ANNO NONO

GEORGII IV. REGIS.

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Cap. xxviii.

An Act for explaining and amending an Act passed in the Sixth Year of His present Majesty's Reign, for watching and lighting the Townships or Vills of *Hanley* and *Shelton*, in the Parish of *Stoke-upon-Trent* in the County of *Stafford*.

[9th *May* 1828.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for watching and lighting the Townships or Vills of* Hanley *and* Shelton, *in the Parish of* Stoke-upon-Trent *in the County of* Stafford: And whereas in and by the said recited Act, it is enacted, that the officiating Minister or Ministers for the Time being of the said Townships or Vills, or either of them, His Majesty's Justices of the Peace for the Time being acting for the County of *Stafford*, the Chancellor for the Time being of the Duchy of *Lancaster*, the Steward for the Time being of the Manor of *Newcastle-under-Lyme*, and also every Person whatsoever who now is or hereafter shall be, in his own Right or in the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Lands situate within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the yearly Value of One hundred Pounds, and every other Person being an Occupier of Lands, Tenements, or Hereditaments, or an Inhabitant of, or carrying on Business, or exercising some Profession

6 G. 4. c. 73.

or Calling within the said Townships or Vills, or one of them, who now is or hereafter shall be, in his own Right or in the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the yearly Value of One hundred Pounds, or who now does or shall hereafter rent Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of One hundred Pounds, or who now is or shall hereafter be, in his own Right or in the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the yearly Value of Fifty Pounds, and who, in addition thereto, now does or shall hereafter rent Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of Fifty Pounds, or who now does or hereafter shall own and rent Messuages, Lands, Tenements, or Hereditaments as last aforesaid, in any other relative Proportion, so that there shall be in the whole a Renting and Ownership of Property as aforesaid of the Value of One hundred Pounds *per Annum*, or who now is or shall hereafter be, in his own Right or in the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the yearly Value of Fifty Pounds, and who also now does or shall hereafter occupy and retain in his own Possession the whole of the same Messuages, Lands, Tenements, or Hereditaments, shall be (and they are by the said recited Act) constituted, appointed, and declared to be Commissioners for putting and carrying the several Purposes of the said recited Act into Execution: And whereas in and by the said recited Act it is further enacted, that where Two or more Persons carrying on any Trade, Profession, or Calling in Partnership together within the said Townships or Vills, or one of them, shall as such Partners rent or be seised of any Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of One hundred Pounds, then and in that Case any one of such Partners as they shall determine shall be (and he is thereby) constituted, appointed, and declared a Commissioner for putting and carrying into Execution the several Purposes of the said recited Act; and that where Two or more Persons carrying on any Trade, Profession, or Calling in Partnership together within the said Townships or Vills, or one of them, shall as such Partners rent or be seised of any Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of Two hundred Pounds, then and in that Case any Two of such Partners as they shall determine shall be (and they are thereby) constituted, appointed, and declared Commissioners for putting and carrying into Execution the several Purposes of the said recited Act; and where Three or more Persons carrying on any Trade, Profession, or Calling in Partnership together within the said Townships or Vills,

Vills, or one of them, shall as such Partners rent or be seised of any Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of Three hundred Pounds, then and in that Case any Three of such Partners as they shall determine shall be (and they are thereby) constituted, appointed, and declared Commissioners for putting and carrying into Execution the several Purposes of the said recited Act: Provided nevertheless, that nothing in the said recited Act contained shall extend, or be deemed or be construed to extend, to qualify, authorize, or empower any Person or Persons whomsoever to act as a Commissioner in the Execution of the said recited Act, for or in respect of any Lands, Messuages, Tenements, or Hereditaments which are excluded and exempted from the Operation of the said recited Act, so long as the same shall remain and continue excluded and exempted as therein-after mentioned, although the said Lands, Messuages, Tenements, and Hereditaments are situate within the said Townships or Vills, or one of them: And it is in and by the said recited Act further enacted, that no Person (except the officiating Minister or Ministers for the Time being of the said Townships or Vills, or either of them, His Majesty's Justices of the Peace for the Time being acting for the said County of *Stafford*, the Chancellor for the Time being of the Duchy of *Lancaster*, and the Steward for the Time being acting in and for the said Manor of *Newcastle-under-Lyme*,) shall be capable of acting as a Commissioner in the Execution of the said recited Act, (except in administering the Oath or Affirmation therein-after mentioned,) until he shall have taken and subscribed, before any Five or more of the Persons qualified as aforesaid, present at any Meeting to be held by virtue of the said recited Act, an Oath or Affirmation in the Words or to the Effect first therein-after mentioned; and that an Entry or Minute shall be made in the Book of Proceedings of the Commissioners of the taking and subscribing such Oath or Affirmation, and of the Date of administering the same: And it is in and by the said recited Act further enacted, that the officiating Minister or Ministers for the Time being of the said Townships or Vills, or either of them, His Majesty's Justices of the Peace for the Time being acting for the said County of *Stafford*, the Chancellor for the Time being of the Duchy of *Lancaster* (not being a Peer of the Realm), and the Steward for the Time being of the said Manor of *Newcastle-under-Lyme*, shall not act as Commissioners or a Commissioner in any Case in the Execution of the said recited Act (except in administering the Oaths or Affirmations therein-before and therein-after mentioned), until they and he shall have taken and subscribed, before any Five or more of the Persons named or qualified as aforesaid, present at any Meeting to be held by virtue of the said recited Act, an Oath or Affirmation in the Words or to the Effect therein-after mentioned; and that an Entry or Minute shall be made in the Book of Proceedings of the Commissioners, of the taking and subscribing of such Oath or Affirmation, and of the Date of administering the same: And whereas in and by the said recited Act it is further enacted, that it shall be lawful for the said Commissioners from Time to Time to nominate and appoint a Clerk or Clerks, or Treasurer or Treasurers, or Collector or Collectors of the Rates therein-after mentioned, and such other

other Officers as the said Commissioners shall think necessary for the Execution of the said recited Act; and that the said Commissioners shall and may require and take such Security from every such Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, and other Officers so to be appointed, for the Execution of their respective Offices, as the said Commissioners shall think necessary; and that it shall be lawful for the said Commissioners from Time to Time to remove any such Officers, and to appoint another or others in the Room of any of them who shall be so removed, or who shall die, or resign such Office, or become incapable of acting therein; and also, out of the Monies to be raised as therein-after mentioned, to make and pay such Salaries or other Allowances to the said Officers respectively, and also to such other Person or Persons as shall be aiding and assisting the said Commissioners in the Execution of the said recited Act, as to the said Commissioners shall seem reasonable: And it is in and by the said recited Act further enacted, that it shall not be lawful for the said Commissioners to appoint the Person or Persons who may be appointed to act as their Clerk or Clerks, or his or their Partner or Partners, or any Person or Persons in the Service or Employ of such Clerk or Clerks, or of his or their Partner or Partners, to be the Treasurer or Treasurers for the Purposes of the said recited Act; or to appoint the Person or Persons who may be appointed Treasurer or Treasurers, or his or their Partner or Partners, or any Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, to be the Clerk or Clerks of the said Commissioners; and that if any Person or Persons shall act in both Capacities for the Purposes of the said recited Act, or if any Person or Persons, being the Partner or Partners of any such Clerk or Clerks, or being in the Service or Employ of any such Clerk or Clerks, or of his or their Partner or Partners, shall act as Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, or being in the Service or Employ of any such Treasurer or Treasurers, or of his or their Partner or Partners, shall act as Clerk or Clerks in the Execution of the said recited Act, every Person so offending shall, for every such Offence, forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered 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: And whereas in and by the said recited Act it is further enacted, that it shall and may be lawful to and for the said Commissioners, and they are thereby authorized and empowered to nominate annually some Person, being a resident Inhabitant in one of the said Townships or Vills, to be Chief Bailiff of the said Townships or Vills, who shall be sworn in a Constable of the said Townships or Vills, and one or more other Person or Persons, whether a resident Inhabitant or resident Inhabitants or otherwise, to be Head Constable or Head Constables of the said Townships or Vills, and such Number of Persons to be Assistant or Deputy Constables of the said Townships or Vills, as the said Commissioners in their Discretion shall think proper; which Chief Bailiff, Head Constable or Head Constables, and Assistant or Deputy Constables, shall be sworn in and

appointed

appointed by one or more Justice or Justices of the Peace acting for the County of *Stafford*, or by such Person or Persons as have usually heretofore sworn in and appointed the Constable or Constables for the said Townships or Vills; and such Head Constable or Head Constables, and Assistant or Deputy Constables, from Time to Time, with the Consent of such Justice or Justices, to remove and displace, and other Persons to nominate in their Stead, who shall be sworn in and appointed as aforesaid; and also that it shall be lawful for the said Commissioners, and they are thereby empowered and required, from Time to Time, when and as often as they shall think it expedient, to appoint and employ such and so many Watchmen and Night Patrols, as they shall judge expedient and necessary to be employed for the Security and Order of the said Townships or Vills; and such Watchmen and Night Patrols 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 and Night Patrols shall attend nightly within the said Townships or Vills, and how such Watchmen and Night Patrols 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 also to fix and determine what Salaries, Wages, or other Allowance shall be respectively paid or given to the said Head Constable or Head Constables, Assistant or Deputy Constables, Watchman, and Night Patrols, for their Services; and the said Commissioners are thereby empowered to make all such further Orders and Regulations from Time to Time, for the better Government and Direction of the said Head Constable or Head Constables, Assistant or Deputy Constables, Watchmen, and Night Patrols, as the Nature of their Services shall appear to them to require: And whereas in and by the said recited Act it is further enacted, that for raising Money to defray the Expences of obtaining and passing thereof, and carrying the same into Execution, it shall be lawful for the said Commissioners, and they are thereby authorized and empowered, from Time to Time, when and so often as they shall think it necessary, to make or charge or levy, or cause to be made or charged or levied, a just and equitable Pound Rate or Assessment, under the Name and by the Description of "The Public Watching and Lighting Rate," upon all and every the Persons and Person who for the Time being shall inhabit, use, or occupy any Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach Houses, Barns, Sheds, Cellars, Vaults, Counting Houses, Offices, or other Buildings or Tenements, or any Yards, Gardens, Orchards, or Wharfs, within the said Townships or Vills, and that all such Rates and Assessments shall, from Time to Time, be made upon and according to the Parochial Valuation of the said Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach Houses, Barns, Sheds, Cellars, Vaults, Counting Houses, Offices, and other Buildings and Tenements, Yards, Gardens, Orchards, and Wharfs, which shall from Time to Time be made in the Parish of *Stoke-upon-Trent*, for the Regulation of the Assessment for the Relief of the Poor: And it is in and by the said recited Act further enacted, that no Rates or Assessments whatsoever shall be made in pursuance of the said recited 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 which in the said Parochial Valuation for the Time being shall be stated to be under the annual Value of Four Pounds, nor upon any Person or Persons whomsoever for or in respect of the *North Staffordshire* Infirmary, or for or in respect of the Market House in *Hanley* aforesaid, or any Buildings, Stalls, Shambles, Bulks, Sheds, and other Conveniences which the Trustees under an Act passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, for establishing and regulating the Market, and for enlarging and improving the Market Place at *Hanley* in the County of *Stafford*, may deem necessary or convenient to be erected, put up, or used for the Purposes of the said Market, or for or in respect of the National School or the *British* School, or any Free School or Building appropriated exclusively to the gratuitous Education of the Poor, any thing therein-before contained to the contrary in anywise notwithstanding; and that such Rate as therein-before mentioned shall not exceed in any One Year Sixpence in the Pound upon such Parochial Valuation of any Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach Houses, Barns, Sheds, Cellars, Vaults, Counting Houses, Offices, and other Buildings and Tenements, Yards, Gardens, Orchards, and Wharfs, where such Valuation shall not exceed Six Pounds *per Annum*; and that such Rate shall not exceed Nine-pence in the Pound upon such Parochial Valuation of any Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach Houses, Barns, Sheds, Cellars, Vaults, Counting Houses, Offices, and other Buildings and Tenements, Yards, Gardens, Orchards, and Wharfs, where such Valuation shall not exceed Eight Pounds *per Annum*; and that any such Rate shall not in any Case exceed in the whole in any One Year One Shilling in the Pound upon such Parochial Valuation; provided further, that a Deduction or Allowance in the Proportion of Twenty-five Pounds *per Centum* shall be made or allowed in every such Rate or Assessment for, upon, or on account of every House, Shop, Warehouse, Manufactory, Mill, Lime Kiln, Brick Kiln, Slip House, Stable, Coach House, Barn, Shed, Cellar, Vault, Counting House, Office, or other Building or Tenement, or any Yard, Garden, Orchard, or Wharf within the said Townships or Vills, which shall not be situated within Three hundred Yards of any Range of public Lights or Lamps to be placed up or erected under or by virtue of the said recited Act, or the Powers therein contained; and that it shall and may be lawful for the said Commissioners, upon Application from the Owner or Owners, Occupier or Occupiers of any House, Shop, Warehouse, Manufactory, Mill, Lime Kiln, Brick Kiln, Slip House, Stable, Coach House, Barn, Shed, Cellar, Vault, Counting House, Office, or other Building or Tenement, or any Yard, Garden, Orchard, or Wharf within the said Townships or Vills, which shall not be situated within Five hundred Yards of any Range of public Lights or Lamps to be placed up or erected as aforesaid, to make a further Deduction or Abatement in the Proportion of Twenty-five Pounds *per Centum* from any Rate or Assessment to be made under or by virtue of the said recited Act, or the Powers therein contained, for, upon, or in respect of any such House, Shop, Warehouse, Manufactory, Mill, Lime Kiln, Brick Kiln, Slip House, Stable, Coach House, Barn, Shed, Cellar, Vault,

Vault, Counting House, Office, or other Building or Tenement, or any Yard, Garden, Orchard, or Wharf: And it is in and by the said recited Act further enacted, that for ascertaining the Mode in which the said Rates of Assessments are to be paid in Cases where a Change of Tenancy shall take place during the Year for which such Rates or Assessments shall be laid, that in all Cases where any Person or Persons shall have removed from or quitted any House, Building, or other Property, for or in respect of which he, she, or they shall have been rated or assessed, or was or were liable to be rated or assessed by virtue of the said recited Act, such Person or Persons shall be liable to pay a Portion of the Rates or Assessments to which such Person or Persons would have been subject or chargeable in case he, she, or they had not removed from or quitted the same; and that in all Cases where any Person or Persons shall enter into the same Occupation of any House, Building, or other Property liable to be rated by virtue of the said recited Act, out of or from which any other Person or Persons who shall have been rated or assessed for the same shall have removed, or which at the Time of making such Rates or Assessments was or were empty or unoccupied, the Person or Persons so entering into the Occupation of the same shall be liable to pay a Portion of such Rates or Assessments, in proportion to the Time during which he, she, or they shall occupy the same, in like Manner as if he, she, or they had been originally rated or assessed for such House, Building, or other Property; all which respective Portions, in case of Dispute, shall be settled and ascertained by the said Commissioners, or by any One or more of His Majesty's Justices of the Peace for the said County of *Stafford*, on the Application of any Parties interested therein: And it is in and by the said recited Act further enacted, that if any Person or Persons shall refuse or neglect to pay any Sum or Sums of Money on him, her, or them rated or assessed by virtue of the said recited Act, for any of the Purposes thereof, to the Collector or Collectors of such Rates or Assessments to be appointed by the said Commissioners for the Time being, for the Space of Ten Days after a personal Demand thereof made by such Collector or Collectors, or any of them, or a Demand in Writing made under the Hands of any such Collector, left at the last or usual Place of Abode of such Person or Persons, or on the Premises for which such Person or Persons shall be rated or assessed, or any Part thereof, then and in every such Case it shall be lawful for such Collector or Collectors, or any of them, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County of *Stafford* (which Warrant or Warrants the said Justice or Justices is and are fully authorized and required to grant upon due Proof, on Oath or Confession made before him or them, of the Demand and Nonpayment of such Rate or Assessment), with the Assistance of any Constable or other Peace Officer, to enter into any Dwelling Houses, Buildings, or Premises in the Occupation of the Person or Persons so neglecting or refusing to pay such Rate or Assessment, and then to distrain the Goods and Chattels of such Person or Persons, and the Distress so taken to impound, keep, and detain; and if the full Amount of the Monies so distressed shall not be paid within Three Days after such Distress being

being made, together with the Costs and Charges incurred about the same, then such Collector or Collectors is and are fully authorized to sell the Goods and Chattels so distrained, or such Parts thereof as will be sufficient to pay the said Rate or Assessment, together with the Costs and Charges of the said Warrant, and of making, keeping, and selling such Distress, returning the Surplus (if any) of the Money arising by such Sale to the Owner or Owners of such Goods and Chattels, on Demand; or otherwise it shall be lawful for the said Commissioners to recover any such Rate or Assessment so due and payable by virtue of the said recited Act, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed: And it is in and by the said recited Act further enacted, that if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made in pursuance thereof, such Person or Persons, having first paid such Rate or Assessment, shall or may apply for Relief in the Premises to the said Commissioners at their First or Second Meeting to be holden next after he, she, or they shall have paid the same, and the said Commissioners are thereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Order or Determination of the said Commissioners thereupon, then such Person or Persons may appeal against such Order or Determination to any One of His Majesty's Justices of the Peace for the County of *Stafford*; and if either Party shall be dissatisfied with the Decision of such Justice, then the Party so dissatisfied may appeal against such Decision to the Justices for the General Quarter Sessions of the Peace for the said County of *Stafford*, within the Time and in the Manner hereinafter directed in that Behalf: And whereas the Provisions of the said recited Act which are herein-before particularly mentioned and set forth have been found insufficient for the Purposes thereby intended, and it is expedient that the same should be repealed, and further Powers granted for more effectually carrying the said recited Act into Execution; but the same 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 so much of the said recited Act as is herein-before mentioned or recited shall be and is hereby declared to be repealed, and null and void to all Intents and Purposes whatsoever.

So much of recited Act as is herein-before mentioned repealed.

Extending the other Powers of the recited Act to this Act.

II. And be it further enacted, That the said recited Act, and all the Powers, Authorities, Orders, Rules, Regulations, Limitations, Restrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Punishments, Matters and Things therein contained (save and except such Part or Parts of the said Act as are varied, altered, or repealed) shall be deemed and taken to extend to this Act, and be in full Force with respect to all Matters and Things whatsoever, which

which may arise in the Execution of this Act, as fully and effectually, to all Intents and Purposes, as if the same were repeated and re-enacted in the Body of this Act.

Mortgages, Deeds, &c. under former Act to be valid.

III. And be it further enacted, That all Mortgages, Deeds, Agreements, Contracts, Securities, Rates, Assessments, Acts, Matters, and Things, made, entered into, executed, charged, levied, done, or transacted by, to, or with the Commissioners for executing the said recited Act, according to the Provisions of the said Act, shall remain in full Force and Effect to all Intents and Purposes whatsoever, in the same Manner as if this Act had not been passed.

Appointment and Qualification of Commissioners.

IV. And be it further enacted, That the officiating Minister or Ministers for the Time being of the said Townships or Vills, or either of them, His Majesty's Justices of the Peace for the Time being acting for the County of *Stafford*, the Chancellor for the Time being of the Duchy of *Lancaster*, the Steward for the Time being of the said Manor of *Newcastle-under-Lyme*, and also every Person whatsoever who now is or hereafter shall be, in his own Right or in the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Lands situate within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the clear yearly Value of One hundred Pounds, and every other Person being an Occupier of Lands, Tenements, or Hereditaments, or an Inhabitant of, or carrying on Business, or exercising some Profession or Calling within the said Townships or Vills, or either of them, who now is or hereafter shall be, in his own Right or in the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the yearly Value of One hundred Pounds, or who now does or shall hereafter rent Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of One hundred Pounds, or who now is or shall hereafter be, in his own Right or in the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the yearly Value of Fifty Pounds, and who, in addition thereto, now does or shall hereafter rent Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of Fifty Pounds, or who now does or hereafter shall own and rent Messuages, Lands, Tenements, or Hereditaments as last aforesaid, in any other relative Proportion, so that there shall be in the whole a Renting and Ownership of Property as aforesaid of the Value of One hundred Pounds *per Annum*, or who now is or shall hereafter be, in his own Right or in the Right of his late or present Wife, in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of an Estate of Inheritance, or for a Life or Lives, of the yearly Value of Fifty Pounds, and who also now does or shall hereafter occupy and

retain in his own Possession the whole of the same Messuages, Lands, Tenements, or Hereditaments, shall be and they are hereby constituted, appointed, and declared to be Commissioners for putting and carrying the several Purposes of this Act and of the said recited Act into Execution.

Qualification in Cases of Partnership.

V. Provided always, and be it further enacted, That where Two or more Persons carrying on any Trade, Profession, or Calling in Partnership together within the said Townships or Vills, or one of them, shall as such Partners rent or be seised of any Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of One hundred Pounds, then and in that Case any one of such Partners, as they shall determine, shall be and he is hereby constituted, appointed, and declared a Commissioner for putting and carrying into Execution the several Purposes of this Act and of the said recited Act; and that where Two or more Persons carrying on any Trade, Profession, or Calling in Partnership together within the said Townships or Vills, or one of them, shall as such Partners rent or be seised of any Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of Two hundred Pounds, then and in that Case any Two of such Partners as they shall determine shall be and they are hereby constituted, appointed, and declared Commissioners for putting and carrying into Execution the several Purposes of this Act and of the said recited Act; and where Three or more Persons carrying on any Trade, Profession, or Calling in Partnership together within the said Townships or Vills, or one of them, shall as such Partners rent or be seised of any Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of Three hundred Pounds, then and in that Case any Three of such Partners as they shall determine shall be and they are hereby constituted, appointed, and declared Commissioners for putting and carrying into Execution the several Purposes of this Act and of the said recited Act; provided nevertheless, that nothing herein contained shall extend, or be deemed or be construed to extend, to qualify, authorize, or empower any Person or Persons whomsoever to act as a Commissioner in the Execution of this Act and of the said recited Act, or either of them, for or in respect of any Lands, Messuages, Tenements, or Hereditaments which are excluded and exempted from the Operation of the said recited Act, so long as the same shall thereby remain and continue excluded and exempted, although the said Lands, Messuages, Tenements, and Hereditaments are situate within the said Townships or Vills, or one of them; and provided also, that the yearly Value or Value *per Annum* of Messuages, Lands, Tenements, or Hereditaments, by or in respect of which Persons are so as aforesaid constituted, appointed, and declared to be Commissioners for putting and carrying into Execution the several Purposes of this Act and of the said recited Act, shall hereafter be deemed and construed to mean yearly Value, or Value *per Annum*, according to the Valuation or Valuations herein-after directed to be made for regulating the Rates and Assessments to be raised and levied for the Purposes of this Act and of the said recited Act.

Commissioners (except as herein-mentioned) to take the following Oath.

VI. Provided always, and be it further enacted, That no Person (except the officiating Minister or Ministers for the Time being of the said Townships or Vills, or one of them, His Majesty's Justices of the Peace for the Time being acting for the said County of *Stafford*, the Chancellor for the Time being of the Duchy of *Lancaster*, and the Steward for the Time being acting in and for the said Manor of *Newcastle-under-Lyme*,) shall be capable of acting as a Commissioner in the Execution of this Act and of the said recited Act, or either of them, (except in administering the Oath or Affirmation herein-after mentioned,) until he shall have subscribed and taken, before any Five or more of the Persons qualified as aforesaid, present at any Meeting to be held by virtue of this Act and of the said recited Act, an Oath or Affirmation in the Words or to the Effect first herein-after mentioned; (that is to say,)

Oath.

'I *A. B.* do swear [*or being one of the People called Quakers*, do solemnly affirm,] That I am truly and *bonâ fide* in my own Right [*or* in the Right of my Wife, *late or present, as the Case may be*,] now in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the Townships or Vills of *Hanley* and *Shelton*, in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, or one of them, of an Estate of Inheritance, or for a Life or Lives, [*as the Case may be*,] of the clear yearly Value of One hundred Pounds above Reprizes; *or* that I am the Tenant of Messuages, Lands, Tenements, or Hereditaments within the Townships or Vills of *Hanley* and *Shelton*, in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, or one of them, of the yearly Value of One hundred Pounds; *or* that I am truly and *bonâ fide* in my own Right [*or* in the Right of my Wife, *late or present, as the Case may be*,] in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments within the Townships or Vills of *Hanley* and *Shelton*, in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, or one of them, of an Estate of Inheritance, or for a Life or Lives [*as the Case may be*], of the clear yearly Value of Fifty Pounds [*or other Sum of Money, as the Case may be*,] above Reprizes; and also am the Tenant of other Messuages, Lands, Tenements, or Hereditaments within the said Townships or Vills, or one of them, of the yearly Value of Fifty Pounds, [*or other Sum of Money, as the Case may be*,] making together the yearly Value of One hundred Pounds; *or* that I am truly and *bonâ fide* in my own Right [*or* in the Right of my Wife, *late or present, as the Case may be*,] in the actual Enjoyment, Possession, and Receipt of the Rent and Profits of Messuages, Lands, Tenements, or Hereditaments within the Townships or Vills of *Hanley* and *Shelton*, in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, or one of them, of an Estate of Inheritance, or for a Life or Lives, [*as the Case may be*,] of the clear yearly Value of Fifty Pounds above Reprizes; and that I do also occupy and retain in my own Possession the whole of the same Messuages, Lands, Tenements, or Hereditaments; *or* that I and my Partner or Partners [*naming him or them, as the Case may be*,] are in the actual Enjoyment, Possession, and Receipt of the Rents and Profits of Messuages, Lands,

'Tenements,

'Tenements, or Hereditaments within the Townships or Vills of 'Hanley and Shelton, in the Parish of *Stoke-upon-Trent* in the 'County of *Stafford*, or one of them, of an Estate of Inheritance, or 'for a Life or Lives, of the clear yearly Value of One hundred 'Pounds [*or* Two hundred Pounds, *or* Three hundred Pounds, *as* 'the Case may be,] above Reprizes; *or* that I and my Partner or 'Partners [*naming him or them, as the Case may be,*] are the Tenants 'of Messuages, Lands, Tenements, or Hereditaments within the 'Townships or Vills of *Hanley* and *Shelton*, in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, or one of them, of the yearly 'Value of One hundred Pounds, [*or* Two hundred Pounds, *or* Three 'hundred Pounds, *as the Case may be*]: And that I will truly and 'impartially, according to the best of my Skill and Judgment, 'execute and perform all and every the Powers and Authorities 'reposed in me as a Commissioner by virtue of an Act passed in the 'Sixth Year of the Reign of His Majesty King *George* the Fourth, 'intituled *An Act for watching and lighting the Townships or Vills of* 'Hanley *and* Shelton, *in the Parish of* Stoke-upon-Trent *in the* 'County *of* Stafford; and of a certain other Act passed in the Ninth 'Year of the Reign of His said Majesty King *George* the Fourth, 'intituled *An Act for explaining and amending an Act passed in the* 'Sixth Year of His present Majesty's Reign, *for watching and lighting* 'the Townships or Vills *of* Hanley *and* Shelton, *in the Parish of* Stoke-upon-Trent *in the County of* Stafford. So help me GOD.'

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

And an Entry or Minute shall be made in the Book of Proceedings of the Commissioners, of the subscribing and taking such Oath and Affirmation, and of the Date of administering the same.

Ministers, &c. take the following Oath.

VII. Provided always, and be it further enacted, That the officiating Minister or Ministers for the Time being of the said Townships or Vills, or either of them, His Majesty's Justices of the Peace for the Time being acting for the said County of *Stafford*, the Chancellor for the Time being of the Duchy of *Lancaster* (not being a Peer of the Realm), and the Steward for the Time being of the said Manor of *Newcastle-under-Lyme*, shall not act as Commissioners or a Commissioner in any Case in the Execution of this Act and of the said recited Act, or either of them, (except in administering the Oaths or Affirmations herein-before and herein-after mentioned,) until they and he shall have subscribed and taken, before any Five or more of the Persons named or qualified as aforesaid, present at any Meeting to be held by virtue of this Act and of the said recited Act, an Oath or Affirmation in the Words or to the Effect following; (that is to say,)

Oath.

'I *A. B.* do swear [*or being one of the People called Quakers,* do 'solemnly affirm], That I will truly and impartially, according to 'the best of my Skill and Judgment, execute and perform all and 'every the Powers and Authorities reposed in me by virtue of an 'Act passed in the Sixth Year of the Reign of His Majesty King 'George the Fourth, intituled *An Act for watching and lighting* 'the Townships or Vills *of* Hanley *and* Shelton, *in the Parish of* Stoke-upon-Trent *in the County of* Stafford; and of a certain other Act

'passed

'passed in the Ninth Year of the Reign of His said Majesty King *George* 'the Fourth, intituled *An Act for explaining and amending an Act* 'passed in the Sixth Year of His present Majesty's Reign, for watch- 'ing and lighting the Townships or Vills of Hanley and Shelton, in 'the Parish of Stoke-upon-Trent in the County of Stafford.

'So help me GOD.'

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

And an Entry or Minute shall be made in the Book of Proceedings of the Commissioners, of the subscribing and taking of such Oath or Affirmation, and of the Date of administering the same.

Commissioners to appoint and remove Officers.

VIII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to nominate and appoint a Clerk or Clerks, a Treasurer or Treasurers, a Collector or Collectors of the Rates herein-after mentioned, and such other Officers as the said Commissioners shall think necessary for the Execution of this Act and of the said recited Act; and that all such Nominations and Appointment shall, in Cases where Two or more Candidates are proposed, be determined by Ballot; and that One Ballot shall be final and conclusive; and the said Commissioners shall and may require and take such Security from every such Clerk or Clerks, Treasurer or Treasurers, Collector or Collectors, and other Officers so to be appointed for the Execution of their respective Offices, as the said Commissioners shall think necessary; and it shall be lawful for the said Commissioners from Time to Time to remove any such Officers, and to appoint another or others in the Room of any of them who shall be so removed, or who shall die or resign such Office, or become incapable of acting therein; and also, out of the Monies to be raised as herein-after mentioned, to make and pay such Salaries or other Allowances to the said Officers respectively, and also to such other Person or Persons as shall be aiding and assisting the said Commissioners in the Execution of this Act, as to the said Commissioners shall seem reasonable.

Treasurer and Clerk not to be the same Person.

IX. And be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint any Person who has been or may be appointed their Clerk in the Execution of this Act and of the said recited 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 such Acts, or to continue or appoint any Person who has been or 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 for the Purposes of this Act and of the said recited Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of such Acts, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall accept the Office of Clerk in the

Execution of this Act and of the said recited Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance, shall be allowed.

Power to appoint a Chief Bailiff, Head Constable, &c.

X. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to nominate annually some Person, being a resident Inhabitant in one of the said Townships or Vills, to be Chief Bailiff of the said Townships or Vills, who shall be sworn in a Constable of the said Townships or Vills; and it shall and may be lawful to and for such Chief Bailiff, and he is hereby authorized to convene, and also to preside at (if present), all public Meetings of the Inhabitants of the said Townships or Vills, or either of them, and also to preside (if present) at all Meetings of the Commissioners to be held under the Authority of this Act and of the said recited Act, or either of them, and likewise, in the Interval between one such last-mentioned Meeting and another, to give such Directions to the Clerk or Clerks, Collector or Collectors, Head Constable, and Assistant or Deputy Constables, Watchmen, and Night Patrol, and all other Officers whatsoever, nominated and appointed, or to be nominated and appointed, for the Purposes of this Act and of the said recited Act, as to the said Chief Bailiff shall seem needful or expedient, in order to give full Effect to the Intent and Meaning of the same Acts respectively; and it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to nominate annually One or more other Person or Persons, whether a resident Inhabitant or resident Inhabitants or otherwise, to be Head Constable or Head Constables of the said Townships or Vills, and such Number of Persons to be Assistant or Deputy Constables of the said Townships or Vills, as the said Commissioners in their Discretion shall think proper; and the said Chief Bailiff, Head Constable or Head Constables, and Assistant or Deputy Constables, shall be sworn in and appointed by One or more Justice or Justices of the Peace acting for the County of *Stafford*, or by such Person or Persons as is or are authorized or empowered to swear in and appoint the Constable or Constables for the said Townships or Vills; and which said Head Constable or Head Constables, and Assistant or Deputy Constables, it shall and may be lawful to and for the said Commissioners, from Time to Time, with the Consent of any Justice or Justices of the Peace acting for the County of *Stafford*, to remove and displace, and other Persons to nominate in their Stead, who shall be sworn in and appointed as aforesaid; and also that it shall and may be lawful to and 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 appoint and employ such and so many Watchmen and Night Patrols as they shall judge

expedient and necessary to be employed for the Security and good Order of the said Townships or Vills, and such Watchmen and Night Patrols 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 and Night Patrols shall attend nightly or otherwise within the said Townships or Vills, and how such Watchmen and Night Patrols shall be armed, and at what Stations they shall be placed, and for what Number of Hours they shall watch, and how often they shall go their Rounds, and also to fix and determine what Salaries, Wages, or other Allowance shall be respectively paid or given to the said Head Constable or Head Constables, Assistant or Deputy Constables, Watchmen, and Night Patrols, for their Services; and the said Commissioners are hereby empowered to make all such further Orders and Regulations, from Time to Time, for the better Government and Direction of the said Head Constable or Head Constables, Assistant or Deputy Constables, Watchmen and Night Patrols, as the Nature of their Services shall appear to the said Commissioners to require.

Commissioners may levy a Rate for the Purposes of this Act.

XI. And for raising Money to defray the Expences of obtaining and passing this Act, and carrying the same and the said recited Act into Execution, 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 and so often as they shall think it necessary, to make or charge or levy, or cause to be made or charged or levied, a just and equitable Pound Rate or Assessment, under the Name and by the Description of "The Public Watching and Lighting Rate," upon all and every the Persons and Person who for the Time being shall inhabit, use, or occupy any Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach Houses, Barns, Sheds, Cellars, Vaults, Counting Houses, Offices, or other Buildings or Tenements, or any Yards, Gardens, Orchards, or Wharfs within the said Townships or Vills; and all such Rates and Assessments shall from Time to Time be made prospectively, and not retrospectively, upon and according to a Valuation or Valuations of all and every the Buildings and Lands within the said Townships or Vills, and each of them, to be from Time to Time made by some competent Person or Persons nominated and appointed for the Purpose by the Commissioners at their annual or other Meeting, and which Nomination and Appointment they are hereby authorized to make accordingly; but the said Valuation or Valuations shall in no Case exceed the Rack Rent of the Property valued, nor shall such Valuation or Valuations be hereafter used or referred to for any other Purpose, or taken as a Criterion of Value, or as Evidence of Value, for any other Object than for the Purposes and Objects of the said recited Act and of this Act, for which alone the same is and are intended and hereby directed to be made; and the First Rate or Assessment to be founded upon such last-mentioned Valuation or Valuations shall be made, charged, and levied as soon as conveniently may be after such Valuation or Valuations shall have been made and delivered in to the Commissioners at some one of their Meetings, (either General or Special;) under the Hand or respective Hands of the Person or Persons who shall or may be so as

aforesaid

aforesaid nominated and appointed to make the same, and which Person or Persons shall, upon their Nomination and Appointment, or as soon afterwards as convenient, subscribe and take, before some Five or more of the Commissioners present at any Meeting to be held by virtue of this Act and of the said recited Act, an Oath or Affirmation to make such Valuation or Valuations as aforesaid faithfully and impartially, according to the best of his and their Skill and Judgment; and an Entry or Minute shall be made in the Book of Proceedings of the Commissioners, of the subscribing and taking such Oath or Affirmation, and of the Date of taking the same.

How Premises are to be rated.

XII. Provided always, and be it further enacted, That no Rates or Assessments whatsoever shall be made in pursuance of this Act and of the said recited Act or either of them, upon any Person or Persons, for or in respect only of his, her, or their being the Occupier or Occupiers of any Dwelling House which in the aforesaid Valuation or Valuations for the Time being shall be stated to be under the annual Value of Four Pounds, nor upon any Person or Persons whomsoever for or in respect of the *North Staffordshire* Infirmary, or for or in respect of the Market House in *Hanley* aforesaid, or any Buildings, Stalls, Shambles, Bulks, Sheds, and other Conveniences which the Trustees under an Act passed in the Fifty-third Year of the Reign of His late Majesty King *George* the Third, for establishing and regulating the Market, and for enlarging and improving the Market Place at *Hanley* in the County of *Stafford*, may deem necessary or convenient to be erected, put up, or used for the Purposes of the said Market, or for or in respect of the National School, or the *British* School, or any Free School or Building appropriated exclusively to the gratuitous Education of the Poor, any thing herein-before contained to the contrary in anywise notwithstanding; and no such Rate or Assessment as herein-before mentioned shall exceed in any One Year Sixpence in the Pound upon the aforesaid Valuation or Valuations of any Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach Houses, Barns, Sheds, Cellars, Vaults, Counting Houses, Offices, and other Buildings and Tenements, Yards, Gardens, Orchards, and Wharfs where such Valuation or Valuations shall not exceed Six Pounds *per Annum*; nor shall any such Rate or Assessment exceed in any One Year Nine-pence in the Pound upon the aforesaid Valuation or Valuations of any Houses, Shops, Warehouses, Manufactories, Mills, Lime Kilns, Brick Kilns, Slip Houses, Stables, Coach Houses, Barns, Sheds, Cellars, Vaults, Counting Houses, Offices, and other Buildings and Tenements, Yards, Gardens, Orchards, and Wharfs, where such Valuation or Valuations shall not exceed Eight Pounds *per Annum*; and no such Rate or Assessment shall, in any other Case, exceed in the whole in any One Year One Shilling in the Pound upon the aforesaid Valuation or Valuations; provided further, that to constitute any or either of the aforesaid rateable annual Values, upon which any such Rate or Assessment shall or may be made, charged, or levied, Two or more Descriptions of rateable Properties shall and may (if occupied by the same Person or Persons) be added together, whether the same Properties belong to or be held under the same Landlord or Landlords or not, and nothwithstanding the same added Descriptions, of Properties,

perties, if taken separately, would not constitute the said rateable annual Values herein-before mentioned or either of them; and provided also, that a Deduction or Allowance in the Proportion of Twenty-five Pounds *per Centum* shall be made or allowed in every such Rate or Assessment, for, upon, or on account of every House, Shop, Warehouse, Manufactory, Mill, Lime Kiln, Brick Kiln, Slip House, Stable, Coach House, Barn, Shed, Cellar, Vault, Counting House, Office, or other Building or Tenement, or any Yard, Garden, Orchard, or Wharf within the said Townships or Vills, which shall not be situated (from the nearest Point, and measuring in the nearest Direction,) within Three hundred Yards of any public Light or Lamp to be placed up or erected under or by virtue of this Act and of the said recited Act, or the Powers therein respectively contained; and it shall and may be lawful for the said Commissioners, upon Application from the Owner or Owners, Occupier or Occupiers of any House, Shop, Warehouse, Manufactory, Mill, Lime Kiln, Brick Kiln, Slip House, Stable, Coach House, Barn, Shed, Cellar, Vault, Counting House, Office, or other Building or Tenement, or any Yard, Garden, Orchard, or Wharf within the said Townships or Vills, which shall not be situated (from the nearest Point, and measuring in the nearest Direction,) within Five hundred Yards of any public Light or Lamp to be placed up or erected as aforesaid, to make a further Deduction or Abatement in the Proportion of Twenty-five Pounds *per Centum* from any Rate or Assessment to be made under or by virtue of this Act and of the said recited Acts, or the Powers therein respectively contained, for, upon, or in respect of any such House, Shop, Warehouse, Manufactory, Mill, Lime Kiln, Brick Kiln, Slip House, Stable, Coach House, Barn, Shed, Cellar, Vault, Counting House, Office, or other Building or Tenement, or any Yard, Garden, Orchard, or Wharf.

Apportionment of Rates.

XIII. And for ascertaining the Mode in which the said Rates or Assessments are to be paid, in Cases where a Change of Tenancy shall take place during the Year or other Period for which such Rates or Assessments shall be laid, be it further enacted, That in all Cases where any Person or Persons shall have removed from or quitted any House, Building, or other Property for or in respect of which he, she, or they shall have been rated or assessed, or was or were liable to be rated or assessed, by virtue of this Act and of the said recited Act, or either of them, such Person or Persons shall pay a Portion of the Rates or Assessments according to the Duration of his, her, or their actual Occupation; and in all Cases where any Person or Persons shall enter into the Occupation of any House, Building, or other Property rated or liable to be rated by virtue of this Act and of the said recited Act, or either of them, out of or from which any other Person or Persons who shall have been rated or assessed, or liable to be rated or assessed for the same, shall have removed, or which at the Time of making such Rates or Assessments was or were empty or unoccupied, the Person or Persons so entering into the Occupation of the same shall be liable to pay a Portion of such Rates or Assessments according to the Duration of his, her, or their actual Occupation, in like Manner as if he, she, or they had been originally rated or assessed for such House, Building, or other Property; all which respective Portions, in case of Dispute, shall be settled and ascertained by the

said Commissioners, or by any One or more of His Majesty's Justices of the Peace for the said County of *Stafford*, on the Application of any Party interested therein.

Power to compel Payment of Rates.

XIV. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay any Sum or Sums of Money on him, her, or them rated or assessed by virtue of this Act and of the said recited Act, or either of them, or for which he, she, or they was or were liable to be rated or assessed for any of the Purposes thereof respectively, to the Collector or Collectors of such Rates or Assessments, appointed by the said Commissioners for the Time being, for the Space of Ten Days (exclusive) after a personal Demand thereof made by such Collector or Collectors, or any of them, or after a Demand in Writing, under the Hand of any such Collector, delivered or left at the last or usual Place of Abode of such Person or Persons, or on the Premises for which such Person or Persons shall be rated or assessed, or was or were liable to be rated or assessed, or any Part thereof, then and in every such Case it shall be lawful for such Collector or Collectors, or any of them, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said County of *Stafford* (which Warrant or Warrants the said Justice or Justices is and are hereby fully authorized and required to grant, upon due Proof, on Oath or Confession made before him or them, on Demand and Nonpayment of such Rate or Assessment), with the Assistance of any Constable or other Peace Officer, to enter into any Dwelling Houses, Buildings, or Premises in the Occupation of the Person or Persons so neglecting or refusing to pay such Rate or Assessment (whether actually made or liable to have been made), and then to distrain the Goods and Chattels of such Person or Persons, and the Distress so taken to impound, keep, and detain; and if the full Amount of the Monies so distressed shall not be paid within Three Days (exclusive) after such Distress being made, together with the Costs and Charges incurred about the same, then such Collector or Collectors is and are fully authorized, on the Fourth Day (exclusive) after such Distress made, to sell, either by public Auction or otherwise, the Goods and Chattels so distrained, or such Parts thereof as will be sufficient to pay the said Rate or Assessment so actually made or liable to have been made, together with the Costs and Charges of the said Warrant, and of the making, keeping, and selling such Distress, returning the Overplus (if any) of the Money arising by such Sale to the Owner or Owners of such Goods and Chattels, on Demand; or otherwise it shall be lawful for the said Commissioners to recover any such Rate or Assessment so due and payable by virtue of this Act and of the said recited Act, or either of them, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Persons aggrieved may appeal.

XV. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made or liable to be made in pursuance of this Act or of the said recited Act, or either of them, such Person or Persons, having first paid such Rate or Assessment, shall or may apply

apply for Relief in the Premises to the said Commissioners, at their First or Second Meeting to be holden next after he, she, or they shall have paid the same; and the said Commissioners are hereby authorized and empowered, if they shall think such Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Order or Determination of the said Commissioners thereupon, then such Person or Persons may appeal against such Order or Determination to the Justices for the General Quarter Sessions of the Peace for the said County of *Stafford*, within the Time and in the Manner directed by the said recited Act in that Behalf.

Relief from Rates may be given in certain Cases of Poverty or Illness.

XVI. And be it further enacted, That in all Cases of Poverty or Illness, where it shall be made appear satisfactorily to the Commissioners present at a Special Meeting to be convened for the Purpose, by the Testimony of any Two or more of the said Commissioners, then and there to be personally given, that any Party or Parties whose Rate or Assessment shall not exceed the Sum of Five Shillings *per Annum* (or after that Rate) is or are unable, from real Poverty or Illness, to pay his, her, or their Rate or Assessment for the Time being, it shall and may be lawful for the said Commissioners, at the same or any subsequent Meeting, whether General or Special, to order and direct that such Party or Parties be released and exonerated from his, her, or their Liability to pay his, her, or their said Rate or Assessment, or any Part or Parts thereof, or otherwise to give to him, her, or them (by an Entry to that Effect in the recorded Proceedings of the Day) Time for the Payment thereof or of any Part thereof, as to the said Commissioners shall seem fit and proper; and when additional Time shall in any Case be given, in pursuance of the Power and Authority hereby granted, all and every the Powers and Authorities given and granted in and by the said recited Act and this Act, or either of them, for compelling and enforcing Payment of the Rates and Assessments in arrear, shall be in full Force, and put in Execution at the Expiration of the enlarged Time given, in the same Manner, to all Intents and Purposes, as if such enlarged Time had never been so given.

For preventing various Nuisances, Annoyances, and Obstructions.

XVII. And be it further enacted, That if any Person or Persons shall, upon any of the Footways or Foot Pavements within the Limits of the said Townships or Vills of *Hanley* and *Shelton*, or either of them, run, draw, drive, or carry thereon any Truck, Wheel Sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever, or roll any Cask or Tub, other than for the necessary loading or unloading thereof, unto, upon, from, or out of any Carriage or Cart; or wilfully ride, lead, or drive any Horse or other Beast or Cattle whatever, on any of the said Footways or Foot Pavements, or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading, to go thereon; or shall tie or fasten any Horse or other Cattle to any House, Wall, Fence, Post, Tree, or other Thing whatsoever, across any of the said Footways or Foot Pavements; or set any Cask, Tub, Pail, Bucket, Stool, Bench, or Stall on or in the said Footways or Foot Pavements; or erect, set up, put, or place any Blind, Shade, Coverlid, or Awning, or any other Matter

Matter or Thing, so as in any way to cause any Obstruction or Impediment in the said Footways or on the said Foot Pavements; or shall in any Streets, Lanes, public Passages or Places within the Limits of the said Townships or Vills, or either of them, hoop, fire, cleanse, wash, or scald any Cask or Tub; or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or make or repair, or wash or clean any Coach, Chaise, Waggon, Sledge, or other Carriage, or the Wheel, Body, Springs, or other Part of any Coach, Chaise, Waggon, Sledge, or other Carriage, (except such as may want immediate Repair from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or wet, slack, or mix any Lime, or wet, mix, or make any Mortar; or shoe, bleed, or farry any Horse or other Beast (unless in case of sudden Accident); or clean, dress, drive, or turn loose any Horse or other Beast or Cattle; or show or expose any Stallion or Stone Horse (except only in such Place as the said Commissioners shall direct); or show or exercise, or expose to Sale any Horse or other Beast; or kill or slaughter, or scald, singe, dress, or cut up any Animal, either wholly or in part; or cause or permit any Blood to run from any Slaughter House, Butcher's Shop, or Shamble, into any of the said Streets, Lanes, public Passages or Places; or leave open after Sun-set the Door or Window of any Cellar or other underground Room or Apartment in any of the said Streets, Lanes, public Passages or Places, without having placed or left a sufficient Light therein to warn and prevent Persons passing from falling into such Cellar or other underground Rooms or Apartments; or shall at any Time leave the Lids, Flaps, Coverings, or Gratings of any Coal Cellar or Vault, in any of the said Streets, Lanes, public Passages or Places, not properly fastened or secured; or bait or cause to be baited any Bull or other Animal; 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 play at Football or at any other Game, to the Annoyance of any Passenger or Passengers, in any of the said Streets, Lanes, public Passages or Places; or shall wilfully break, aid or abet or assist in wilfully breaking, in any of the said Streets, Lanes, public Passages or Places, any Glass or Window Panes or Windows in or belonging to any Dwelling House or Building; or cause or make or assist in making any Bonfire, or wantonly discharge or fire any Gun, Pistol, Blunderbuss, or other Fire Arms, or let off, set fire to, or throw any Cracker, Squib, Rocket, or other Fire Work; or shall exhibit or play any Show, Interlude, Farce, Mountebank Stage, or such like Entertainment, for Hire or in the Expectation of Money, without the Consent of the Chief Bailiff for the Time being; or shall write with Chalk, Ink, or otherwise, any obscene or indecent Words or Figures, or paste or affix any written or printed Handbills of an obscene or indecent Nature, upon any of the Walls within the said Townships or Vills, or either of them; or shall occasion any other Kind of Obstruction or Annoyance in or upon any of the said Streets, Lanes, public Passages or Places; or shall obstruct or incommode, hinder or prevent, the free Passage of any of the said Footways or Causeways, or prejudice or annoy in any Manner whatsoever any Person or Persons travelling, passing, and going thereon; then and in every such Case every Person so offending shall forfeit and pay for every

every such Offence any Sum not exceeding Five Pounds; and it shall and may be lawful to and for any Constable or other Peace Officer, or any One of the said Commissioners, or any Officer or other Person acting by or under their Authority, by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Justice or Justices of the Peace for the said County of *Stafford*, in order to his, her, or their Conviction of such Offence: Provided nevertheless, that nothing herein contained shall extend or be construed to extend so as to prevent or hinder any Person or Persons from selling or exposing to Sale any Horse, Beast, Cattle, Sheep, or Swine, or placing any Stall, Booth, Stool, Bench, or Form, for the Sale of Goods or Wares, or from exposing to Sale any Meat, Poultry, Vegetables, Fruit, or any other Matter or Thing, under the Authority of the Trustees appointed by or by virtue of the Act herein-before mentioned, for establishing and regulating the Market, and for enlarging and improving the Market Place at *Hanley* aforesaid.

Obstructions, &c. not to be left in the Streets.

XVIII. And be it further enacted, That if any Waggon, Cart, Dray, or other Carriage shall be left to stand or remain in or upon any of the Streets, Lanes, public Passages or Places within the Limits of the said Townships or Vills of *Hanley* and *Shelton*, or either of them, with or without Horses or other Cattle, for any Time longer than shall be necessary for unloading or loading thereof, (except on Market Days or Fair Days); or if any Timber, Bricks, Lime, Stone, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares, or Merchandizes, or other Materials or Things whatsoever, shall be laid or placed, or left to remain in or upon any of the said Streets, Lanes, public Passages or Places, for any longer Time than shall be necessary for moving or housing the same; or if any Glass, Earthenware, Ashes (save and except Ashes or other Matter for the Purpose of preventing Passengers from slipping in the Time of Frost), Rubbish, Dust, Dirt, Dung, Filth, Water, or any other Nuisance or Annoyance whatsoever, shall be wilfully thrown or cast into or laid in or upon any of the said Streets, Lanes, public Passages or Places; then and in every such Case the Owner or Driver of every such Waggon, Cart, Dray, or other Carriage, and the Owner of any such Timber, Bricks, Lime, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares, or Merchandize, Materials or other Things, and the Person or Persons who shall wilfully throw, cast, or lay, or cause to be thrown, cast, or laid, or from whose Dwelling House shall be wilfully thrown, cast, or laid, any such Glass, Earthenware, Ashes (save and except as aforesaid), Rubbish, Dust, Dirt, Dung, Filth, Water, or any other Nuisance or Annoyance, into or upon any of the said Streets, Lanes, public Passages or Places, shall, for each and every such Offence aforesaid, forfeit and pay any Sum not exceeding Forty Shillings; provided nevertheless, that no Person shall be subject to any Penalty by virtue of this Act, for or on account of any Building Materials, Rubbish, or Dirt being in or upon any of the said Streets, Lanes, public Passages or Places, before the House or Tenement of such Person, occasioned by the building or pulling down, rebuilding or repairing of such House or Tenement, so as there

be convenient Room left for Carriages to pass, and a sufficient Way kept clear for Foot Passengers, by the Person laying or occasioning such Building Materials, Rubbish, and Dirt, causing the same to be removed out of the said Lanes, Streets, public Passages or Places, within a reasonable Time after such building, pulling down, or repairing shall be finished, or upon Notice to be given to him or her, or left at such House or Tenement, for such Purpose, in Writing signed by the Clerk to the said Commissioners.

Drivers of Carriages punishable for Misbehaviour.

XIX. And be it further enacted, That if any Driver of any Cart, Car, Dray, or Waggon, shall ride upon any such Carriage in any of the said Streets, Lanes, public Passages or Places within the Limits of the said Townships or Vills of *Hanley* and *Shelton*, or either of them, not having some other Person on Foot or on Horseback to guide the same (such Carriages as are usually conducted by some Person holding the Rein of the Horse or Horses drawing the same excepted); or if the Driver of any Stage Coach or other Carriage whatsoever shall, in any of the said Streets, Lanes, public Passages or Places, by Negligence or wilful Misbehaviour, cause any Hurt or Damage to any Person or Animal or Carriage passing, or shall wilfully be at such Distance from such Carriage or Coach, whilst it shall be passing in any of the said Streets, Lanes, public Passages or Places, that he cannot have the Direction and Government of the Horse or Horses or other Cattle drawing the same, or shall, by being on the wrong Side of his own Coach or Carriage, or by any other Negligence or wilful Misbehaviour, prevent, hinder, or interrupt the free Passage of any of His Majesty's Subjects in any of the said Streets, Lanes, public Passages or Places; or if the Driver of any empty or unloaded Waggon, Cart, or other Carriage, shall refuse or neglect to turn aside and make way for any Coach, Chariot, Chaise, loaded Waggon, Cart, or other loaded Carriage whatsoever; then and in every such Case every such Driver so offending, and being convicted of any such Offence, either by his own Confession, the View of a Justice of the Peace, or by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace for the said County of *Stafford*, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, in case the Driver shall not be the Owner of the said Coach or other Carriage, and in case such Driver be the Owner of such Coach or other Carriage, then any Sum not exceeding Forty Shillings; and every such Driver offending in any of the said Cases shall and may, by the Authority of this Act, with or without any Warrant, be apprehended by any Person or Persons who shall see such Offence committed, and it shall and may be lawful to and for the Person or Persons so apprehending such Driver to convey such Driver, or cause him to be conveyed or delivered to a Constable or other Peace Officer, in order to be conveyed before some Justice of the Peace for the said County, to be dealt with according to Law; and if such Driver in any of the Cases aforesaid shall refuse to disclose his Name, it shall and may be lawful to and for the Justice of the Peace before whom he shall be taken, or to whom any such Complaint shall be made, to commit him to the Common Gaol or House of Correction of the County of *Stafford*, for any Time not exceeding Three Calendar Months, or to proceed against any such Offender

Offender for the Penalty aforesaid, by a Description of his Person, and the Offence, and expressing in such Proceedings that the said Driver refused to disclose his Name.

Regulations as to Night Soil.

XX. And be it further enacted, That if any Person or Persons 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 Limits of the said Townships or Vills of *Hanley* and *Shelton*, or either of them, before the Hour of Twelve in the Night, or shall continue to remove the same after the Hour of Five 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, Lanes, Highways, or other public Passages or Places, or in any respect improperly, carelessly, or negligently remove the same, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to impound Beasts wandering in the Streets.

XXI. And be it further enacted, That if any Sort of Cattle or Swine shall at any Time be found wandering about any of the Streets, Squares, Ways, Lanes, or other public Passages or Places within the said Townships or Vills of *Hanley* and *Shelton*, or either of them, the Owner or Owners thereof shall, for every such Head of Cattle or Swine, forfeit and pay any Sum not exceeding Ten Shillings; and moreover it shall and may be lawful to and for any Person or Persons appointed by the said Commissioners, if he or they shall think proper, to seize and impound such Cattle or Swine in any Common Pound within the Limits of the said Townships or Vills, or either of them, or in such other other Place as the said Commissioners shall appoint, and the same shall there remain until the Owner or Owners thereof shall, for every such Head of Cattle or Swine so impounded, pay the Sum of Five Shillings to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sum, Charges, and Expences shall not be paid within Four Days (exclusive) after such impounding, it shall and may be lawful to and for the said Commissioners to sell or cause to be sold the Cattle or Swine so impounded, and the Money arising from such Sale, after deducting the said Sum of Five Shillings, and the Charges and Expences of impounding, keeping, and selling such Cattle or Swine, shall be paid to the Person or Persons whose Property the Cattle or Swine so sold shall appear to have been.

Application of the Rates and other Monies.

XXII. And be it further enacted, That all the Monies which shall be raised by virtue of this Act and the said recited Act, or either of them, from and by the Rates and Assessments thereby authorized to be assessed and levied, and all Monies which shall or may be borrowed on Mortgage of the same Rates and Assessments, and all other Monies whatsoever which are or shall or may be payable by virtue or in pursuance of the same Acts, or either of them, (and in regard to the Disposal of which no specific Directions are hereby or by the said Act otherwise given,) shall be and the same are hereby vested in the said Commissioners, and the same shall, from Time to Time and at all Times, be applied and disposed of, by or under the Orders

Orders of the said Commissioners, in manner following; (that is to say,) in the first place, in Payment of the Expences incurred in the obtaining and passing of this Act, and preparatory thereto; and after Payment thereof, in the Manner and for the Purposes mentioned and expressed in the said recited Act, with respect to the Monies directed to be raised by virtue and in pursuance thereof.

Public Act.

XXIII. 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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