demand thereof in Writing, shall and may be levied and recovered for the Use of such Surveyors, Trustees, or other Persons, by Distress and Sale of the Goods and Chattels of the Treasurer to the said Commissioners, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of any Justice of the Peace for the said County Palatine of *Chester*, who upon due Proof of such Default is hereby empowered to grant the same.

Service Pipes to be kept fully charged with Gas.

XXXVI. And be it further enacted, That the Branch or Service Pipes which shall be put down for lighting the said Streets, Lanes, Passages, and other public Places, shall be kept fully charged with Gas, and the Stopcocks shall be so turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

No Pipes of Communication to be laid without Consent.

XXXVII. And be it further enacted, That no Person shall lay any Pipe to communicate with any Main or other Pipe, nor fit or alter any of the Fittings of any Pipes or Lamps belonging to the said Commissioners, or any Body Politic or Corporate, or Person or Persons whosoever, without

without their Consent in Writing first had and obtained, on pain of forfeiting to the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, the Sum of Forty Shillings *per* Day for every Day such Pipe shall so remain, or such Fittings remain altered.

Penalty for damaging Pipes, &c.

XXXVIII. And be it further enacted, That if any Person shall wilfully, maliciously, or negligently do or commit any Injury to any of the Mains or Service Pipes of the said Commissioners, or any Body Politic or Corporate, or Person or Persons whosoever, by any Means whatsoever, he, she, or they so offending shall for every separate Act or Offence forfeit and pay any Sum not exceeding Five Pounds, and Three Times the Amount of the Damage done.

Penalty for conveying Washings into Rivers, Streams, &c.

XXXIX. And be it further enacted, That if the said Commissioners, or Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the said Township, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever which may arise or be produced in the Prosecution of the Works of the said Commissioners, or of any such Body or Bodies Politic or Corporate, or Person or Persons as aforesaid, or in the Manufacture or Process of making or procuring such Gas, into any River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or in any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Drain, Sewer, or Ditch, then and in every such Case the said Commissioners, Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance, shall be allowed; and the whole thereof shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable, unless the same be sued for within Three Calendar Months from the Time in which such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall have ceased and determined: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for or recovered or not, and in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, or Well, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons to whom the same shall belong, or by any

any other Person or Persons whomsoever, to the said Commissioners, or Body or Bodies Politic or Corporate, or to such Person or Persons as aforesaid, and the said Commissioners, or the said Person or Persons, Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall not, within Twenty-four Hours after such Notice shall have been given, stop, hinder, or prevent all and every such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, or Body or Bodies Politic or Corporate, or such Person or Persons as aforesaid, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be so emptied, drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in such and the like Manner as any other Penalty or Forfeiture is in and by this Act directed to be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Penalty for allowing Escape of Gas.

XL. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners, or Body or Bodies Politic or Corporate, or any Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the said Township, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, shall at their own Expence, immediately after Notice thereof by Parol or in Writing, from any Person or Persons whomsoever, given to the said Commissioners, or to the Clerk or other Officer or Agent of the said Commissioners, or any such Body or Bodies Politic or Corporate, or Person or Persons, stop and prevent such Gas from escaping; and in case the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons, shall not, within Twelve Hours next after such Notice by Parol or in Writing being given of any such Escape of Gas, as far as possible stop and prevent the Gas from escaping, and thereby remove the Cause of Complaint, then and in every such Case the said Commissioners, or Body or Bodies Politic or Corporate, or Person or Persons, shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid, which Penalty shall from Time to Time be recoverable, in a summary Way, on the Oath of One or more credible Witness or Witnesses, by Information to be laid and exhibited before One or more Justice or Justices of the Peace for the said County Palatine of *Chester*, and shall and may be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, or such Body or Bodies Politic or Corporate, or Person or Persons, by the Warrant of any Justice or Justices of the Peace as aforesaid, in manner herein-after directed.

XLI. And

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

XLI. And be it further enacted, That all the Pipes or other Conduits to be laid or used by the said Commissioners, or by any Body Politic or Corporate, or Person or Persons whosoever, for the Conveyance of Gas in, under, through, along, across, or round any Street, Lane, Passage, or other public Place within the said Township, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway will allow thereof, at the Distance of Three Feet at least from the nearest Part of any Water Pipe already or hereafter to be laid down for the Conveyance of Water by any Company of Proprietors of Waterworks, except in Cases where it shall be unavoidably necessary to lay Gas Pipes across such Water Pipes, and in those Cases the same shall be laid over the Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint shall be nearer to any Part of the said Water Pipes than Three Feet, and that Two or more Gas Pipes be not joined together previous to their being laid in the Trench, but each Pipe laid as near as may be in its Place therein, and then joined to or with the other Pipes with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes communicating therewith, and all Screw Joints, Inlets, Apertures, and Openings therein respectively, air-tight, and in all and every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every such Offence the Sum of Five Pounds.

Commissioners to prevent Contamination of Water.

XLII. And be it further enacted, That whenever the Water of any Company of Proprietors of Waterworks shall be contaminated or affected by the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, they shall forfeit for every such Offence a Sum not exceeding Twenty Pounds, and shall also within Twenty-four Hours next after Notice thereof in Writing (signed by the Manager or Chief Clerk for the Time being of and for such Waterworks Company, or for any Person whomsoever using such Water, and left at the usual Office or Place of transacting the Business of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid,) cause the most proper and speedy Methods to be taken effectually to stop and prevent Gas from contaminating or affecting such Water; and in case the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, shall not, within Twenty-four Hours next after each Notice left as aforesaid, effectually, wholly, and satisfactorily remove the Cause of every such Complaint, and prevent all such Contamination whereof Notice shall be given as aforesaid, the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, shall forfeit and pay (over and above the before-mentioned Penalty of Twenty Pounds) the Sum of Ten Pounds for each and every Day during which the Water of the said Company shall be and remain contaminated, tainted, or affected by the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid.

For ascertaining if the Water is contaminated.

XLIII. And whereas it may be or become a Question whether the said Water be contaminated or affected by the said Gas; be it therefore enacted, That in every such Case it shall be lawful for the said Company of Proprietors of Waterworks to dig to or about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, or Body

Body Politic or Corporate, or Person or Persons as aforesaid, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid; and if it shall appear that the said Water has been contaminated by the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, the Expences of the said Digging, Search, Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid; which Costs and Expences shall be ascertained, if necessary, by any one Justice of the Peace for the said County Palatine of *Chester*, and recovered in like Manner as any Penalty hereby inflicted is directed to be recovered; but if it shall appear that such Contamination has not proceeded or arisen from the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, then and in such Case the said Waterworks Company shall bear and pay all the Costs and Expences of such Digging, Search, Examination, and Repair, and shall also make good to the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, any Loss, Injury, or Damage which may be occasioned to their Mains, Pipes, Conduits, or Apparatus, in and by such Search and Examination, and also to the Pavements of the said Street or Streets so broken or disturbed, and all other Expences incurred by Search or Examination, the Amount of such Injury, Damage, and Expences to be ascertained, determined, and recovered in manner aforesaid.

Commissioners or Persons lighting with Gas liable to be indicted.

XLIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against the said Commissioners, or any Body or Bodies Politic or Corporate, or any of his or their Servants, Workmen, or Officers, or Person or Persons making, furnishing, or supplying any Gas used, burnt, or consumed within the said Township, for lighting any Street, Highway, or Place, or any House, Manufactory, or other Building therein, in respect of any Works, or the Means which shall be employed by them in making the said Gas or using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action or Actions against the said Commissioners, or Body or Bodies Politic or Corporate, or any of their Servants, Workmen, or Officers, or Person or Persons, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Penalty for wilfully breaking Lamps, &c.

XLV. And be it further enacted, That if any Person whosoever shall wilfully or maliciously take away, break, throw down, destroy, or otherwise deface or damage any of the Lamps to be set up or provided by virtue of this Act, or any Pipe, Plug, Post, Pillar, Pilaster, Lamp Iron, Cover, or other Furniture thereof, or any other Matter or Thing belonging to the said Commissioners, or shall wilfully extinguish or attempt to extinguish the Light from any such Lamps, it shall be lawful for any one Justice of the Peace for the said County Palatine of *Chester* (upon Oath

or

or Affirmation of the Commission of such Offence) to issue a Summons for apprehending the Party accused, or it shall be lawful for any Person who shall see such Offence committed to apprehend, and for any other Person to assist in apprehending, the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer, in order to be conveyed before some Justice of the Peace for the said County; and upon the Party accused being brought before such Justice he shall proceed to examine (upon Oath or Affirmation, as the Case may require) any Witness who shall appear to give Evidence touching such Offence, and if the Party so accused shall be convicted thereof, either upon Confession or upon Evidence as aforesaid, he, she, or they shall for every such Offence forfeit the Sum of Five Pounds, together with the Costs of Conviction, and shall also make Satisfaction, to be ascertained by such Justice, to the said Commissioners or Party injured for the Damages done.

Damages to be paid for Lamps broken accidentally.

XLVI. And be it further enacted, That if any Person shall carelessly or accidentally break, throw down, or damage any of the said Lamps, or any Pipe, Plug, Post, Pillar, Pilaster, Lamp Iron, Cover, or other Furniture thereof, or any other Matter or Thing belonging to the said Commissioners, and shall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in every such Case it shall be lawful for any one Justice of the Peace for the said County Palatine of *Chester*, upon Complaint thereof to him made, to summon before him the Party complained of, and upon his, her, or their appearing or making Default to appear, (Oath being made of the Service of such Summons, either personally, or by leaving a Copy at his, her, or their usual Abode, if known,) such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either by the Confession of the Party, or the Oath of any one Witness, shall award such Satisfaction in Money to be paid by the Party complained of to the Party aggrieved, together with the Costs of such Summons and Conviction, as to such Justice shall appear just and reasonable.

Power to erect Watch-houses, and to employ Watchmen.

XLVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered and required from Time to Time, when and as often as they shall think it expedient, to provide, erect, and set up Watch-houses and Watchboxes, in such Situations as they shall judge proper and expedient, in any of the Streets, Lanes, Highways, Passages, or other public Places of the said Township, and to appoint and employ such and so many Watchmen and Night Patroles, and such and so many Beadles, as well for the Day as Night, as they shall judge expedient and necessary for the Security and good Order of the said Township, and such Watchmen, Night Patroles, and Beadles from Time to Time to remove and displace, and to appoint others in their Stead; and also to order and direct how many of the said Watchmen, Night Patroles, and Beadles shall attend nightly within the said Township, and how such Watchmen, Night Patroles, and Beadles shall be armed, and at what Stations they shall be placed, for what Number of Hours they shall watch, and how often they shall go their Rounds, and to make such further Orders and Regulations from Time to Time for the better Government and Direction of the said Watchmen, Night Patroles, and Beadles, as they shall think proper.

Power to appoint Committees for regulating Watchmen and Night Patroles.

XLVIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to appoint Committees of such and so many of the said Commissioners for the Purpose of managing, regulating, suspending, and appointing the said Watchmen, Night Patroles, and Beadles, as Occasion may from Time to Time require, between the several Meetings of the said Commissioners, and it shall be lawful for the said Commissioners to appoint any one or more Person or Persons, with a Salary or otherwise, as a Superintendent or Superintendents of such Watchmen.

Duties of Watchmen, &c.

XLIX. And be it further enacted, That the said Watchmen, Night Patroles, and Beadles shall in their several Courses of Service use their utmost Endeavours not only to prevent Fires, but also to keep watch and ward within the said Township, and to prevent Murders, Burglaries, Felonies, and other Outrages, Disorders, and Breaches of the Peace; and to that end the said Watchmen, Night Patroles, and Beadles respectively shall and may, and they are hereby empowered and required to arrest and apprehend all Night Walkers, Felons, Malefactors, Vagrants, Beggars, Disturbers of the Peace, and all disorderly and suspected Persons who shall be found misbehaving or wandering within the said Township, and to lodge them in the *New Bailey Prison* in *Stockport* aforesaid, or in any Place of Security within the said Township which shall be provided and appointed for that Purpose by the said Commissioners, to be there safely kept and detained until they can conveniently be carried before some Justice of the Peace to be examined and dealt with according to Law.

Commissioners may appoint Deputy Constables.

L. And be it further enacted, That it shall be lawful for the said Commissioners in their Discretion to nominate and appoint One or more standing Deputy Constable or Constables for the said Town, for promoting the good Order thereof, and from Time to Time to discharge and replace him or them so appointed, and make other Nominations and Appointments, and to pay such Salary and Salaries for the due Execution of the Duty they are required to perform as they shall see fit.

Assistant Constables may be appointed.

LI. And be it further enacted, That the Justices of the Peace acting for the County Palatine of *Chester*, or any Two of them, as they shall see Occasion, at any Petty Sessions to be holden within the said Township, upon Application made to them by the said Commissioners, or by their Clerk by their Order, shall from Time to Time appoint a competent Number of able-bodied Men as Assistant Constables of the said Township in keeping the Peace therein, and for executing all such Warrants, Precepts, and Orders as the said Justices shall from Time to Time direct to them to be executed within the said Township.

Watchmen, &c. to be sworn in as Constables.

LII. And be it further enacted, That the said Deputy Constable, Assistant Constables, and all Watchmen, Patroles, and Beadles to be appointed by virtue of this Act, shall be sworn in as Constables before some Justice of the Peace for the said County Palatine of *Chester*, and shall afterwards act as such while in the Execution of the Powers and Authorities hereby granted, and be invested with the same Powers, Authorities, Privileges, and Immunities as any Constable is invested with, or has or enjoys by Law, and shall be subject to the like Penalties, Pains, and Forfeitures

feitures for Misconduct in such and the like Manner as Constables are subject to.

Constables to take Recognizances.

LIII. And be it further enacted, That for the better Administration of the Police within the said Township of *Stockport*, it shall be lawful for the said Deputy Constable or Assistant Constables, on having an Appointment in Writing from the said Commissioners for that Purpose, to take Recognizances without any Fee or Reward from all or any Person or Persons who shall be brought before them or any of them in the Night-time, upon any Charge not amounting to Felony, for the Appearance of such Person or Persons before any Justice or Justices of the Peace for the said County Palatine of *Chester*, within the Space of Seven Days then next, for further Examination; and such Recognizances so to be taken as aforesaid shall be of equal Obligation to the Parties entering into the same, and liable to the same Proceedings, as if the same had been taken before any of His Majesty's Justices of the Peace.

Salary, &c. of Assistant Constables to be defrayed by the Commissioners.

LIV. And be it further enacted, That the said Justices or any Two of them, when such Assistant Constables are appointed as aforesaid, or as soon after as conveniently may be, shall and may and they are hereby authorized and empowered to order and direct what Salary, Wages, and Remuneration shall be paid or made to such Assistant Constables respectively for their Services in the Execution of their Duties, which Salary, Wages, and Remuneration shall be paid, according to the Order of the said Justices, by the Treasurer to the said Commissioners, out of the Money raised by virtue of this Act.

Duty of Beadles.

LV. And be it further enacted, That it shall be lawful for the said Beadles, and they are hereby required, as often in every Night as shall be ordered by the said Commissioners, to go about their respective Districts and Rounds to observe and take notice whether all the Watchmen and Night Patroles perform their Duty in their several Stations according to such Orders and Regulations as shall be made and provided by the said Commissioners; and in case any Watchman or Night Patrole shall be found misbehaving himself or neglecting his Duty, the said Beadles shall, as soon as conveniently may be, give Notice thereof to the Committee for the Time being for managing and regulating Watchmen and Night Patroles; and the said Beadles shall also patrole the several Streets within the said Township in the Day-time, during such Hours as the said Commissioners shall appoint, and apprehend and secure all drunken and disorderly Person and Persons disturbing the public Peace, and all Persons wilfully obstructing or hindering the free Passage of any of the said Streets, Highways, public Passages or Places, or playing at Pitch and Toss or any other Game therein, and to convey all such Persons before some Justice of the Peace for the said County Palatine of *Chester*; and every Person being convicted of any such Offence shall forfeit and pay any Sum not exceeding Ten Shillings.

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

LVI. And be it further enacted, That if any of the said Watchmen, Night Patroles, or Beadles shall at any Time wilfully neglect or omit to observe and perform all the Orders, Rules, and Regulations made by the said Commissioners for their Conduct or Government respectively, or shall in any Manner neglect their Duty or misbehave, every Person so offending

offending shall forfeit and pay for every such Offence a Sum not exceeding Twenty Shillings.

Punishing Publicans for harbouring them during the Time they should be on Duty.

LVII. And be it further enacted, That if any Innkeeper, Victualler, or Keeper of any Public House, shall knowingly harbour or entertain, or suffer to remain in his or her Public House, any such Watchmen, Night Patrole, or Beadle during any Part of the Time appointed for his being on Duty, every such Innkeeper, Victualler, or Keeper shall, on Conviction thereof, forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Power to reward disabled Watchmen, &c.

LVIII. And be it further enacted, That it shall be lawful for the said Commissioners to give such Rewards in Money to any of the said Watchmen, Deputy or Assistant Constables, Night Patroles, and Beadles respectively, who may conduct himself with any particular Merit, or may be disabled or wounded in the Execution of his Office, as they the said Commissioners shall think reasonable, out of the Monies to be raised by virtue of this Act.

Penalty on Persons assaulting Watchmen.

LIX. And be it further enacted, That if any Person shall obstruct or assault any Watchmen, Deputy or Assistant Constable, Night Patrole, or Beadle, to be appointed or employed by virtue hereof, whilst in the Execution of his Duty, every Person so offending, upon being convicted thereof before any one of the Justices of the Peace of the said County Palatine of *Chester*, shall forfeit and pay any Sum not exceeding Ten Pounds, or such Justice may at his Discretion commit such Person to the House of Correction for the said County for any Term not exceeding Three Calendar Months.

Commissioners to appoint or contract with Scavengers.

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

Scavengers Duty.

LXI. And be it further enacted, That the Persons employed by or contracting with the said Commissioners as such Scavengers as aforesaid, shall on such Days and Times, and in such Manner as the said Commissioners shall appoint, cause to be swept or collected together, and also

removed and carried away, all Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil found in the several Streets, Lanes, Highways, Passages, and other public Places within the said Township; and (where practicable) shall also bring or cause to be brought therein a Cart or other proper Carriage, and at their Approach therewith, and not before, by Sound of Bell, Voice, or otherwise, give Notice to the Inhabitants in such Streets, and also in every Court or Passage wherein such Cart or Carriage cannot pass, of their coming, and such Persons shall immediately take the Dirt, Dust, Dung, Cinders, Ashes, Rubbish, Filth, and Soil, (except Filth from any Privy or Necessary-house) from the respective Premises in such Streets, Lanes, Passages, and Places, and by Means of the said Cart or Carriage immediately, or as soon as may be, remove the same away to the Place appointed by the said Commissioners for that Purpose, upon pain of forfeiting any Sum not exceeding Five Pounds for every Neglect therein; and the Persons so employed, or contracting as aforesaid, shall cause the Words "Scavenger's Cart" to be painted in large Roman Letters in the Front or on some conspicuous Part of every Cart or Carriage used for that Purpose aforesaid, on pain of forfeiting any Sum not exceeding Twenty Shillings for every Neglect therein.

Penalty on Contractors for cleansing not fulfilling their Agreement.

LXII. And be it further enacted, That if any Person or Persons entering into or engaging in any Contract for cleansing the said Streets, Lanes, Highways, Passages, and other public Places within the said Township, shall in any Manner omit or neglect to perform and fulfil the Conditions of his or their Contract or Engagement, according to the true Intent and Meaning thereof, such Person or Persons shall for every such Omission or Neglect forfeit any Sum not exceeding Ten Pounds; but nothing herein contained shall hinder the said Commissioners from commencing or prosecuting any Action at Law against such Person or Persons, and his or their Surety or Sureties, if any, for or in respect of any such Omission or Neglect.

Penalty on casting Rubbish into the Streets.

LXIII. And be it further enacted, That if any Person or Persons whomsoever shall throw, cast, or lay, or cause or permit to be thrown, cast, or laid, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth whatsoever, into any Street, Lane, Highway, Passage, or other public Place within the said Township (with the Exception of such Ashes as may be laid out upon any Foot Pavement in Time of Frost for the Prevention of Accidents, and of such Dirt or Rubbish as may be placed in any Street or other public Place in the Course of erecting, pulling down, altering, or repairing any Building), or shall throw or cast, or cause to be thrown or cast, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or Filth, or any Animal or Carcase, or any noxious or offensive Materials or Ingredients, or any other Substance whatsoever, into any common Drain, Sink, public or private Well, Pump, Canal, Pond, Pool, Watercourse, Reservoir for Water, common River or Brook, within the said Township (except such Night Soil or other Filth as may be conveyed into any Common Sewer or Sewers from any Water Closet or Water Closets within the said Township), every such Person shall for every such Offence forfeit and pay the Sum of Forty Shillings: Provided always, that nothing herein contained shall extend or be construed to extend to subject any Person whomsoever to any Penalty for or on account of any Dirt or Rubbish being laid or placed in any such Street, Lane, Highway, Passage, or public Place as

Penalty not to extend to Rubbish occasioned by building.

aforesaid,

aforesaid, in the Course of erecting, pulling down, altering, or repairing any Building, so as there be sufficient Space left in or at the Side of the Street, Lane, Highway, Passage, or public Place, where such Dirt or Rubbish shall lie or be placed, for Carriages to pass and repass, and sufficient Way be kept clean for Foot Passengers, by the Person or Persons laying or causing such Dirt or Rubbish to be laid or placed as aforesaid, and so as a sufficient Light be, at their own Expence, set and maintained at the Place where such Dirt or Rubbish shall be so laid or placed, from Sun-set to Sun-rise, to prevent Accidents to Passengers and Cattle, and so as such Dirt or Rubbish be inclosed in such Manner and within such Time as the Surveyor of the said Commissioners shall direct or appoint, and so as such Dirt or Rubbish be removed at the Expence of the Persons laying or causing the same to be laid, within such Time as shall be ordered by the said Surveyor.

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

LXIV. And be it further enacted, That no Person shall take or carry away any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth, (other than any Rubbish or Dirt occasioned by Building as aforesaid,) out of any of the said Streets, Lanes, Highways, Passages, or other public Places, except the Person or Persons appointed by the said Commissioners, upon pain of forfeiting the Sum of Twenty Shillings for every such Offence.

Inhabitants may use their own Ashes, &c.

LXV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent any Person from keeping any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth, which shall have arisen or be made within his, her, or their respective Houses, Buildings, Yards, or Premises, or from making use of the same for Manure or otherwise, so as the same be not suffered to remain there, or become a Nuisance or Annoyance to any of the Inhabitants of the said Township, and so as the same be not laid down or placed in any Street, Lane, Highway, Passage, or other public Place within the said Township for any longer Time than shall be necessary for loading and carrying away the same; but in case the Person so reserving such Dirt, Dust, Dung, Offal, Rubbish, Ashes, and other Filth, shall keep the same in such Streets or Places for the Space of Twelve Hours before the same shall be removed and carried away, every Person so offending shall forfeit the Sum of Twenty Shillings for every Hour that such Annoyance shall be permitted to remain after the Time aforesaid.

Regulations as to Night Soil.

LXVI. And be it further enacted, That if any Person shall begin to empty any Privy, or take or carry away any Night Soil, or bring or place any Carts for removing the same from any House, Building, or Place within the said Township, before the Hour of Ten of the Clock in the Night, or shall continue to remove the same after the Hour of Eight of the Clock in the Morning, or shall at any Time negligently spill or put or cast any Night Soil out of any Cart, Tub, or otherwise, in or over any of the said Streets, Ways, Lanes, public Passages or Places, or into any Drains therein, or in any respect improperly, carelessly, or negligently remove the same, every Person so offending shall for every such Offence forfeit any Sum not exceeding Five Pounds nor less than Ten Shillings.

Occupiers of Houses to cleanse Foot-paths.

LXVII. And be it further enacted, That all the several and respective Occupiers of Houses and Buildings in or adjoining the several Streets, Lanes,

Lanes, Highways, Passages, and other public Places within the said Township, shall and they are hereby required to cause the several Footpaths or Pavements along the whole Length of the Front of their respective Houses, Buildings, and Premises, to be well and sufficiently swept and cleansed every Morning in the Year (except on *Sundays*) between the Hours of Six and Ten of the Clock, and every such Occupier making Default therein shall for every such Offence forfeit and pay the Sum of Five Shillings.

Commissioners may compound for the sweeping of the Footways.

LXVIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, as they shall think proper, to compound by the Year or otherwise with all and every the Occupiers of Houses or Buildings within the said Township, for relieving such Occupiers from the Burthen of sweeping and cleansing the Footpaths or Pavements to which he, she, or they would have been liable, and from all Penalties to be incurred for any Neglect thereof, at or for such Sum or Sums of Money as the said Commissioners and Occupiers shall agree upon in that Behalf, upon Condition, nevertheless, that such Composition Monies shall always be paid in advance.

Dirt not to be swept into Channels.

LXIX. And be it further enacted, That in case any Person shall sweep, rake, or place, or cause to be swept, raked, or placed, any Mud, Dirt, Dust, Rubbish, Filth, or Soil into or upon the Channels on the Sides of the said Roads, Streets, Lanes, and public Places within the said Township, every Person so offending shall forfeit any Sum not exceeding Forty Shillings.

Streets may be watered.

LXX. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all or any of the Streets, Lanes, Highways, Passages, and other public Places within the said Township, to be watered at such Seasons and Times, and to provide necessary Engines, Carts, and Labour for that Purpose, as the said Commissioners shall think proper and requisite.

Streets to be declared public Highways when made, &c.

LXXI. And be it further enacted, That when any public Streets, Ways, Roads, or Passages already made and laid out, or hereafter to be made and laid out, within the said Township, shall be well and sufficiently made, soughed, paved, flagged, or otherwise repaired, and put in good Order and Condition in such Manner as shall be satisfactory to the said Commissioners, it shall be lawful for the said Commissioners, upon the Application of the Owner or Owners of the Soil of such Streets, public Ways, Roads, or Passages, or of the greater Part in value of such Owners, or of the Person or Persons liable to repair the same, to declare such Streets, public Ways, Roads, or Passages to be Common Highways, and from and after such Declaration made the same and every of them shall be deemed and taken to be Public Highways to all Intents and Purposes, and thenceforth repaired and kept in repair by the Inhabitants at large of the said Township of *Stockport*: Provided always, that the said Commissioners shall not be empowered to make such Declaration of or concerning any front Streets, public Ways, or Roads or Passages, which shall be of less Width than Ten Yards in the narrowest Part thereof, or of and concerning any back Streets, public Ways, Roads, or Passages, which shall be of less Width than Six Yards in

in the narrowest Part thereof, (except such Streets, Ways, Roads, or Passages as were actually laid out previous to the passing of this Act).

Owners of Lands, &c. adjoining Streets, &c. not to vote as Commissioners respecting such Streets.

LXXII. Provided also, and be it further enacted, That no Person being the Owner or Occupier of any Land or Buildings within or adjoining to any Street, Way, or Passage proposed to be made a Highway as aforesaid, or within Fifty Yards of the same, or being entitled to any Chief Rent or other Rent issuing out of any such Land or Buildings, shall be entitled to vote as a Commissioner touching the declaring of any such Street, Way, or Passage to be a Public Highway, or touching the paving, repairing, or soughing of the same, or any Part thereof.

Pavements to be made at the Charge of Owners or Occupiers of Houses, &c.

LXXIII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby required, to cause all such Parts of the public Streets, Lanes, Highways, and Passages within the said Township, which are now in the Estimation of the said Commissioners fully built upon, but not finished, paved, flagged, or otherwise put into good Order and Condition, and all such public Streets, Lanes, Ways, and Passages as are now making or may hereafter be made within the said Township, which now have or may hereafter have Buildings erected at the respective Sides thereof to the Extent of Three Fourth Parts thereof, to be made, paved, flagged, repaired, and cleansed, with such Gutters, Sinks, Drains, or Watercourses, and with such Materials and in such Manner as to the said Commissioners shall seem meet and necessary, and the Charges and Expences attending the same shall be reimbursed to the said Commissioners by the Owners or Occupiers of the Houses, Buildings, Ground, or Land within or on the respective Sides of the said Streets, Ways, and Passages so to be paved, flagged, repaired, and cleansed as aforesaid, each such Owner or Occupier paying a proportionate Share thereof, according as such Pavement, flagging, repairing, or cleansing is or shall be necessary either before, behind, or at the Side of his, her, or their House or Houses, Buildings, Ground, or Land, such Share to be ascertained by the Surveyor of the said Commissioners; and if any such Owner or Occupier shall at any Time refuse or neglect to pay such Proportion of the said Charges and Expences, the same shall be levied by Distress and Sale of the Goods and Chattels of such Owner or Occupier, in like Manner as the Rates herein-after directed and required to be raised and levied are authorized to be recovered.

Notice to be given before paving by Commissioners to Occupiers of Houses, &c. requiring them to pave.

LXXIV. Provided always, and be it further enacted, That the said Commissioners shall not cause the said Streets, Lanes, Ways, and Passages to be paved, flagged, repaired, and cleansed as aforesaid, until their Surveyor shall have given or left a Notice in Writing under his Hand to or for the Owner and Occupier of each and every House, Building, Ground, Land, or other Premises within or at the Sides of the said Streets, Lanes, Ways, or Passages, requiring him, her, or them to pave, flag, repair, and cleanse the same in such Manner as shall be therein expressed, either before, behind, or at the Side of his, her, or their Premises, (as the Case may be,) and until such Owner or Occupier shall have neglected or refused for the Space of Six Calendar Months next after the Receipt of such Notice to pave, flag, repair, and cleanse the same in the Proportion herein-before mentioned, according to such Notice.

Occupiers may retain Expences from Rent.

LXXV. Provided also, and be it further enacted, That it shall be lawful for every such Occupier at Rack Rent, or Occupier who shall not have Fifteen Years unexpired of his, her, or their Term or Interest in such Premises, to retain and deduct out of his, her, or their Rent or Rents all the Charges and Expences which he, she, or they shall bear, pay, or be put unto, or be compelled to pay in respect of any such Pavements, flagging, cleansing, and Repairs made and done as aforesaid, and in all such Cases such Retention and Deduction shall be made by the actual Occupiers against his, her, or their immediate Landlord or Landlords only.

Power to declare Streets to be Highways after being paved by Commissioners.

LXXVI. And be it further enacted, That when the said Commissioners shall have caused any such Streets, Ways, or Passages within the said Township to be paved, cleansed, repaired, and put in good Order and Condition to their own Satisfaction, and the Charges and Expences attending the same shall have been paid and satisfied by the Person or Persons liable thereto, it shall be lawful for the said Commissioners, upon the Application of the Owners of the Soil of such Streets, Ways, and Passages, or of the greater Part in value of such Owners, to declare such Streets, Ways, or Passages to be Highways, and thenceforth the same and every of them shall be deemed and taken to be Public Highways to all Intents and Purposes, and kept in repair by the Inhabitants at large of the said Township.

Regulations as to Width of Footways in Streets hereafter to be laid out.

LXXVII. And be it further enacted, That in all Streets to be hereafter made and laid out within the said Township, which shall be of greater Width than Six and not exceed the Width of Eight Yards, there shall be made and laid out on each Side of such Streets good and sufficient Footways of Three Feet Wide at the least; and in all Streets to be hereafter made and laid out within the said Township, which shall exceed the Width of Eight and not exceed the width of Ten Yards, there shall be made and laid out on each Side of such Streets good and sufficient Footways of at least the Width of Five Feet; and in all such Streets as shall exceed the Width of Ten and not exceed the Width of Twelve Yards, there shall be the like Footways on each Side of the said Streets of the Width of at least Six Feet; and in all such Streets as shall be of greater Width than Twelve Yards, there shall be the like Footways on each Side of such Streets of the Width of Seven Feet at the least.

Width of Streets how to be computed.

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

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

LXXIX. And be it further enacted, That it shall be lawful for the said Commissioners to make, flag, and pave, or flag or pave, or to repair such Foot Crossings as shall or may lead to or from the Entrance, Corner, or Termination of any one Street, Lane, Passage, or public Place, to any other Street, Lane, Passage, or public Place within the said Township, as the said Commissioners shall think proper, by and out of the Monies to be raised by virtue of this Act.

Power to place Bars across Streets under Repair.

LXXX. And be it further enacted, That it shall be lawful for the said Commissioners or their Surveyor, during such Time as any of the said Streets, Lanes, Highways, Passages, or other public Places within the said Township shall be under repair, or during the making or repairing of any Sewers or Drains therein, to cause so many Bars, Posts, Rails, and Chains, or other Obstructions, to be fixed, set up, and placed across or in any of the said Streets, Lanes, Highways, Passages, or other public Places, to prevent the passing of Carriages, Horses, and Cattle whilst such Works and Repairs are in progress, as to the said Commissioners shall seem proper; and if any Person or Persons shall throw down, break, remove, damage, or injure any of the said Bars, Posts, Rails, Chains, or other Obstructions, every Person so offending shall for every such Offence forfeit and pay the Sum of Forty Shillings.

Power to set up Posts for guarding Footways.

LXXXI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to erect and set up in such Parts of the said Streets, Lanes, Highways, Passages, and other public Places as they may think necessary, any Posts, Pillars, Stones, Rails, Bars, Chains, or any other Fence or Fences, either permanent or temporary, for the Purpose of preserving any of the Footways within the said Township clear from Annoyance by Horses, Cows, Swine, or other Cattle at Fairs and Markets, and for the Purpose of keeping off Carriages from any of the said Footways, and for the Prevention of Accidents, and also to paint, repair, and replace any such Posts, Pillars, Stones, Rails, Bars, Chains, or other Fence or Fences, from Time to Time whenever it shall appear to be requisite.

Power to make Common Sewers.

LXXXII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time, and at all Times hereafter, to cause such and so many Common Sewers, Drains, Culverts, and Watercourses, public Wells or Pumps, of such Materials, Dimensions, and Forms as they may think sufficient and necessary, to be constructed and made or continued in, along, or across any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township, and also to cause any of the Common Sewers, Drains, Culverts, and Watercourses, Wells or Pumps, which now are or hereafter shall be within the said Township, to be altered, enlarged, repaired, cleansed, or completed, as the said Commissioners shall deem proper, and also for any of the said Purposes from Time to Time to cause to be dug, carted, and carried away, or brought into the said Streets, Lanes, Highways, Passages, or other public Places, such Gravel, Stones, Bricks, and other Materials as they shall think necessary, and to cause such and so many Gutters or Openings to be made therein for carrying off and conveying the Filth, Soil, and other Waters from the Houses and Buildings already built or to be built in or adjoining to such Streets, Lanes, Highways, Passages, or other public Places, into the said Sewers, Drains, and Vaults, as the said Commissioners shall think necessary; and in case it shall be found necessary for completing any of the aforesaid Sewers, Drains, Culverts, and Watercourses, Wells and Pumps, to carry and continue the same into and through any inclosed Lands lying within the said Township, it shall be lawful for the said Commissioners to carry and continue the same into and through the same accordingly, such Lands not being occupied as Courts, Yards, Gardens, or Orchards, or as Avenues

or Approaches to any Dwelling House: Provided always, that if the Owners or Occupiers of any Lands or Grounds into or through which any Sewer, Drain, Culvert, or Watercourse, Wells or Pumps, shall be made or continued as aforesaid, shall be injured thereby, and such Owners or Occupiers shall refuse to treat or cannot agree with the said Commissioners as to the Recompence to be paid for such Injury, such Owners or Occupiers may apply to the next General or Quarter Sessions of the Peace for the said County Palatine of *Chester*, and the Justices of the Peace of such Sessions shall have Power to direct the Jury there attending for the Trial of Traverses, to assess the Recompence which ought to be paid to such Owners or Occupiers for such Injury aforesaid, and thereupon the said Justices shall order the Sum assessed by the Jury to be paid accordingly, and such Judgment shall be final to all Intents and Purposes, and the said Justices shall and may award Costs to either Party as they shall think proper; and all Expences in or about the making, enlarging, widening, altering, repairing, cleansing, or scouring such Sewers, Drains, Culverts, and Watercourses, Wells or Pumps, shall be defrayed out of the Monies to be raised by virtue of this Act.

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

LXXXIII. And be it further enacted, That it shall be lawful for the said Commissioners to empower any Person whomsoever, at any Time or Times hereafter, at his, her, or their own Expence, and upon such other Terms as they may think proper, to turn or carry any new private or Branch Drain into any Common Sewer, Drain, Culvert, or Watercourse already made, or which shall be made by virtue of this Act; but if any Person shall turn or carry any such new private or Branch Drain into any such Common Sewer, Drain, Culvert, or Watercourse, without the Consent of the said Commissioners, every Person so offending shall for every such Offence forfeit and pay the Sum of Five Pounds: Provided always, that all such private or Branch Drains so to be made as aforesaid, and communicating with any Common Sewer, Drain, Culvert, or Watercourse already made or hereafter to be made, shall be made of such Size, Construction, and Form as the said Commissioners shall direct, and under the Inspection and Direction of their said Surveyor.

Private Drains to be cleansed.

LXXXIV. And be it further enacted, That all private Drains which now are, or by Permission of the said Commissioners shall hereafter be made within any of the said Streets, Lanes, Highways, Passages, and other public Places of the said Township, and which do or shall issue into any of the public Sewers, Drains, or Vaults, shall be repaired and cleansed, under the Inspection and Direction of the Surveyor of the said Commissioners, at the Costs and Charges of the Owners or Occupiers of the Lands or Tenements to which the said private Drains do or shall respectively belong.

Course of Gutters to be turned if necessary.

LXXXV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to direct and cause the Course of any Gutter or Channel, running in, upon, or through the said Streets, Lanes, Highways, Passages, or other public Places, to be turned, tunnelled, covered, or altered, in such Manner as they shall think proper; and to direct the Grates already placed, or hereafter to be placed over any Sewer, to be removed and replaced in such Manner and at such Place or Places as

as they shall think proper, the Expences attending which to be defrayed out of the Money arising by virtue of this Act.

Commissioners or Surveyor empowered to get Materials.

LXXXVI. And be it further enacted, That the said Commissioners or their Surveyor, or such other Person or Persons as they or their Surveyor shall employ and appoint, may and are hereby authorized and empowered to search for, dig, cut, gather, take, and carry away any Stone, Gravel, Sand, or other Materials fit and proper for raising, repairing, and paving, and for covering the Pavement and pitching the Footways and Gutters, Watercourses, Drains, or Sewers of or in any of the said Streets, Lanes, Highways, Passages, and other public Places, out of or from and over the Lands and Grounds of any Person or Persons, situate, lying, and being in the said Township of *Stockport* (not being a Yard, Garden, Orchard, Park, Paddock, inclosed Avenue to a House, or Nursery for Trees), where the same may or are likely to be found and had, such Surveyor or other Person or Persons without Delay filling up the Pits and levelling the Ground, or sloping down the Banks where such Materials shall be taken, and railing or fencing off such Pits, so that the same may not remain dangerous to Passengers, Cattle, or Carriages, and also paying or tendering to the respective Owners and Occupiers of such Lands and Grounds a sufficient Compensation for the Damage or Injury done or occasioned to them by the digging, taking, and carrying away of such Materials as aforesaid; and in case any Difference shall arise touching the Insufficiency of any such Compensation, or the Amount or Extent of any such Damage or Injury, any Two Justices of the Peace for the said County Palatine of *Chester*, on Ten Days Notice thereof being given in Writing by either Party to the other, shall, in a summary Way, hear, settle, and determine the Matter in dispute between them, and the Judgment or Order of the said Justices therein shall be final and conclusive to all Parties.

Notice to be given before Materials are taken from private Lands.

LXXXVII. Provided always, and be it further enacted, That it shall not be lawful for any Surveyor, or any other Person or Persons acting under the Authority of this Act, to search for, dig, cut, gather, take, or carry away any Materials for the Purposes of this Act out of or from any inclosed Land or Ground, until Notice in Writing, signed by the Clerk to the said Commissioners, shall have been given to the Owners or Occupiers of the Lands and Premises from which such Materials are intended to be taken, or left at the House or last or usual Place of Abode of such Owners or Occupiers, to appear before any Two or more Justices of the Peace acting for the said County Palatine of *Chester*, to show Cause why such Materials shall not be had therefrom; and in case such Owner or Occupier shall attend pursuant to such Notice, but shall not show sufficient Cause to the contrary, such Justices shall, if they think proper, authorize such Surveyor or other Person to dig, get, gather, take, and carry away such Materials at such Time or Times as to such Justices shall seem proper; and if such Owner, Agent, or Occupier shall neglect or refuse to appear by himself or herself, or his or her Agent, the said Justices shall and may (upon Proof on Oath of the Service of such Notice, and which Oath they are hereby authorized to administer) make such Order therein as they shall think fit, as fully and effectually to all Intents and Purposes as if such Owner or Occupier, or his or her Agent, had attended.

LXXXVIII. And

Commissioners may erect Weighing Machines.

LXXXVIII. And be it further enacted, That it shall be lawful for the said Commissioners to provide, erect, and fix such and so many Machines for the weighing of Carriages within the said Township, and also to provide proper Machine Houses, and appoint such Persons to weigh Carriages thereat, and from Time to Time to remove such Persons, as they shall think proper; and to fix and regulate the Tolls and Fees to be paid upon the weighing of such Carriages, and to pay and allow such Salary to the Persons having the Charge of such Weighing Machine as they shall think proper, all which said Tolls and Fees shall and may, in case of Nonpayment thereof, be levied and recovered in such and the same Manner as Penalties, Fines, and Forfeitures are herein-after directed to be levied and recovered.

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

LXXXIX. And be it further enacted, That the Driver of every Waggon, Cart, or other Carriage loaded with Goods, brought into the said Township to be sold therein, shall at the Request of the Buyer or Seller thereof, or the Person on whose Behalf the same is consigned, or their respective Agents, take such Carriage, with or without the Loading, to be weighed at one of the Machines to be erected as aforesaid, if any such there shall be, for which no additional Charge shall be made unless such Waggon, Cart, or Carriage shall be required to go a greater Distance from the regular Course of the Road by which it would otherwise pass than Half a Mile, including the going to and returning from such Machine, in which case the Owners of such Waggons, Carts, or Carriages shall be allowed to make an additional Charge of Two-pence for every Horse used in drawing the same, and a further similar Charge for every additional Half Mile that any such Waggon, Cart, or Carriage shall be taken out of the direct Road, and all such additional Charge, together with the Tolls or Fees to be paid for weighing such Waggon, Cart, or Carriage, shall be paid and borne by the Person requiring the same to be weighed; and in case the Driver of any such Waggon, Cart, or Carriage shall not, upon being requested as aforesaid, take the same to such Weighing Machine, or shall refuse to assist in the weighing of the same in such Manner as the Drivers of Carts are used and accustomed to do, every Person so offending, and being thereof convicted before any One Justice of the Peace for the said County Palatine of *Chester*, shall forfeit and pay to the Person or Persons requiring such Waggon, Cart, or Carriage to be weighed, any Sum not exceeding Forty Shillings, and the Party aggrieved shall be a competent Witness for the Proof of such Offence.

Penalty on Drivers refusing to go to Weighing Machines.

Penalty on Carters or EngineKeepers committing Frauds as to the weighing of Carts, &c.

XC. And be it further enacted, That if any Owner or Driver of any Cart or Carriage conveying Coals, Hay, or other Merchandize to the Township of *Stockport*, whose Cart or Carriage shall be weighed at any Machine or Engine to be erected as aforesaid, shall, at the Time of weighing the same, knowingly have any Matter or Thing in or about such Cart or Carriage other than the proper Loading thereof, or shall alter any Ticket denoting the Weight of any such Cart or Carriage or Loading which shall be delivered at any such Engine, or shall make or use, or be privy to the making or using of any false or fraudulent Ticket respecting the Weight of any such Cart or Carriage or Loading, or shall dispose of or remove any Part of such Loading, and afterwards deliver or dispose of, or attempt to deliver or dispose of, the Residue of such Loading as being the full Loading denoted by such Ticket, or shall be guilty of any other fraudulent

fraudulent Contrivance touching the Weight of any such Cart or Carriage or Loading, or shall, after the same shall be so weighed, change the Wheels thereof, and put or place on lighter Wheels, or make any Alteration, or do any Matter or Thing to the said Cart or Carriage before the same shall be brought back to the same Engine to be again weighed without the Loading thereof; or if the Owner or Driver of any such Waggon or Cart or Carriage, which shall have been weighed with the Loading thereof as aforesaid, shall refuse or neglect to bring back the same without Alteration to be again weighed, being paid such Allowance for the same as herein-before is mentioned, if due; or if the Purchaser of any Coal, Hay, or other Goods or Merchandize, conveyed in any Cart or Carriage to the said Township, and which shall have been weighed at any such Engine, shall, after the same Cart or Carriage with the Loading thereof have been so weighed, change the Wheels thereof, or cause the same to be changed, and place or cause to be placed on heavier Wheels, or make any Alteration, or do any Matter or Thing to the said Cart or Carriage before the same shall be brought back to the Engine to be again weighed without the Loading thereof; or if the Keeper of any such Engine shall weigh any Cart or Carriage, knowing that any thing has been added to the proper Loading thereof, so as to increase the Weight of the same; or that the Wheels thereof have been changed or altered between the Time of the same and the Loading thereof being last weighed and the Time of the same coming back to be again weighed, without giving immediate Notice thereof to the Person interested therein; or if the Keeper of any such Engine shall wilfully neglect to weigh any Cart or Carriage that shall come to his Engine to be weighed, according to the Terms on which Application shall be made for that Purpose, or shall not fairly and truly weigh the same with or without the Loading thereof, as the Case may be, and deliver to the Purchaser of the Goods, Wares, or Merchandizes, or other Persons interested therein, or the Agents of such Person, on Application for that Purpose, a Ticket containing the true Weight of the said Cart or Carriage and of the Contents thereof, or shall give to the Driver of such Cart or Carriage a false Ticket, or shall knowingly assist in or connive at any Fraud committed or attempted in or concerning the weighing of any such Cart or Carriages or the Loading thereof, or any false Report or Representation of the Weight of the same; or if any other Person or Persons whosoever shall knowingly act or assist in the committing of any Fraud respecting the Weight of any such Cart or Carriage or the Loading thereof, or in any of the Offences herein-before mentioned respecting such Cart or Carriage alleged to have been weighed at any such Engine, the Person or Persons so offending, and being convicted thereof, shall for every such Offence forfeit any Sum not exceeding Five Pounds.

Names of Streets and Numbers of Houses.

XCI. And be it further enacted, That the said Commissioners shall cause to be painted or otherwise described, and placed in a conspicuous Part of some One or more House or Building at or near each End or Entrance of every Street, Lane, Highway, Passage, and other public Place within the said Township, the Name by which such Street, Lane, Highway, Passage, or public Place now is or shall be called or known, and also cause every House or Building in the said several Streets, Lanes, Highways, Passages, and public Places to be numbered with Figures, either on the Door thereof or otherwise, and in such Manner as they shall

think most proper for distinguishing the same; and if any Person or Persons shall wilfully destroy, obliterate, deface, remove, or, without the Consent of the said Commissioners for that Purpose first obtained, alter any such Name, Number, or Figures, or any Part thereof, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Numbers of Houses to be renewed.

XCII. And be it further enacted, That when any such Number shall by Accident, Decay, or otherwise, be defaced or rubbed out, the Occupier of such House or Building shall, upon Notice in Writing being given in that Behalf by the Clerk or Surveyor of the said Commissioners, cause the same to be repainted or replaced on such House or Building, or on the Door thereof, within Ten Days after such Notice; and in case of Neglect or Refusal to comply with such Order, every such Occupier shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Power to provide a public Office.

XCIII. And be it further enacted, That it shall be lawful for the said Commissioners to provide and maintain a fit and convenient public Office or Offices within the said Township for holding the Meetings and transacting the Business of the said Commissioners, and for the holding of such public Meetings, and transacting such other public Business relating to the said Township as the said Commissioners shall direct or allow to be held or transacted therein; and also to provide Watch-houses, Lock-up-houses, or other Places of Security, wherein may be lodged any Night Walkers, Felons, Malefactors, Vagrants, Disturbers of the Peace, and Beggars, within the said Township, until they can conveniently be carried before some Justice of the Peace to be examined and dealt with according to Law; and also to provide Land and Buildings fit and convenient for the Deposit of the Dirt, Dung, Ashes, and other Filth to be swept and collected under the Authority of this Act, and for the Accommodation and Deposit of all Horses, Carts, Fire Engines, Tools, Implements, and other Articles, Matters, and Things to be used and employed by or by the Direction of the Commissioners; and for any of the aforesaid Purposes to purchase or take any Lands, Messuages, or Buildings which shall be considered necessary, or otherwise to purchase or take Ground, and to cause any new Erection or Building to be made thereon, and from Time to Time to give up or sell the same, and to purchase or take any other Lands, Messuages, or Buildings for the Purposes aforesaid; and the said Commissioners are hereby authorized and empowered to take and accept any Lease or Leases, Conveyance or Conveyances of such Land, Messuages, or Buildings, for the Purposes aforesaid, and in like Manner to make any Assignment or Conveyance of any Messuage or Buildings, Lands or Ground, which they may think proper to sell; and it shall be lawful for the said Commissioners from Time to Time to make and establish such Rules, Orders, and Provisions for the Use and Management of such public Office, Watch-houses, Lock-up-houses, or other Places of Security, and for airing, warming, lighting, cleansing, and repairing the same, and for the Use and Management of any such Lands and Buildings, and to make such Allowance or Allowances to the Keeper or Keepers of the same public Office or Offices for his or their necessary Attendance and Trouble about the same, as shall from Time to Time appear expedient to the said Commissioners.

XCIV. And

Commissioners to provide Fire Engines.

XCIV. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to erect and build, maintain and repair, One or more Fire Engine House or Houses within the said Township, and from Time to Time to provide and maintain 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, for the Use of the Inhabitants of the said Township, and to pay and defray all Costs and Expences attending the same respectively out of the Money to be raised by virtue of this Act.

Directions for the Removal of Annoyances by Sign Posts, &c.

XCV. And be it further enacted, That the several and respective Occupiers of Houses and other Buildings in the several Streets, Lanes, Highways, Passages, and other public Places within the said Township, shall and they are hereby required, at their own respective Costs and Charges (within Thirty Days next after their respectively receiving Notice in Writing from the Clerk to the said Commissioners, by their Order), to cause all Signs, Sign Irons, Sign Posts, Barbers Poles, Stalls, Blocks, Bulks, Shewboards, Butchers Hooks, Spouts, Water Pipes, and other Projections, which now are or hereafter shall be fixed or set up against or in front of their respective Houses or Buildings, and which, in the Judgment of the said Commissioners, shall be considered public Annoyances or Nuisances by reason of their projecting into, encroaching upon, or otherwise annoying or endangering the public Passage along any such Streets, Lanes, Highways, or other public Places, to be taken down, removed, and carried away or altered, and to cause the Water from the Roofs, Cornices, and Penthouses of their respective Houses or Buildings to be carried down by proper and sufficient Pipes, to be fixed to and down the Sides of the same Houses or Buildings, in such Manner as shall be directed by the said Commissioners; and in case any Occupier of any House or other Building as aforesaid shall neglect or refuse to cause any such Sign Iron, Sign Post, Barber's Pole, Stall, Block, Bulk, Shewboard, Butcher's Hook, Spout, or Water Pipe or other Projections which shall be so considered an Annoyance as aforesaid, to be taken down, removed, and carried away or altered, or cause the Water to be carried down from the Roof, Cornice, or Penthouse of any such House or other Building as aforesaid, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by their Surveyor, and the Costs and Charges attending the same, having been ascertained by some Justice of the Peace of the said County Palatine of *Chester*, shall be recovered from any such Occupier in like Manner as any Penalties are by this Act authorized to be recovered, and the same shall be paid to the Treasurer of the Commissioners to be applied to the Purpose of this Act; and it shall be lawful for such Occupier, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent, and the Landlord of every such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, or Annoyance so removed or altered shall have been occasioned by such Occupier, in which Case he or she shall bear the Expence of altering or removing the same.

XCVI. And

For Removal of existing Projections.

XCVI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all or any of the Penthouses, Porches, Sheds, projecting Windows, Palisadoes, Rails, Posts, Steps, Areas, Cellar Holes, Cellar Windows, Cellar Doors, Hatchways, and all other Obstructions and Projections whatsoever not herein-before specified, which at the Time of passing this Act are erected, affixed, set up, laid down, or exist against or in front of any Houses or other Buildings in any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township, and which in the Judgment of the said Commissioners are public Annoyances or Nuisances by reason of their projecting into or encroaching upon, or otherwise annoying or endangering the public Passage along any of the said Streets, Lanes, Highways, Passages, or other public Places, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed as shall be thought proper and expedient by the said Commissioners, first causing Thirty Days Notice in Writing under the Hand of the Clerk of the said Commissioners to be given to the respective Owners and Occupiers of such Houses and Buildings of their Intention to take down, fill up, remove, alter, or reform such Obstructions or Projections respectively, and also defraying the whole Costs and Charges of executing the same.

The Removal of future Projections.

XCVII. And be it further enacted, That the several Occupiers of Houses and other Buildings situate in the several Streets, Lanes, Highways, Passages, and other public Places within the said Township, are hereby authorized and required, at their own respective Costs and Charges, within Thirty Days next after their respectively receiving Notice in Writing from the said Commissioners in that Behalf, signed by their Clerk, to cause all and every the Penthouses, Porches, Sheds, projecting Windows, Palisadoes, Rails, Posts, Steps, Cellar Windows, Cellar Doors, Hatchways, and other Obstructions and Projections whatsoever which shall in future be erected, set up, affixed, or laid down against or in front of their respective Houses or other Buildings, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances by reason of their projecting into or encroaching upon, or otherwise annoying or endangering the public Passage along any of the Streets, Lanes, Highways, or other public Places within the said Township, to be so taken down, filled up, removed, and carried away, or otherwise altered or reformed, in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such Penthouse, Porch, Shed, projecting Window, Palisado, Rail, Post, Step, Cellar Window, Cellar Door, Hatchway, or other Obstruction or Projection, to be taken down, filled up, removed, and carried away, or otherwise altered and reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done, and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace, shall and may be recovered by the Occupier of such House or Building in like Manner as any Penalties are by this Act authorized to be recovered; and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the

Amount thereof out of his or her Rent, and the Landlord of every such House or other Building is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been occasioned by such Occupier, in which Case he or she shall bear the Expence of altering or removing the same.

Cellar Windows and Grates to be secured.

XCVIII. And be it further enacted, That if any Cellar Door, Trap Door, Hatchway, or Flap Window, leading into, or giving Light or Air to, or placed over any Cellar, Vault, or Office under Ground, within the said Township, shall be left open in the Evening or in the Night, or shall not be effectually made and secured so as to prevent Accidents, or if any Grate, Grid, or other Covering placed over any Opening in the Flagging or Pavement, and used for putting Coals or other Articles into any Cellar or Place under Ground, or for any other Purpose, shall at any Hour of the Day or Night be left opened or not well and effectually fastened down and secured, and made in such Manner so as to prevent Accidents, the Occupier of such Cellar, Vault, Office, or other Place, shall for every such Offence forfeit and pay the Sum of Twenty Shillings.

Doors and Gates to be made to open inwards.

XCIX. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the said Township, are hereby respectively required, at their own Costs and Charges, within Fourteen Days next after their respectively receiving Notice in Writing from the said Commissioners, signed by their Clerk, to cause all the Doors and Gates leading into the several Houses, Buildings, Yards, Gardens, and Lands in their respective Occupations, (and not being Cellar Doors or Trap Doors,) which now do or shall hereafter open outwards, and when open do or shall project over or upon any of the Streets, Lanes, Highways, Passages, or public Places within the said Township, to be altered, so as that the same Doors or Gates shall thenceforth open inwards and into their said respective Premises; and if any such Occupier shall neglect or refuse to make the Alteration aforesaid, according to such Notice, he or she shall forfeit the Sum of Five Shillings a Day for every Day during which such Neglect or Refusal shall continue; provided nevertheless, that where any such Occupier shall cause any Door or Gate to be altered in pursuance of Notice as aforesaid, it shall be lawful for him or her, if a Tenant at Rack Rent, to deduct and retain out of his or her Rent the Charges of altering the same, and his or her Landlord is hereby required to allow the same accordingly; and it shall be lawful for the said Commissioners to allow to such Occupier or Landlord all or any Part of the Expence attending such Alteration, if the said Commissioners shall consider it expedient.

To prevent covering Houses with Thatch.

C. And be it further enacted, That no Person whomsoever shall at any Time hereafter cover any House or other Buildings within the said Town, either wholly or in part, with any Straw or Thatch, nor cause any of the Covering of any such House or Building to be renewed or repaired with Straw or Thatch, under pain of forfeiting for every such Offence the Sum of Five Pounds; and it shall be lawful for the said Commissioners to order any Straw or Thatch which shall be placed on any House or Building within the said Town, contrary to the Provision aforesaid, to be taken away at such Time and in such Manner as to them shall seem meet, and

without

without the said Commissioners, or the Persons employed by them in that Service, being deemed a Trespasser or Trespassers, or being liable to any Action, Indictment, or other Proceeding at Law for so doing.

For Removal of Slaughter Houses, &c.

CI. And be it further enacted, That if any Slaughter House, Swine Stye, Necessary House, Dunghill, or Sewer, or any Dung, Carrion, Offal, Blood, Soil, Filth, or Rubbish, or any other noisome Matter whatsoever, in or near any of the Streets, Lanes, Highways, Passages, or other Places within the said Township, shall be considered by any of the Inhabitants of the said Township as a Nuisance or Annoyance, it shall be lawful for the said Commissioners from Time to Time, upon Complaint thereof being made to them by any of such Inhabitants, to enquire into the Matter complained of, and if they shall deem the same to be a Nuisance or Annoyance, they are hereby empowered and required, by Notice in Writing under the Hand of their Clerk, to order such Nuisance or Annoyance to be abated or removed within Two Calendar Months next after such Notice given to the Person or Persons who ought to remove or abate the same, or for or on whose Behalf the same is carried on, or left at his, her, or their last or usual Place of Abode; and in case such Notice shall not be appealed against at any General or Quarter Sessions of the Peace to be holden for the said County Palatine of *Chester*, within Four Calendar Months after such Notice shall have been given as aforesaid, such Person or Persons shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall continue unremoved after the Expiration of the said Four Calendar Months from the Time of such Nuisance or Annoyance being ordered to be removed as aforesaid.

Preventing Churches, Injury to Chapels, &c.

CII. And be it further enacted, That if any Person shall injure, damage, or deface any Wall, Pillar, Door, Window, or other external Part of any Church, Chapel, public School, or other public Buildings whatsoever within the said Township, or any Railing or Inclosure thereof, or any Tomb, Monumental Stone, or Inscription in any Church or Chapel Yard or Burial Ground as aforesaid, or shall fix up any Bills or Papers (other than such Notices as may be directed by Parliament or other competent Authority) against any of the aforesaid Edifices, or any of the Walls or Doors thereof, or shall write with Chalk or any other Matter thereon, or shall play at Ball or Fives upon or against the same, or shall deposit any Filth or commit any Nuisance upon, in, about, or against any of the aforesaid Edifices, or the Walls, Doors, or Steps thereof, or in or about any such Churchyard or Burial Ground as aforesaid, he shall forfeit for every such Offence any Sum not exceeding Five Pounds.

For impounding Cattle suffered to stray.

CIII. And be it further enacted, That if any Horse, Ass, Mule, Swine, or other Beast or Cattle, shall be found straying in any of the Streets, Lanes, Highways, Passages, or other public Places within the said Township, the Owner thereof shall for every such Beast or Head of Cattle forfeit and pay the Sum of Five Shillings; and it shall be lawful for any Officer appointed by the said Commissioners to impound such Beast or Cattle in any Pound which the said Commissioners may provide, (and which they are authorized and empowered to provide and maintain within the said Township for common Use by the Inhabitants thereof,) and to detain the same therein until the said Penalty and the Expence of impounding

pounding and feeding and keeping the same in Pound shall be paid and satisfied; and if in any such Case the said Penalty and Expence shall not be paid within Three Days after such Beast or Cattle shall have been impounded, it shall be lawful for the Person appointed by the said Commissioners for that Purpose to sell the same, and the Costs and Charges of impounding, feeding, and keeping such Beast or Cattle in Pound, and of selling the same, and the said Penalty, shall be defrayed by such Sale, and the Overplus (if any) of the Monies arising by such Sale shall be paid to the Owner of the said Beast or Cattle upon Demand: Provided always, that whether such Beast or Cattle shall be impounded or not, the Owner thereof shall forfeit and pay for every Head of Cattle found straying as aforesaid the Sum of Five Shillings.

Punishing Persons guilty of Pound Breach.

CIV. And be it further enacted, That in case any Person shall release or attempt to release any Cow, Horse, Ass, Swine, or other Live Stock or Cattle which shall be impounded or seized for the Purpose of being impounded under the Authority of this Act, or shall pull down, damage, or destroy the Pound in which the same shall be impounded, or any Part thereof, or any Door, Gate, Lock, or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Cow, Horse, Ass, Swine, or other Live Stock or Cattle seized or impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, every Person so offending shall upon Conviction thereof be committed by any Justice of the Peace for the said County to the Common Gaol or House of Correction of the same County, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months.

For punishing Misbehaviour in Drivers of Carriages.

CV. And be it further enacted, That if the Driver of any Waggon, Cart, Dray, Sledge, or other such Carriage, shall ride upon any Part of such Carriage, or drive the same faster than a Walk, in any of the said Streets, Lanes, Highways, Passages, or other public Places within the said Township, or shall be at such a Distance from the same during its Passages through the said Town as not to possess the complete Command over the Horses drawing the same; or if any Person riding or driving any Horse laden with Milk Cans shall drive or ride the same furiously in any such Street, Lane, Highway, Passage, or public Place, or shall by Negligence or wilful Misbehaviour interrupt the free Passage of any Carriage or Passenger along the same; or if the Driver of any empty or unloaded Waggon, Cart, or other such Carriage, shall refuse or neglect to turn aside and make way for any Coach, Chaise, or loaded Carriage of any other Description; or if any Person shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Streets, Lanes, Highways, Passages, or other public Places, any Tree or Piece of Timber, or any Stone, otherwise than upon a Wheel Carriage, or shall suffer any Part of any Tree or Piece of Timber to drag upon any Part of the said Streets, Lanes, Highways, Passages, or other public Places, the Driver, Rider, or other Person so offending shall for every such Offence forfeit the Sum of Twenty Shillings; and every such Driver, Rider, or other Person offending in any of the said Cases shall and may by the Authority of this Act, with or without a Warrant, be apprehended by any Person who shall see such Offence committed; and it shall be lawful for the Person so apprehending

hending such Driver, Rider, or other Person, to cause him to be delivered to a Peace Officer, in order to be brought before some Justice of the Peace for the said County Palatine of *Chester*, to be dealt with according to Law; and if any such Driver, Rider, or Person in any of the Cases aforesaid shall refuse to disclose his Name, the necessary Proceeding may be had against him before such Justice for the said Penalty, by a Description of his Person and the Offence committed, without stating his Name.

For preventing Nuisances.

CVI. And be it further enacted, That if any Person or Persons shall in any of the present or future Streets, Lanes, Roads, Highways, Passages, or other public Places in the said Township, expose for Sale or sell any Horse, Ass, Pig, Sheep, Bull, Cow, or other Beast or Cattle, except in any public Market or Fair, or in such Place or Places as shall be appointed for that Purpose, or expose or show any Stallion, except in such Place or Places as shall be appointed for that Purpose, or shoe, bleed, or farry any Horse or Beast (except in Cases of Accident), or clean or dress any Horse or other Beast, or exercise any Horse or Beast, or turn loose or suffer to be at large any Horse, Ass, Sheep, Bull, Cow, Swine, Goat, or other Beast, or any Bull-dog, Mastiff, or other ferocious Dog of any other Species, not being muzzled, or permit or suffer any Dog whatsoever to go at large, after any public Notice given by the Mayor of the said Township, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness, or ride on the Shafts of any Waggon, Dray, Cart, Sledge, or other Carriage, or on any other Part of such Waggon, Dray, Cart, Sledge, or other Carriage or Part of a Carriage, or on any of the Horses, Asses, Mules, or Cattle drawing the same, without the Reins of such Horses, Asses, Mules, or Cattle being held, or be at such a Distance from the same as not to possess the complete Direction over the Horses, Asses, Mules, or Cattle drawing the same; or when driving any empty or unloaded Waggon, Cart, or other such like Carriage, shall refuse or neglect to turn the same aside, and make way for any Coach, Chaise, or loaded Carriage of any Description, or when driving any Waggon, Cart, Sledge, or other Carriage or Wheels, shall not readily and promptly turn the same out of the Road on meeting Horses and Carriages, so as to leave proper and sufficient Quarter for such Horses and Carriages; or when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, or so as to endanger the Life or Limb of any Person, or drive the same against and injure or damage any Curb Stone or Foot Pavement or Causeway, or suffer any Waggon, Cart, Dray, or other Carriage to stand or remain with or without Horses, longer than may be necessary for loading or unloading thereof, or suffer the same during such Time of loading or unloading to be placed or remain so as to interrupt the public Passage more than necessary, or suffer any Stage Coach, Diligence, Post Chaise, or other Carriage let to hire, to remain longer than may be necessary for the taking up or setting down of any Passenger or Passengers, or for loading or unloading their Baggage; or draw any Tree or Piece of Timber, Block or Blocks of Wood or Stone, Metal, or other heavy Materials (except the same be wholly in or on some Carriage); or make or repair any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or

other Carriage, (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, or which cannot conveniently be removed for that Purpose); or let off or fire any Musket, Gun, or Pistol, or other Fire-arms (except in case of Necessity for Self-defence), or make or assist in making any Bonfire, or set fire to or let off or throw any Cracker, Squib, Rocket, or other Fireworks, or play at Football, or any other Game or Games to the Annoyance of any Inhabitant or Inhabitants, or Passenger or Passengers, or wilfully break or abet or assist in wilfully breaking any Glass or Window Panes or Windows, or burn, dress, or cleanse any Cask, or hoop, or fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, bore, or cut any Timber or Stone, or throw, cast, lay, or place any Hay, Straw, Coals, Stones, Slates, Tiles, Lime, Bricks, Mortar, Timber, Boards, Iron, or other heavy Substance, (except Stones, Lime, Bricks, Mortar, Timber, or other Materials used for building, or Dirt or Rubbish thereby occasioned, which shall be placed or enclosed in manner mentioned in this Act, so as to prevent any Mischief happening to Passengers), or any Dust, Dirt, Dung, Soil, Filth, Carrion, Blood, Offal, Refuse of Garden Stuff, or any Sort of Rubbish, or throw or cast any such Matters or Things into any public or private Well, Pump, Canal, Pool, Watercourse, or Reservoir for Water, or common River or Brook, within the said Township; or hang up, place, or expose to Sale the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden Stuff, or any other Matter or Thing, in or upon, or so as to project over or upon any Footway or Carriageway, or beyond the Line of or on the Outside of the Window or Windows of the House or Shop at which the same shall be so hung up or placed or exposed to Sale, or so as to obstruct or incommode the Passage of any Person or Carriage, or kill or slaughter, or singe, scald, or dress any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any Shop or other Place adjoining and exposed to any of such Streets, Lanes, Roads, Highways, Passages, or other public Places, or cause or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughter House, Shambles, Butcher's Shop, Hog Stye, or Dunghill; or shall in any of the said Streets, Lanes, or other public Places or Passages within the said Township, sift, screen, wet, slack, or mix any Lime, or fix up any Flowerpot or Bowpot or Pots at any Window or Windows, without sufficiently guarding the same so as to prevent their being blown or thrown down, or leave open (after Sun-set) the Door, Hatchway, or Flap Window, Grate, Stone, Plate, Board, or other Covering giving Light or Air to any Cellar, Coalhole, Vault, Office, or other Underground Room or Apartment, or of any Area, without having placed or left a sufficient Light to warn or prevent Persons from falling into such Cellars or other under-ground Rooms or Apartments or Areas, or leave open or not effectually fasten and secure any Grate, Stone, Plate, Board, or other Covering placed over any Opening in any Pavement, and used for putting Coals or other Articles into any Cellar or other Place under Ground; or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or bait or cause to be baited any Bull, Bear, or other Animal in any Part of the said Township, or commit any public Nuisance or Annoyance whatever within the said Township; or run, draw, drive, or carry any Truck, Wheel, Sledge, Wheelbarrow, Bier, Handbarrow, or Carriage whatsoever upon any

any Footway or Causeway (except only for the Purpose of crossing such Footway or Causeway), or drag thereon any Timber or Log of Wood, or any Stone or Metal, or roll thereon any Cask or Tub (other than for the necessary loading or unloading thereof), into, upon, from, or out of any Cart or Carriage, or set or place thereon any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Barrel, Box, Pail, Bucket, Stool, Bench, or Stall, or erect, set up, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, or so as in any way to cause any Obstruction or Impediment in any such Footway or Causeway, or slide upon any such Footway or Causeway, or by standing loitering or remaining on any such Footway or Causeway (without some reasonable or good and sufficient Cause), or in any other Manner obstruct or incommode, hinder, or prevent the free Passage of any such Footway or Causeway, or prejudice, insult, jostle, or annoy any Person or Persons travelling, passing, or going thereon, or throw, cast, lay, or sift any Ashes (except in the Time of Frost only, and to prevent Accidents), or wilfully ride, leave, or drive on any Footway or Causeway any Horse, Mule, Ass, Swine, or other Beast or Cattle of any Kind whatsoever, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, drawing, or leading to go thereon, or tie or fasten any Horse or other Beast or Cattle to any Door, Wall, Post, Tree, or other Thing whatsoever, so as that such Horse, Beast, or Cattle can go or stand across or upon any Footway or Causeway; or shall post or distribute any indecent or obscene Handbill, Notice, or Placard within the said Township; each and every Person so offending in any of such Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing aforesaid, as the Case may be (in any of such Cases where the Person actually offending cannot be found or discovered), or the Person causing any of such Offences, Matters, or Things to be committed or done, shall for each and every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Penalties on firing Chimnies.

CVII. And be it further enacted, That if the Chimney of any House, Workshop, Outhouse, or other Building in the said Township shall be fired, the Occupier thereof shall forfeit for every such Offence any Sum not exceeding Twenty Shillings.

Prosecutions for public Nuisances.

CVIII. And be it further enacted, That it shall be lawful for the said Commissioners to direct any Prosecution to be commenced at the Assizes or Quarter Sessions for the said County, for any public Nuisance whatsoever which shall be committed or suffered within the said Township, or for any Resistance to the Execution of this Act, or of the Authority of any Person acting under the same.

Penalty on obstructing the Execution of this Act.

CIX. And be it further enacted, That if any Person shall assault or obstruct any Officer or other Person employed in the Execution of this Act, or wilfully hinder the Execution of any of the Powers or Authorities herein contained, not herein specifically provided for, every Person so offending shall forfeit a Sum not exceeding Twenty Shillings.

CX. And

Power to make Rates.

CX. And be it further enacted, That the said Commissioners shall, and they are hereby required, authorized, and empowered from Time to Time, when and so often as they shall think necessary, to make a just and equal Pound Rate upon all and every the Tenants and Occupiers of Houses, Shops, Cellars, Vaults, Workshops, Factories, Printworks, Dyeworks, Iron Liquor or other Chemical Works, Breweries, Coach Houses, Stables, Buildings, Tenements, or Hereditaments whatsoever within the said Township of *Stockport*, not exceeding in any one Year the Sum of Nine-pence in the Pound upon the actual Rent or Value thereof respectively, without the Consent of the Inhabitants at large of the said Township of *Stockport*, signified in the Manner required by Law for the Regulation of Parish Vestries, at some public Meeting convened for the Purpose of considering the Propriety of making any additional Rate, and of which Meeting Twenty-one Days Notice at the least shall be given by inserting the same Three Times in some public Newspaper printed and circulated in the said Town, or within Seven Miles thereof, and also by affixing the same on the Door of each of the public Places of Worship therein for Three successive *Sundays* previous thereto: Provided always, that the whole Rate to be made by virtue of this Act shall never in any one Year exceed the Sum of One Shilling and Sixpence in the Pound upon such Rent or Value.

Commissioners may inspect Poor Rates.

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

Rates to be paid to the Collectors.

CXII. And be it further enacted, That the Money to be so rated or assessed shall be paid to the Collector or Collectors, or other Person or Persons appointed by the said Commissioners to receive the same; and if any Person or Persons rated or assessed as aforesaid shall neglect or refuse to pay his, her, or their Proportion of any of the said Rates or Assessments respectively for the Space of Fourteen Days after personal Demand thereof, or Demand in Writing left at the usual Place of Abode of such Person or Persons, the same shall be levied and recovered on all and every such Person or Persons so neglecting or refusing, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal of any one Justice of the Peace acting for the said County Palatine of *Chester*, and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned to the Owner or Owners of the Goods and Chattels distrained and sold, after deducting all Charges attending such Distress and Sale: Provided always, that nothing herein contained shall prevent the said Commissioners from recovering any such Rate or Assessments, where the same amounts to or exceeds the Sum of Twenty Pounds, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection,

Rates recoverable by Distress.

tection, Wager of Law, nor more than One Imparlance, shall be allowed.

Recovery of Rates from Persons removing.

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

Form of Warrant.

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

'*Cheshire* to wit.
'Township of *Stockport*.

'To the Collector or Collectors of the Rates made 'by the Commissioners for lighting, cleansing, 'and watching the Town of *Stockport* in the 'County Palatine of *Chester*, and for the regu-'lating the Police thereof; and also to the Con-'stables and other Peace Officers of the said 'Township:

'WHEREAS the undersigned Persons, now or late Inhabitants, Land-'lords, Tenants, or Occupiers of Houses, Buildings, Lands, Tene-'ments, or Hereditaments, or Parts of Houses, Buildings, Lands, Tenements, 'or Hereditaments, within the Township of *Stockport* aforesaid, have been 'duly rated and assessed, under the Authority of an Act passed in the 'Seventh Year of the Reign of His Majesty King *George* the Fourth, 'intituled [*here insert the Title of this Act*], in, and there is now due from 'them respectively the several Sums of Money at their Names herein-'after respectively set down, which they have respectively refused or 'neglected to pay, as appeareth upon due Proof upon Oath to me, One 'of His Majesty's Justices of the Peace for the said County; and the 'said several Persons having been duly summoned to appear before me 'to answer the Premises, and not having shown any sufficient Cause why 'such Sums of Money should not be paid; These are therefore in His 'Majesty's Name to will and require you, or any of you, forthwith to 'levy the said several Sums herein-before mentioned by Distress and Sale 'of the respective Goods and Chattels of the Persons aforesaid, ren-'dering to them respectively the Overplus (if any) the reasonable Charges 'of such Summons, Warrants, Distresses, Sale, and Keeping being first 'deducted; and if no sufficient Distress can be had or taken, that then 'you certify the same to me, to the end that such further Proceedings

'may be had as the Law doth appertain: And I do hereby strictly charge 'and command all and singular the Constables, and other His Majesty's 'Peace Officers for the said Township, to be aiding and assisting in all 'Things relating to the Premises. Given under my Hand and Seal this 'Day of One thousand eight 'hundred and twenty

	Sum due.
'A. B. - - - -	
'C. D. - - - -	

Exemptions from Rates.

CXV. Provided always, and be it further enacted, That no Rate or Assessment shall be made in pursuance of this Act upon any Person or Persons for or in respect of his, her, or their being the Occupier or Occupiers of any Dwelling House or other Building situate in any Street or Place within the said Township which shall not be lighted under and by virtue of this Act, or upon any Person or Persons for or in respect of his, her, or their being the Occupier or Occupiers of any Dwelling House or other Building situated at a Distance exceeding Two hundred Yards from any such Street or Place which shall be so lighted; and no Rate or Assessment whatsoever shall be made in pursuance of this Act upon any Person or Persons for or in respect only of his, her, or their being the Occupier or Occupiers of any Dwelling House, Cottage, Cellar, or other such Building under the actual annual Value or Rent of Five Pounds, such annual Value or Rent to be from Time to Time settled and ascertained by the said Commissioners, either according to the Amount of Rent actually paid by such Occupier or Occupiers, or in such other Manner as the said Commissioners may determine, or upon any Person who by reason of his or her Poverty only is or shall be excused from paying any Rate made for the Relief of the Poor or for the Repairs of the Highways within the said Township; nor shall any Person be charged or rated in or by such Rate or Assessment as aforesaid for or on account of any Room, Yard, Close, Barn, Stable, or other Building used for the Purpose of Husbandry only, nor for any Arable, Meadow, or Pasture Land within the said Township, or upon any Person or Persons in respect of the Tolls of the Fairs or Markets, nor of any Charity Schools, nor of any Common Gaol or Town Hall, or the Workhouse of the said Township.

Houses let to several Families, &c.

CXVI. And be it further enacted, That any Person being a Landlord or Tenant who shall let his or her House in separate Apartments, or ready furnished, or partly so, to a Lodger or Lodgers, shall for the several Purposes of this Act be rated and assessed as the Occupier thereof.

Rates to be apportioned on Persons removing from their Houses.

CXVII. And be it further enacted, That in all Cases where any Person shall remove from or quit any House, Shop, Warehouse, Factory, or Property whatsoever which shall be rated or assessed by virtue of this Act, such Persons shall be liable to pay such Rates or Assessments in proportion to the Time for which he or she occupied the same, in like Manner as if such Person had not removed from or quitted the same; and in all Cases where any Person shall come into or occupy any such House, Shop, Warehouse, Factory, or other Property as aforesaid, out of or from which any other Person rated as aforesaid shall be removed, or which at the Time of making such Rate or Assessment was or were empty, the same shall, for and in respect of his, her, or their Occupation thereof, be liable only

only to such Rate or Assessment in proportion to the Time for which he, she, or they shall occupy the same, in the same Manner as if he, she, or they had been originally rated or assessed for such House, Shop, Warehouse, Factory, or other Property; which said respective Proportions shall, in case of Dispute, be settled and ascertained by the said Commissioners.

Amendments of Rates by Commissioners.

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

Rates may be inspected and Copies demanded.

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

Power to mortgage the Rates.

CXX. And, for the more speedy and effectually enabling the said Commissioners to execute the several Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered from Time to Time, when they shall think it expedient, to borrow and take up at Interest any Sum or Sums of Money, not exceeding in the whole the Sum of Twenty thousand Pounds, upon the Credit of the Rates and Assessments hereby authorized to be made, and by Writing under their Hands and Seals to mortgage the same Rates or Assessments, or any Part or Parts thereof, to any Person or Persons who shall advance or lend such Money, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with Interest for the same; and every such Mortgage shall be in the Words or to the Effect following; (that is to say,)

Form of Mortgage.

'BY virtue of an Act passed in the Seventh Year of the Reign of King *George* the Fourth, intituled [*here set forth the Title of this Act,*] we, whose Hands and Seals are hereunto subscribed, being of the Commissioners acting in the Execution of the said Act, in consideration of the Sum of having been on the Day of advanced and lent by upon the Credit of and for the general Purposes of the said Act, and

'paid

'paid by him or them [*as the Case may be*] to the Treasurer of the said 'Commissioners, do grant, bargain, sell, and assign unto the said ' Executors, Administrators, and Assigns, such 'Proportion of the Rates and Assessments authorized by the said Act to 'be assessed and collected as the said Sum of doth or 'shall bear to the whole Sum borrowed and to be borrowed by virtue of 'the said Act; to be had and holden from the Day of the Date of these 'Presents until the said Sum of with Interest for 'the same, by yearly Portions, after the Rate of 'per Centum per Annum, shall be fully repaid and satisfied. In witness 'whereof we have hereunto set our Hands and Seals the 'Day of in the Year of our Lord One thousand eight 'hundred and .'

And every such Mortgage shall be valid and effectual in the Law; and all such Mortgages shall be numbered, commencing with Number One, and so proceeding in arithmetical Progression ascending, whereof the common Excess or Difference shall always be one.

No Preference in Payment of Mortgages.

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

Register Book to be kept of Mortgages.

CXXII. And be it further enacted, That a Book shall be provided and kept by the Clerk to the said Commissioners, in which he shall enter and register Copies of all Mortgages made in pursuance of this Act, which Book shall be open to the Inspection of the several Mortgagees, and their respective Executors, Administrators, and Assigns, at all reasonable Times, without Fee or Reward.

Mortgages may be transferred.

CXXIII. And be it further enacted, That it shall be lawful for the several Persons entitled for the Time being to any of the said Mortgages, and their respective Executors, Administrators, or Assigns, at any Time, by Writing under their respective Hands and Seals, to assign or transfer the same to any Person or Persons, being a Subject or Subjects of this Realm; and every such Assignment or Transfer shall be in the Form or to the Effect following; (that is to say),

Form of Transfer.

'I *A. B.* being entitled to the Sum of 'by virtue of a Mortgage, Number bearing Date 'the Day of in the Year of our Lord 'under the Hands and Seals of of the Commissioners for 'executing an Act passed in the Seventh Year of the Reign of His 'Majesty King *George* the Fourth, intituled [*here set forth the Title of 'this Act*], upon the Credit of the Rates and Assessments payable by 'virtue of the said Act, do hereby in consideration of the Sum of 'to be paid by assign and transfer unto 'the said Executors, Administrators, and Assigns, all 'my Right and Interest in and to the said Principal Sum of 'thereby secured, and all Interest now due and hereafter to grow due 'thereon. In witness whereof I have hereunto set my Hand and Seal 'the

'the Day of in the Year of our Lord One thousand eight hundred and .'

Which Transfer shall, within Twenty Days after the Date thereof, be produced to the Clerk of the Commissioners, who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sum of Money thereby transferred, in the said Register Book, to be kept for entering Copies of the original Mortgages, for which Entry the said Clerk shall be paid the Sum of Two Shillings and Sixpence; and after such Entry made, but not before, every such Assignment shall entitle the Assignee or Assignees, and his, her, and their Executors, Administrators, and Assigns, to the Use and Benefit of the Monies thereby assigned and transferred. Transfer to be registered.

CXXIV. And be it further enacted, That in case the said Commissioners shall at any Time be able to borrow or take up any Sum or Sums of Money at a lower Rate of Interest than shall then happen to be payable upon any of the existing Mortgages which may have been granted by the said Commissioners, it shall be lawful for the said Commissioners from Time to Time to charge the said Rates or Assessments in manner aforesaid with any Sum or Sums of Money to be borrowed at such lower Rate, and the Interest thereof, and with such last-mentioned Sum or Sums to pay off and discharge any of the said Mortgages bearing a higher Rate of Interest, according to the Directions and Regulations herein-after prescribed for paying off Mortgages. Money may be borrowed at lower Interest to pay off existing Mortgages.

CXXV. And, for making effectual Provision for paying off the said Mortgages, be it further enacted, That when and so often as there shall be in the Hands of the said Commissioners, or of their Treasurer, the Sum of Five hundred Pounds over and above what is sufficient for executing the Purposes of this Act, the said Commissioners shall cause the several Numbers of all the Mortgages granted and then in force to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Form, and be put into a Box, and the Clerk of the said Commissioners shall, in the Presence of Seven or more of the said Commissioners, draw separately out of the said Box One of the said Numbers, and thereupon the Mortgage or Mortgages corresponding with the Number or Numbers which shall be so drawn shall be accordingly paid off by the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice signed by their Clerk to be given to the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Principal Sums to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place specified in such Notice, at the Expiration of Three Calendar Months from the Date of giving such Notice; and the Interest of the Principal Money to be paid off shall from and after the End of the said Three Calendar Months cease and be no longer paid or payable, but the Principal Money in respect of which such Notice shall be given, and all the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable on Demand. Provision for Payment of Mortgages by Ballot.

Commissioners may enter into Contracts.

CXXVI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to enter into any Contract or Contracts for the Performance of any of the Works by this Act authorized to be done, with any Person or Persons who shall be willing to undertake and engage the same, but that no such Contract shall be made for a longer Term than Three Years from the making thereof; and before any such Contract shall be entered into, Ten Days public Notice shall be given, in order that Persons willing to undertake the same may make Proposals to the said Commissioners, at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works are to be completed, together with the Penalties to be incurred in the Case of Non-performance thereof; and the same shall be signed by the said Commissioners or by their Clerk, and also by the Person or Persons contracting to perform such Works respectively; and Copies of all such Contracts shall be entered in the Book of Proceedings of the said Commissioners.

Composition for Breach of Contract.

CXXVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to compound and agree with any Person who shall have entered into any Contract with the said Commissioners, or with the Surety or Sureties of any such Person, for any Penalty or Penalties contained in any such Contract, or in any Bond or other Security for the Performance thereof, or for or on account of any Breach or Non-performance of any such Contract, Bond, or other Security, for such Sum or Sums of Money or other Recompence, and payable in such Manner as the said Commissioners shall think proper.

Commissioners exempt from personal Responsibility in Contracts, &c.

CXXVIII. And be it further enacted, That nothing in this Act, or in any Deed, Contract, Lease, or other Instrument hereby authorized to be entered into or made by the said Commissioners, shall extend to charge the Person or Persons, or the Heirs, Executors, or Administrators, or the Lands, Tenements, Goods, or Chattels of the said Commissioners, or any of them, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in any such Deed, Contract, Lease, or other Instrument contained, but the Amount of all Costs, Charges, Damages, and Expences incurred in any Suit at Law or in Equity against the said Commissioners or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such Deed, Contract, Lease, or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages, and Expences which the said Commissioners shall bear, pay, expend, or be put to, or which shall be occasioned by reason or means of any such Deed, Contract, Agreement, Lease, or other Instrument, or any Action or Suit to be brought or prosecuted thereupon, shall respectively be paid and discharged by and out of the Monies to be raised by virtue of this Act.

Application of Money raised by Authority of this Act.

CXXIX. And be it further enacted, That all the Monies to arise by or from the Rate or Assessments, and all Money which may be borrowed, and all other Monies received by virtue of this Act, and not hereby dis-

posed of, shall be paid to the said Commissioners or to their Treasurer, or such Person or Persons as they shall appoint, and shall be applied and disposed of, in the first place, in or towards paying and defraying all Expences and Charges, with lawful Interest on Monies expended, or which shall be incurred, or in any Manner incident to and attending the Application for, obtaining, and passing of this Act; in the next place, in paying and discharging the Principal Monies to be borrowed as herein mentioned, and the Interest thereof, and afterwards for and towards defraying the Charges and Expences of cleansing, lighting, watching, and regulating the Streets, Lanes, Highways, Passages, and other public Places within the Township of *Stockport* aforesaid, and of removing and preventing Nuisances, Annoyances, Obstructions, and Encroachments therein, and in paying and defraying all Expences which the said Commissioners and their Officers shall be put to in carrying this Act into complete Execution, and to and for no other Use, Intent, or Purpose whatsoever; and the Treasurer for the Time being to the Commissioners shall and is hereby authorized and required to pay and apply all such Monies as he shall respectively receive by virtue hereof to such Person or Persons, and in such Manner and at such Time and Times, as the said Commissioners shall from Time to Time direct and appoint.

Surveyors to lay Informations.

CXXX. And be it further enacted, That the Surveyor of the said Commissioners for the Time being shall and he is hereby expressly required and enjoined personally to view and inspect from Time to Time all Nuisances, Annoyances, Obstructions, and other Offences done, committed, or suffered within the said Township, contrary to any of the Provisions of this Act, and thereupon to lay an Information or Informations against the Offender or Offenders before any Justice of the Peace for the said County Palatine of *Chester*, in order that such Offender or Offenders may be dealt with according to the Powers and Provisions of this Act; and if any such Surveyor shall at any Time wilfully neglect or refuse to view and inspect from Time to Time any such Nuisances, Annoyances, Obstructions, or other Offences as aforesaid, or, after any Complaint made to him personally, to view and inspect the Matters of such Complaint, or shall neglect or refuse to lay any such Information or Informations against any Person or Persons so offending as aforesaid, the said Surveyor in every such Case shall forfeit and pay the Penalty or Sum of Five Pounds.

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

CXXXI. And be it further enacted, That where any Damages, Satisfaction, or Charges are directed or authorized to be paid or recovered for any Offence in this Act mentioned, the Amount of such Damages, Satisfaction, or Charges shall be settled and determined by the Justice of the Peace by or before whom any Offender shall be convicted; and such Justice is hereby authorized and required on Nonpayment thereof to levy such Damages, Satisfaction, or Charges, by Distress and Sale of the Offender's Goods and Chattels, and to commit him, her, or them in default of Payment, in manner by this Act directed in Cases of Nonpayment of pecuniary Penalties or Forfeitures.

In case of Nonpayment of Compensation for

CXXXII. And be it further enacted, That when and as often as any Sum or Sums of Money shall be directed or ordered to be paid by any Justice

Damages, &c. the same to be levied by Distress of the Goods of the Company or of their Treasurer.

Justice or Justices of the Peace in pursuance of this Act, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by the said Commissioners, or any Person or Persons acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same within Ten Days after Demand in Writing shall have been made from the said Commissioners in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order made by such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Commissioners, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Recovery and Application of Penalties.

CXXXIII. And be it further enacted, That all Offences whatsoever, which by virtue or under the Authority of this Act are punishable with any pecuniary Penalties, Fines, or Forfeitures, shall and may in every Case be heard, adjudged, and determined by and before any One or more Justice or Justices of the Peace for the said County Palatine of *Chester*, in a summary Way, upon Complaint made within Three Calendar Months next after the committing of such Offences respectively, and not afterwards; and upon any such Complaint as aforesaid, the said Justice or Justices shall examine into the Matter thereof, and if, upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, or being a Quaker upon his or her Affirmation, the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties hereby inflicted in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties convicted; and in case such Party or Parties shall refuse or neglect to pay the same forthwith, then the said Penalty or Penalties shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices (which he or they is and are hereby empowered and required

required to grant), be levied and recovered, together with the Costs of Conviction, to be ascertained by such Justice or Justices, by Distress and Sale of the Goods and Chattels of such Offender or Offenders wherever such Goods or Chattels can be found, rendering the Overplus of the Money arising by such Sale (if any) to the Party or Parties whose Goods or Chattels shall be so distrained; one Moiety of all such Penalties not herein directed to be otherwise applied shall be paid to the Informer, and the other Moiety to the Treasurer for the Time being of the said Commissioners, to be applied for the general Purposes of this Act, (save and except when any of the said Penalties shall be incurred by the said Commissioners, in which Cases one Moiety of the same shall be paid to the Informer, and the other Moiety to the Overseers of the Poor of the Parish or Place wherein such Offence shall be committed, to be by them applied towards the Relief of the Poor of such Parish or Place); and in case such Penalty or Penalties shall not be forthwith paid, it shall be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices for his or their Appearance or Appearances before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice, either by the Confession of the Offender or Offenders or otherwise, that the Offender or Offenders hath or have not sufficient Goods and Chattels whereon such Penalties, Forfeitures, Fines, Costs, and Charges may be levied (were a Warrant of Distress issued), such Justice shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the House of Correction for the said County Palatine of *Chester*, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

Justices may proceed by Summons in the Recovery of Penalties.

CXXXIV. And be it further enacted, That in all Cases where any Penalty or Forfeiture is recoverable under this Act before any Justice or Justices of the Peace, it shall be lawful for the said Justice or Justices to whom Complaint shall be made to summon the Party complained of before him or them, and on the Return of such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or For-

feiture incurred, and to proceed to recover the same and to commit the Offender, although no Information in Writing shall have been exhibited or taken by or before such Justice or Justices; and all Proceedings shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

Form of Conviction.

CXXXV. And, for the more easy Conviction of Offenders against this Act, be it further enacted, That a Conviction in the Form or to the Effect following shall be good, without alleging more than the Substance of the Offence; (that is to say),

'Cheshire, to wit.' BE it remembered, That on the Day of in the Year of our Lord is [*or as the Case may be*] convicted before me [*or as the Case may be*] One [*or as the Case may be*] of His Majesty's Justices of the Peace for the County of *Chester*, of having [*here state the Offence, and the Time and Place when and where the same was committed*], contrary to an Act passed in the Seventh Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act*], for which Offence I [*or* we, *as the Case may be*] do adjudge the said to have forfeited the Sum of [*here state the Amount of the Penalty, Fine, or Forfeiture for the Offence*] according to the said Act; which said Sum of [*here insert the Amount of*] is to be distributed and applied in manner following; that is to say, one Moiety thereof to the Overseers of the Poor of the Parish of for the Use of the Poor of such Parish, and the other Moiety thereof to the Use of [*here name the Informer*] according to the Provisions of the said Act. Given under my Hand and Seal [*or* our Hands and Seals, *as the Case may be*] the Day and Year first above written.'

For securing transient Offenders.

CXXXVI. And be it further enacted, That it shall be lawful for the said Commissioners, or any One of them, or for any of their Surveyors, Collectors, and other Officers, and such Person or Persons as they or any of them shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize or detain any Person or Persons, being unknown to such Commissioners or Commissioner, Surveyors, Collectors, and other Officers, who shall commit any Offence or Offences against this Act, and take him, her, or them, as soon as conveniently may be, before any Justice or Justices of the Peace for the County or Place where the Offence or Offences shall be committed, or such Offender or Offenders shall be seized and apprehended; and such Justice and Justices is and are hereby required to proceed and act, with respect to such Offender or Offenders, according to the Provisions of this Act.

Directing what shall be deemed a Service of Notice, &c. on the Commissioners.

CXXXVII. And be it further enacted, That in all Cases where it may be requisite or necessary for any Person or Party to serve any Notice, Writ, or other legal Proceedings, or Proceedings in Equity, upon the said Commissioners, the Service thereof upon any One of the said Commissioners, or upon the Clerk of the said Commissioners, or at the Office of the said Commissioners, or left at the last or usual Place of Abode of the said Clerk, or in case the same respectively shall not be found or known,

then Service upon any Officer or Servant of the said Commissioners, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Commissioners.

Witnesses may be summoned.

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

Persons paying Rates &c. may be Witnesses.

CXXXIX. And be it further enacted, That no Person whomsoever shall be disqualified from being a competent Witness, and being admitted to give Evidence in any Information, Prosecutions, Appeals, Causes, or Proceedings whatsoever, relating to the Execution of this Act, by reason of his paying or being charged with or liable to pay any of the Rates or Assessments hereby authorized to be made, or any other Rate or Assessment within the said Township, or by reason of his being an Inhabitant of the said Township, or being One of the Commissioners for putting this Act into Execution, or holding any Office under the said Commissioners.

Distress not to be avoided for Want of Form.

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

Proceedings not to be quashed, nor removed by Certiorari.

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

CXLII. And

Actions not to be brought without 30 Days Notice, or after Tender of Amends.

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

Appeal to Quarter Sessions.

CXLIII. Provided always, and be it further enacted, That any Person or Persons thinking himself, herself, or themselves aggrieved by any Rate or Assessment made in pursuance of this Act, or by the Order or Determination of any Justice or Justices of the Peace, or by any thing done in pursuance thereof, may, within Four Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at the General or Quarter Sessions of the Peace to be holden in and for the said County Palatine of *Chester*, (the Person or Persons appealing having first given at least Fourteen Days clear Notice of such Appeal, and of the Nature and Matter thereof, in Writing, to the Person or Persons appealed against, and forthwith after such Notice entering into a Recognizance before some Justice of the said County, with Two sufficient Sureties, conditioned to try such Appeal and to abide the Order and Award of the said Court thereupon); and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General or Quarter Sessions of the Peace to be holden for the said County, or if they think proper adjourn the Hearing thereof until the next General or Quarter Sessions of the Peace to be holden for the said County, and if they see cause may mitigate any Forfeitures or Fines, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Regulation, or Determination, and shall and may also award such further Satisfaction to be made to the injured Party, or such Costs to either of the Parties, as they shall judge reasonable; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

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

CXLIV. And be it further enacted, That upon all Appeals from any Rate or other Assessment made in pursuance of this Act, the Court of General or Quarter Sessions of the Peace shall, and such Court is hereby authorized and required, in all Cases when they shall see just Cause, to give Relief or amend such Rate or Assessment, either by inserting therein or striking out the Name or Names of any Person or Persons, or in any other

other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment: Provided always, that if the said Court shall be of opinion that it is necessary for the Purpose of giving Relief to the Person or Persons appealing, that the Rate or Assessment shall be wholly quashed, then the said Court may quash the same and order a new one to be made.

No Action to be brought after Three Calendar Months from the Act complained of.

CXLV. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons for any thing done in pursuance of or under the Authority of this Act after the Expiration of Three Calendar Months next after the Fact committed, and all such Actions and Suits shall be laid and tried in the County or Place where the Cause of Action shall have arisen and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Suit shall be so brought was done in pursuance and by the Authority of this Act; and if upon such Trial the said Matter or Thing shall appear to have been so done, and if such Action or Suit shall have been brought before Thirty Days Notice thereof shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or if the same shall be brought in any other County or Place than as aforesaid, then and in any of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict being given, or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action after the Defendant or Defendants shall have appeared thereto, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have Treble Costs, and shall have such and the like Remedy for recovering the same as any Defendant hath for recovering Costs of Suit as in other Cases by Law.

General Saving.

CXLVI. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to the Lady of the Manor and Barony of *Stockport* aforesaid, and to the Lord or Lady thereof for the Time being, his or her Heirs and Assigns respectively, all such Suits, Services, Courts, Privileges, Authorities, and Interests, as they or any of them had, held, or enjoyed before the passing of this Act, or could or ought to have held or enjoyed in case the same had not been passed; and nothing herein contained shall extend, or be construed to extend, to prejudice or affect, or to abridge, alter, or repeal all or any of the Powers or Authorities given by or contained in a certain Act passed in the Sixth Year of the Reign of His present Majesty, intituled *An Act for lighting with Gas the Town of* Stockport *in the County Palatine of* Chester, and also in a certain other Act passed in the said Sixth Year of the Reign of His said present Majesty, intituled *An Act for better supplying with Water the Town and Township of* Stockport *and the Township of* Brinnington, *and several other Townships adjoining thereto, in the several Counties Palatine of* Chester *and* Lancaster.

Public Act.

CXLVII. 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.

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