ANNO DECIMO & UNDECIMO

# VICTORIÆ REGINÆ.

***

corporated with this Act.

say,) "The Commissioners Clauses Act, 1847," "The Towns Improvement Clauses Act, 1847," "The Towns Police Clauses Act, 1847," and "The Markets and Fairs Clauses Act, 1847," shall be incorporated with and form Part of this Act.

Short Title.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Tunstall* Improvement Act, 1847."

Limits of the Act.

III. And be it enacted, That the Limits of this Act shall comprehend and include the Town of *Tunstall* and Neighbourhood thereof, within the Township of *Tunstall* otherwise *Tunstall Court* in the Parish of *Wolstanton* in the County of *Stafford*, and shall be coextensive with the Boundary of the said Township.

First Commissioners.

IV. And be it enacted, That *Hugh Henshall Williamson*, *Robert Williamson*, *Roylance Child*, *John Wedgwood*, and *John Wood*, Esquires, *Henry Meir*, *John Henry Clive*, *Henry Clive*, *James Beech*, *Joseph Heath*, *Thomas Goodfellow*, *Edward Challinor*, *Ralph Hall*, *Thomas Peake*, *Thomas Podmore*, *Thomas Walker*, *William Adams*, and *Daniel Spilsbury* shall be the First Commissioners for carrying this Act into execution, and shall continue in Office until other Commissioners shall be elected in their Place; and they and their Successors shall be Commissioners for carrying this Act into execution, and such Commissioners shall be called "The *Tunstall* Improvement Commissioners."

Qualification of Commissioners.

V. And be it enacted, That every Commissioner under this Act shall be a resident Inhabitant of the said Township of *Tunstall*, or an Occupier of Property within the said Township, and shall either be rated to the Rate made for the Relief of the Poor of the said Township in the annual Sum of One hundred Pounds or upwards, or be seised or possessed or in the Enjoyment for his own Use of the Rents and Profits of Lands and Hereditaments within the said Township of the clear annual Value of One hundred Pounds for an Estate not less than a Life in being for his own Use, or be Heir Apparent of some Person having an Estate in Lands and Hereditaments within the said Township of the clear yearly Value of Two hundred Pounds, or be possessed of a Personal Estate of not less than Two thousand Pounds beyond what will satisfy all his just Debts.

Commissioners to go out of Office by Rotation.

VI. And be it enacted, That the Commissioners appointed by this Act shall go out of Office by Rotation, and other Commissioners shall be elected in their Place by the Rate-payers within the Limits of this Act, in manner directed or provided by the Commissioners Clauses Act, 1847.

Qualification of Electors.

VII. And be it enacted, That every Male Person who shall be rated under the Provisions of this Act, in respect of Property of the annual Value, according to the then last Assessment for the Relief of the Poor, of Ten Pounds, and who shall have paid all Rates due in respect thereof, shall be entitled to vote in the Election of Commissioners to supply the Places of those retiring by Rotation.



VIII. And

Purposes of the Act.

VIII. And be it enacted, That this Act shall be carried into execution for the Purpose of paving, lighting, watching, watering, cleansing, draining, and improving the Town and Neighbourhood of *Tunstall*, and for improving and regulating the Market Place and Markets therein.

First and other General Meetings.

IX. And be it enacted, That the Commissioners for executing this Act shall hold their First Meeting at the Court House in *Tunstall*, or at some other convenient Place within the Limits of this Act, on the Third *Wednesday* next after the passing of this Act, or on some subsequent *Wednesday*, at the Hour of Ten in the Forenoon, and proceed to put this Act into execution; and all subsequent Meetings of the Commissioners shall be held at the said Court House, or at some other convenient Place within the Limits of this Act.

Power to borrow Money on Mortgage of the Rates.

X. And be it enacted, That for the Purposes of this Act it shall be lawful for the Commissioners from Time to Time to borrow any Sum or Sums of Money not exceeding in the whole the Sum of Twenty thousand Pounds, at Interest, on the Credit of the Rates or Assessments by this Act granted, and of the Market Rents, Tolls, Stallages, or Duties, subject to any existing Charge thereon, and of any other Property vested in such Commissioners, jointly or partly on the Credit of the Rates and partly on the Credit of the Market Rents, Tolls, Stallages, or Duties, or other Property aforesaid, so that such Sums of Money shall not exceed in the whole the Sum of Twenty thousand Pounds; and in the event of any Part of such Monies respectively being repaid by the Commissioners to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security of this Act any more in the whole than the Sum of Twenty thousand Pounds at any one Time; and for securing the Repayment of the Monies so respectively borrowed, with Interest, the Commissioners may mortgage the said Rates and Market Rents, Tolls, Stallages, or Duties, or other Property respectively, or any of them, or any Part thereof respectively, to the Person who shall advance or lend such Monies respectively, or his Trustee, as a Security for the Payment of the Monies respectively so borrowed, together with Interest for the same.

Application of Monies to be borrowed.

XI. And be it enacted, That the Money which shall be raised on the Credit of this Act shall be applied in the first place in Payment of the Expences of applying for and obtaining and passing this Act, and next in the Purchase of the present Market Place and Markets, and of Property for enlarging the same, and making permanent Improvements in or adjoining the same, and providing a new Market Place, and in carrying into execution the Purposes of this Act.

Power to Commissioners to light the Streets.

XII. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to cause the several Streets within the Limits of this Act, or such of them as they shall think proper, to be lighted with Gas, Oil, or otherwise, at such Times as they shall think fit, and to provide such Lamps, Lamp Posts, Lamp Irons, Pipes, and other Works as may be necessary for that Purpose.

XIII. And

Certain Clauses of *10 & 11* Vict. c. 15. incorporated with this Act.

XIII. And be it enacted, That Provisions of the Gasworks Clauses Act, 1847, with respect to the Provisions for guarding against fouling Water, or other Nuisance from the Gas, shall be incorporated with this Act, and shall be construed in the same Manner as if the Words "Company or Persons making or supplying Gas" had been inserted instead of the Word "Undertakers:" Provided always, that the Commissioners, as well as the Person to whom the Water fouled shall belong, shall, according to and subject to the Provisions of the said Act, be entitled to dig up the Ground and examine the Pipes, Conduits, and Works of any Company or Persons making or supplying Gas.

Certain Works not to be considered Nuisances if Processes be properly conducted.

XIV. And whereas the Town of *Tunstall* hath risen to its present prosperous State by means of the numerous Manufactories and Works therein established for raising and working the Produce of the Mines, Minerals, and Soil whereon the Town itself stands, and within the Limits of this Act, and the Prosperity of the Town is inseparably connected with these Operations, and many Hundred Individuals are employed therein, and such Manufactories and Works cannot be carried on without continuing the existing Processes now used and employed in conducting and carrying on such Manufactories and Works, and which, in the common Acceptance of the Term "a Nuisance or injurious to the Health of the Inhabitants," might be construed so to be; and if the Provisions and Penalty contained in the Towns Improvement Clauses Act, 1847, affecting such Manufactories and Works, were to be extended thereto the Prosperity of the Town might be destroyed, the Means of Employment for many Hundred Persons be also destroyed, and the Town itself be again reduced to its former Insignificance; be it therefore enacted, That all Justices and others to whom any Complaint shall be made against the carrying on of any such Manufactory or Works or Business under the said Act, as a Nuisance or injurious to Health, shall have Power (on its being proved to them that the best Means known to be available for mitigating the Nuisance or the injurious Effects of such Manufactory, Works, or Business have been adopted,) and they are hereby required to abstain from inflicting or imposing any Penalty in respect of the same.

Commissioners authorized to purchase the existing Market Place and Markets, &c.

XV. And in order that the Market Place in *Tunstall* may be enlarged, extended, and improved, be it enacted, That it shall be lawful for the Commissioners to agree with the *Tunstall* Market Company for the Purchase of the said Market Place now belonging to the said Company, and the Court House thereon, and other the Property of the Company thereto adjoining, and all their Rights and Privileges of holding Markets, and collecting Market Rents, Tolls, Stallages, and Duties, and it shall be lawful for the *Tunstall* Market Company to agree with the Commissioners for the Sale of the said Market Place, Court House, Property, Rights, and Privileges for a Consideration in Money, and to demise or convey the same to the Commissioners by Deed under the Common Seal of the said Company, affixed at a General Meeting of the Company; and the Commissioners are hereby authorized to pay the Purchase or Consideration Money for the same out of the Monies to be by them received for

for the Purposes of this Act; and upon the Execution of such Demise or Conveyance the said Market Place, Court House, Property, Market, Rights, and Privileges shall be vested in the Commissioners, discharged of all Right, Title, Powers, or Privileges of the said Company.

Power to enlarge and improve the Markets, and take Lands, &c. by Compulsion.

XVI. And be it enacted, That after the said Market Place shall become vested in the Commissioners in pursuance of this Act it shall be lawful for the Commissioners to improve, enlarge, extend, and alter such Market and Market Place, and the Approaches thereto, and the Neighbourhood of the same, or provide a new Market Place, and to maintain the same in such Manner as they shall think proper; and for such Purposes it shall be lawful for the Commissioners, with and under and subject to the Powers and Provisions of the Lands Clauses Consolidation Act, 1845, with respect to the Purchase and taking of Lands otherwise than by Agreement, to enter into and upon, and to purchase, take, and use, the Lands mentioned in the Schedule (A.) to this Act annexed; and the Commissioners may pull down any House and other Erection and Building which they shall purchase or take by virtue of this Act, and may level and clear the Land whereon the same shall stand, and all other the Land which they may purchase or take by virtue of this Act, in such Manner as they shall think proper, and may sell the Materials of the Houses and other Buildings to be taken down and removed as aforesaid or as herein-after mentioned; and the Monies to be produced by the Sale thereof, after deducting the Expences of pulling down such Houses and Buildings respectively, and of such Sales, and also the Rents and Profits of the Lands to be purchased or taken by virtue of this Act until the same shall be pulled down or cleared, shall be applied and disposed of towards executing the said Purposes; and it shall also be lawful for the Commissioners to pull down or remove any Buildings or Erections now standing on the said present Market Place, or to repair the same or any of them, or to erect such new Buildings, Houses, or Erections thereon, or on such Part of the Land to be so purchased, taken, or used, as shall not be laid open, or on any other Land they may purchase by Agreement, as they shall think proper, for the Improvement of the Market Place or the Neighbourhood of the same, or for providing a new Market Place, and also to let any such new Buildings or Houses on Lease or otherwise not exceeding a Term of Twenty-one Years, and apply the Rents and Profits thereof for the same Purposes for which the Market Rents, Tolls, Stallages, and Duties are by this Act made applicable.

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

XVII. And be it enacted, That the Lands Clauses Consolidation Act, 1845, shall be incorporated with this Act, and all the Clauses and Provisions of the Lands Clauses Consolidation Act, 1845, save so far as they shall be expressly varied or excepted by this Act, shall apply to the Improvement, Enlargement, Extension, and Alteration of the Market Place, and to all Works authorized by this Act so far as the same shall be applicable, and shall form Part of this Act, and be construed together therewith as forming One Act.

Powers to purchase Lands by Agreement.

XVIII. And be it enacted, That it shall be lawful for the Commissioners to purchase by Agreement any Lands within the Limits of this Act (whether or not such Lands shall be mentioned in the Schedule (A.) to this Act annexed) which they shall think necessary for any of the Purposes of this Act, not exceeding Ten Acres, with and under and subject to the Powers and Provisions of the Lands Clauses Consolidation Act, 1845, with respect to the Purchase of Lands by Agreement.

No House, &c. to be taken without Consent, unless mentioned in Schedule.

XIX. And be it enacted, That no House, Building, or Land shall be taken under or by virtue of the compulsory Powers of this Act, except such as are mentioned in the Schedule (A.) to this Act annexed, without the Consent in Writing of the Owner thereof being first had and obtained for that Purpose.

Compulsory Purchase limited for Five Years.

XX. And be it enacted, That the Powers of the Commissioners for the compulsory Purchase or taking, as herein-before mentioned, of Lands for the Purposes of improving, enlarging, extending, and altering such Market and Market Place, Approaches, and Neighbourhood of the same, or providing a new Market Place as aforesaid, shall not be exercised after the Expiration of Five Years from the passing hereof.

Land not wanted may be sold.

XXI. And be it enacted, That, with, under, and subject to the Powers and Provisions of the Lands Clauses Consolidation Act, 1845, with respect to Lands which shall not be required for the Purposes of any Undertaking, it shall be lawful for the Commissioners, and they are hereby required, within Ten Years after the passing of this Act, to sell and dispose of, and by Indenture under the Hands and Seals of Three at least of them absolutely to grant and convey such Parts of any Lands which shall be acquired by the Commissioners under the Powers of this Act as shall not be required for the Purposes of this Act, to any Person willing to purchase the same, and the Receipt of such Three or more of the Commissioners shall be a sufficient Discharge to the Purchaser of any such Lands for the Payment of the Purchase Money.

Commissioners may hold Markets.

XXII. And be it enacted, That after such Purchase of the said present Market Place and Rights and Privileges as aforesaid shall have been made and completed, it shall be lawful for the Commissioners to have, hold, and keep Markets in the said Market Place and any other Market Place to be provided under the Powers of this Act within the said Township, subject to the Provisions in this Act contained, for the Sale of Cattle, Animals, and Provisions, and all other marketable Commodities, and to provide and maintain Stalls, Standings, and other Conveniences for such Markets.

Commissioners may cause Slaughter-

XXIII. And be it enacted, That it shall be lawful for the Commissioners to set apart any Buildings for, or to erect on any Land to be purchased by them, such Slaughter-houses as they shall from Time to Time think sufficient for the slaughtering of Cattle, Beasts,

and Swine for the Supply of the said Township of *Tunstall*, and for ever afterwards to maintain and improve the same as they shall think fit. houses to be erected.

XXIV. And be it enacted, That it shall be lawful for the Commissioners and they are hereby authorized and empowered, if they shall think proper so to do, upon Application made to them for that Purpose, to grant Licences from Time to Time for the Erection of Slaughter-houses, or for the Use and Occupation of Buildings as Slaughter-houses within the Limits of this Act, to such Butchers and upon such Terms and Conditions as the Commissioners shall think proper. Commissioners authorized to grant Licences for Slaughter-houses.

XXV. And be it enacted, That for every such Licence to erect or occupy any Slaughter-house, there shall be paid to the Clerk such Sum as the Commissioners shall direct, not exceeding the Sum of Five Shillings, and no Fee or Charge shall be paid for the registering of any such Licence. Fees payable on granting Licences.

XXVI. And be it enacted, That after any such Market Place as aforesaid shall be so opened for public Use it shall be lawful for the Commissioners from Time to Time to demand and take from any Person occupying or using any Stall, Shed, or Stand in such Market Place, or bringing therein any Cattle, Animal, Provisions, Articles, or Things specified in the Schedule (B.) to this Act annexed, such Rents, Tolls, Stallages, or Duties as the Commissioners or their Lessee shall from Time to Time appoint, not exceeding the several Rents, Tolls, Stallages, or Duties specified in the said Schedule. AfterMarket Place is opened, Commissioners may demand the Tolls specified in Schedule (B.)

XXVII. And be it enacted, That after such Slaughter-houses as aforesaid shall be opened for public Use it shall be lawful for the Commissioners to demand and take from any Person slaughtering Cattle, Sheep, Beasts, and Swine within any such Slaughter-house such Tolls in respect thereof as they may think proper not exceeding the several Tolls or Sums of Money specified in the said Schedule (B.) to this Act annexed. Tolls to be taken for Slaughter-houses;

XXVIII. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Weighing-houses or Places for weighing or measuring any Articles sold in any Market Place by Weight or Measure from Time to Time to demand and take the several Tolls specified in that Behalf in the said Schedule (B.) to this Act annexed. and for weighing and measuring;

XXIX. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Machines for weighing Waggons, Carts, or Carriages to demand and receive from the Person requiring the same to be weighed such Tolls as the Commissioners may appoint not exceeding the Tolls specified in respect of the same in the said Schedule (B.) annexed to this Act, and such Tolls shall be paid before any Waggon, Cart, or Carriage in respect of which the same are payable shall be weighed. and for weighing Carts.

XXX. And

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

XXX. And be it enacted, That it shall be lawful for the Commissioners from Time to Time to demise and let the said Market Places, or any Part of them, and the said Slaughter-houses, Weighing Houses or Places and Machines, or any of them, or the said Rents, Tolls, Stallages, or Duties, or any of them, for any Period not exceeding Three Years, upon such Terms as shall be agreed upon between the Commissioners and the Person to whom such Lease shall be made.

Power to lease Standings in the Markets.

XXXI. And be it enacted, That it shall be lawful for the Commissioners to let any of the Stalls, Standing Places, Benches, or other Conveniences in the said Market Places to any Person for any Term not exceeding Three Years.

Market Days.

XXXII. And be it enacted, That the Commissioners shall, after any such Market Place shall be so opened for public Use, hold the Markets therein on *Monday* and on *Saturday* in every Week between the Hours of Ten in the Morning and Nine in the Evening.

Penalty for pulling down Boards, &c.

XXXIII. And be it enacted, That any Person who shall destroy, pull down, injure, or deface any Board in any Market Place opened under this Act on which any Bye Law or Rule of the Commissioners, or any Rent, Toll, Stallage, or Duty to be taken in pursuance of this Act, shall be painted, shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Crier to be appointed by the Commissioners.

XXXIV. And be it enacted, That it shall be lawful for the Commissioners to nominate and appoint One or more Person or Persons to be the Common Crier or Criers with such Salaries and Allowances as they shall think reasonable, and may remove such Common Crier or Criers, and nominate and appoint others, as and when they shall think proper instead; and every Person not having been so nominated and appointed who shall presume to act as such Crier, or to perform any of the Duties of that Office, or to ask, demand, or receive any Fee or Gratuity attached thereto, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Power to levy Rates.

XXXV. And in order to raise Money for carrying the several Purposes of this Act into execution, be it enacted, That it shall be lawful for the Commissioners once in every Year after the passing of this Act, to be computed from the Day of the passing thereof, or oftener if they shall think it necessary, to make One or more equal Rate or Rates, Assessment or Assessments, to be signed by Five or more of the Commissioners, upon the Occupiers of all Property within the Limits of this Act now rated or hereafter to be rated to the Relief of the Poor, according to the annual Value of the same, so as such Rates or Assessments do not exceed in any One Year the Sum of Two Shillings and Sixpence in the Pound on such annual Value in the whole: Provided always, that all Lands used as Arable, Meadow, or Pasture Ground only, or as Woodlands or Garden or Nursery Ground, shall be rated or assessed in the Proportion of One Third Part only of the Sum to be rated or assessed on the other Properties to be charged in each such Rate or Assessment.

Houses and Lands to be rated separately.

XXXVI. And

Annual Rates may be increased by Consent of Rate-payers.

XXXVI. And be it enacted, That if it shall at any Time appear that the said Sum of Two Shillings and Sixpence in the Pound is not sufficient for the Purposes of this Act it shall be lawful for the Commissioners, with the Consent of the Majority of Rate-payers assessed to such Rates assembled at a Special Meeting of the Commissioners to be called and held for the Purpose of increasing the Rates (at which Special Meeting it shall be lawful for such Rate-payers, or such of them as shall have paid up the whole of the Monies assessed on them in respect of such Rates, to attend), to increase the said Rates, so as the same do not in any One Year exceed the Sum of Three Shillings and Sixpence in the Pound on such annual Value as aforesaid: Provided always, that Notice of the Intention of the Commissioners to hold such Special Meeting, and to make any such Increase, shall be given by them One Month previous to such Special Meeting by Advertisement in some Newspaper printed or circulated within the Limits of this Act.

Rates to be vested in the Commissioners.

XXXVII. And be it enacted, That the several Rates made under this Act shall be vested in the Commissioners, and shall be payable at such Times as they shall direct to the Collectors to be appointed by them.

Liability to Rates not to disqualify Witnesses or Justices.

XXXVIII. And be it enacted, That no Person, although liable to the Payment of Money towards the Rates authorized to be raised under this Act, shall by reason thereof be deemed to be an incompetent Witness in any Proceeding before a Court of Justice under this Act, or be disabled to act as a Justice in the Execution of the same.

Summonses on Proceedings for the Recovery of Rates may be served by leaving the same on the Premises.

XXXIX. And be it enacted, That whenever it shall be necessary for the Recovery of any Rate or Proportion of any Rate made by virtue of this Act to serve any Summons on any Person liable to the Payment thereof who shall not be resident within the Limits of this Act such Summons may be left with some Inmate on the Premises in respect whereof the Rate shall have been made, or in case there be no Inmate it may be affixed on some conspicuous Part of the Premises, and the same shall be deemed to be good Service of such Summons on the Person so liable.

Application of Monies.

XL. And be it enacted, That the Monies which shall arise from the said Rates and other Monies to be received by the Commissioners under this Act may be applied in the first place in the Payment of the Expences of applying for and obtaining and passing this Act, and afterwards such Rates and other Monies shall (subject to the previous Payment of the annual Payment of Ten Pounds Ten Shillings as herein-after mentioned) be applied in Payment of the Interest of the Monies borrowed on Mortgage under the Powers of this Act on the Security of such Rates and other Monies, and in defraying the Expences of carrying the several Purposes of this Act into execution, and in paying off the Principal Monies so borrowed, in such Order as the Commissioners shall direct; and all Monies to arise as aforesaid shall be vested in the Commissioners.

Commissioners may appropriate out of the Rates any Sum of Money directed to be paid by Stipendiary Justice Act, 2 & 3 Vict. c. 15.

XLI. And whereas by an Act passed in the Second Year of Her present Majesty, intituled *An Act to provide for the more effectual Execution of the Office of a Justice of the Peace within and adjoining to the District called the* Staffordshire Potteries, *and for Purposes connected therewith*, it is provided that for the Purpose of facilitating the Collection and Receipt of the Rates to be made by virtue thereof it should be lawful for the Commissioners acting in execution of any Act passed or to be passed for the Purpose of watching or lighting, or improving or regulating the Police in any Division of the District to which the Jurisdiction of the stipendiary Justice to be appointed by virtue of that Act is thereby limited, to appropriate out of the Monies to be by such Commissioners raised in such Division by Rates on the Occupiers of Property liable to be rated within such Division any Sum of Money not exceeding the full Amount of such Sum as should be from Time to Time assessed under any Rate made by virtue of the said Act of the Second Year of Her present Majesty upon the rateable Property within such Division, and to pay the same to the Collector or Collectors of the Rates under the said Act: And whereas the Town of *Tunstall* is one of the Divisions comprised in the said Act; be it therefore enacted, That it shall be lawful for the Commissioners to appropriate out of the Monies to be raised within the Limits of this Act, by Rates on Occupiers of Property liable to be rated by the said Act of the Second Year of Her present Majesty within the Limits of this Act, any Sum or Sums of Money not exceeding the full Amount of such Sum as shall from Time to Time be assessed under any Rate to be made by virtue of the said Act of the Second Year of Her present Majesty upon such rateable Property within the Limits of this Act, and to pay the same to the Collector or Collectors of the Rates under the said Act of the Second Year of Her present Majesty; and every such Payment shall be deemed and taken to be, and is hereby declared to be, in lieu of the Collection of the same Rates under the said Act within the Limits of this Act, and which thereupon shall not be collected by the Collector or Collectors under the said Act of the Second Year of Her present Majesty, any thing in such Act contained to the contrary notwithstanding; and such Payment so to be made by the Commissioners to such Collector or Collectors shall be in satisfaction of the Rates within the Limits of this Act made under the said Act of the Second Year of Her present Majesty, and shall be applied for the Purposes of the said Act accordingly.

Commissioners may purchase Mr. Sneyd's Ground Rent and Reversion to the Market Place.

XLII. And be it enacted, That it shall be lawful for the Commissioners to agree with *Ralph Sneyd* Esquire, Lord of the Manor of *Tunstall Court*, his Heirs or Assigns, for the absolute Purchase of his and their Right and Claim to the existing annual Charge of Five Pounds Five Shillings now payable by way of a Ground Rent in respect of the said Market Place, and for the absolute Purchase of the reversionary Interest of the said *Ralph Sneyd*, his Heirs or Assigns, in or to the said Market Place and Markets, in consideration of the annual Payment out of the Market Rents, Tolls, Stallages, and Duties, of the Sum of Ten Pounds Ten Shillings as herein-after mentioned.

XLIII. And

Ground Rent of Market Place to be paid out of Market Dues.

XLIII. And be it enacted, That it shall be lawful for the Commissioners and they are hereby required to pay to *Ralph Sneyd* Esquire, his Heirs or Assigns for ever, in every Year after the Completion of the Purchase of the Market Place, and of the Execution of a Conveyance to the Commissioners of the Right and Claim of the said *Ralph Sneyd* Esquire to the said existing Ground Rent, and of his reversionary Interest in the said Market Place and Markets, as herein-before mentioned, the annual Sum of Ten Pounds Ten Shillings, free and clear of all Taxes and Deductions whatever, out of the Market Rents, Tolls, Stallages, and Duties to be by them collected or received under the Powers of this Act (in preference to any other Payment thereout); and such Payment shall be made to the said *Ralph Sneyd*, his Heirs or Assigns, by the Commissioners or their Treasurer, on the First Day of *January* in each Year, or on any subsequent Day, on Demand made by or on behalf of the said *Ralph Sneyd*, his Heirs or Assigns; and in case at any Time such Payment shall not be made by the Commissioners or their Treasurer within Seven Days after any such Demand, the Amount may be recovered by Distress of the Goods of the Commissioners or their Treasurer, in manner provided for the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices.

Application of Market Dues.

XLIV. And be it enacted, That until the Amount of the Sum to be paid for the Purchase of the said Market Place (which is intended to be borrowed for paying such Purchase Money, and for other the Purposes of this Act, under the Powers herein-before contained for borrowing Money on the Credit of the Rates and other Monies arising under the Act,) shall be fully paid off and discharged, the Market Rents, Tolls, Stallages, and Duties, and all other Monies to be received by the Commissioners under the Powers of this Act for holding and regulating the Market, shall form a separate Fund, and be applied as follows; (that is to say,) in the first place, in Payment of the said annual Sum of Ten Pounds Ten Shillings to the said *Ralph Sneyd*, his Heirs or Assigns, and afterwards in discharging from Time to Time the current Expences of repairing and maintaining Stalls and other Accommodation for the public Use of the Market, and of managing and regulating the Market, and the Residue shall be applied from Time to Time in Payment of the Interest of such Proportion of the Monies to be borrowed as aforesaid as shall be equal to the Amount of such Purchase Money aforesaid, or such Residue may be applied by the Commissioners in forming a Sinking Fund for gradually paying off so much of the Principal Sums so to be borrowed as shall be equal to the Amount of such Purchase Money over and besides the Interest thereof; and as often as such Sinking Fund shall amount to the Sum of One hundred Pounds, that Sum shall be applied in the Payment of an equal Amount of the said Principal Sums then due and owing, rateably or by Lot among the Creditors, as the Commissioners shall think proper; and after the Amount of such Purchase Money shall be fully paid off and discharged by any of the Means aforesaid, the said Market Rents, Tolls, Stallages, and Duties shall continue chargeable with the Payment of the said annual Sum of Ten Pounds Ten Shillings as aforesaid to the said

said *Ralph Sneyd*, his Heirs or Assigns; and the Residue of the said Market Rents, Tolls, Stallages, and Duties, and the Rates and other Monies arising under this Act, shall form one joint Fund for carrying the Purposes of this Act into execution.

Reserving Rights of Manor of Tunstall Court.

XLV. Provided always, and be it enacted, That nothing in this Act contained shall prejudice, alter, or affect the ancient Rights and Privileges belonging to *Ralph Sneyd* Esquire, his Heirs and Successors, as Lords of the Manor of *Tunstall* otherwise *Tunstall Court*, other than and except such as are expressly barred and compensated for and extinguished by this Act, but that all such Rights and Privileges shall be reserved and maintained as fully and effectually as though this Act had not passed.

Interpretation of Act.

XLVI. And be it enacted, That in this Act and the several Acts incorporated therewith (unless there be something in the Subject or Context repugnant to such Construction) the Word "Street," and also the Word "Streets," respectively, shall comprise and include all public Highways, Roads, Carriageways, Footways, Lanes, Alleys, Courts, Passages, Squares, and other open and public Passages and Places or public Thoroughfares, and all Market Places, within the Limits of this Act.

Public Act.

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

SCHE-

# SCHEDULES referred to by the foregoing Act.

## SCHEDULE (A.)

PROPERTY required for improving, enlarging, extending, and altering the Market and Market Place, Approaches, and Neighbourhood, or providing a new Market Place, in Tunstall, all in the Township of Tunstall otherwise Tunstall Court.

| Description of Property. | Owner or reputed Owner. | Occupier. |
|---|---|---|
| Eight Houses and Yards in Nip Street. | Sarah Challinor - | William Baggaley, James Holland, Martha Lear, John Holland, William Bosworth, Edward Salt, Moses Arrowsmith, and Luke Bennett. |
| Three Houses with Yards in Nip Street and Mill Lane. | Thomas Broadhurst - | Michael Flynn, William Hollant, and Lucy Wakefield. |
| House and Yard in Mill Lane - | Samuel Heath - | George Llewellyn. |
| Four Houses and Yards, with a Blacksmith's Shop, in Mill Lane, and Three Houses in High Street. | James Nixon and Joseph Unwin, Devisees for Sale under the Will of Ralph Young. | Joseph Machin senior, Joseph Machin junior, Jane Bromley, Elijah Mayer, Elizabeth Pointon, and William Fitton. |
| A Public-house or Inn, called "The Lamb," with Stables, Yard, and Outbuildings, in High Street. | The Tunstall Market Company and Thomas Hassalls. | Jeremiah Goodall and Prudence Goodall. |
| Two Houses and Shop, with Yards, in High Street and Amicable Street. | Joseph Booth - - | Samuel Cheswas and Ann Wardle. |
| House and Yard in Amicable Street. | Jeremiah Goodall - | Thomas Smalley. |
| Two Houses with Yards in Amicable Street, and Three Houses and Yards in Piccadilly Street. | James Beech - - | Thomas Oakden, Sampson Dunn, George Cumberlich, and Simpson Lawton. |
| Five Houses and Yards in Amicable Street. | Joseph Beech - - | William Smallwood, William Simpson, Sarah Goodfellow, Andrew Phillips, and Thomas Jackson. |
| House and Shop in Amicable Street. | William Hill - - | Robert Rutter. |
| Chapel or Meeting-house, called "Mount Tabor," in Market Place and Piccadilly. | George Evans, George Mountford, William Gibson, Joseph Booth, John Wright, Thomas Rogerson, John Machin, William Ball, Jonah Read, Joseph Hawley, and William Newbrooks. | George Evans, George Mountford, William Gibson, Joseph Booth, John Wright, Thomas Rogerson, John Machin, William Ball, Jonah Read, Joseph Hawley, and William Newbrooks, or some of them. |

| Description of Property. | Owner or reputed Owner. | Occupier. |
|---|---|---|
| Eight Houses and Yards in Piccadilly Street. | John Henry Clive - | Thomas Llewellyn, Henry Adams, William Bossons, Ann Phillips, Isaac Lovenberry, Simeon Shaw, Daniel Matthews, and James Reeves. |
| House and Yard in Piccadilly Street. | James Platt - - | James Platt. |
| House and Yard in Piccadilly Street. | William Wootton - | Mary Turner. |
| House and Yard in Piccadilly Street. | Hannah Pointon - | Hannah Pointon. |
| House and Yard in Piccadilly Street. | Thomas Cartlich - | Jemima Symcock. |
| Four Houses and Yards in Piccadilly Street and Paradise Street. | James Bailey - - | Joseph Poole, Joseph Bailey, William Grant, and William Shaw. |
| Two Houses and Yards in Piccadilly Street and Paradise Street. | Thomas Holdcroft - | Charles Price and George Cordwell. |
| House and Yard in Piccadilly Street. | Joseph Cappur - | Joseph Cappur. |
| House and Yard in Piccadilly Street. | Samuel Jackson - | Joseph Woodall. |
| Two Houses and Yards in Piccadilly Street. | Samuel Harvey - | George Lear and Ephraim Sankey. |
| House and Yards in Piccadilly Street. | Mary Hancock - | Thomas Jones. |
| Two Houses and Yards in Piccadilly Street. | Ann Hulse - - | Henry Bailey and William Hancock. |
| A Stable and Cowhouse in Piccadilly Street, and a House, Outbuildings, and Yard in Paradise Street. | John Bourne - - | Thomas Jones and John Bourne. |
| Two Houses and Yards in Paradise Street. | Joseph Heath - - | James Porter and Charles Elkin. |
| House and Yard in Paradise Street. | Benjamin Lindop - | Benjamin Lindop. |
| House and Yard in Paradise Street. | George Alcock - | George Alcock. |
| Five Houses and Yards in Paradise Street. | Thomas Podmore - | Thomas Locker, James Machin, George Burrows, George Earp, and Enoch Skinner. |
| Two Houses and Yards in Paradise Street. | John Vernon - - | James Barlow and Joseph Baker. |
| House and Yard in Paradise Street. | Hannah Hobson - | Thomas Goldstraw. |
| House and Yard in Paradise Street. | James Latham - | Agnes Steele. |
| House and Yard in Paradise Street. | George Brummitt and Daniel Spilsbury, Trustees under the Will of John Lowndes. | Mary Bishop. |
| House and Yard in Paradise Street. | Barbara Bailey - | Enoch Lindop. |

| Description of Property. | Owner or reputed Owner. | Occupier. |
|---|---|---|
| House and Yard in Paradise Street. | Edward Moore - | Ellen Mills. |
| House and Yard in Paradise Street. | Leah Harvey - - | Martha Rowley. |
| House and Yard in Paradise Street. | Mary Young - - | Sarah Lewis. |
| Four Houses and Shops, with Back Yards, in Paradise Street and Market Place. | John Ridgway, Esquire. | William Evans, William Bradbury, Joseph Ashworth, and Joseph Lovatt. |

## SCHEDULE (B.)

### Market Rents, Tolls, Stallages, and Dues.

*Tolls payable.*

For every covered and uncovered Shed, Stall, Bulk, Block, Tressell, Standing Place, or Station used by any Person for exposing to sale Flesh Meat, Cheese, Bacon, pickled Pork, Fish, or any other live or dead Victuals, Fruit, Glass, Earthenware, or other Goods, Article, Commodity, or Thing whatsoever, (except as herein otherwise specifically charged,) the following Tolls per Day shall be taken: —

Not exceeding Six Feet by Five Feet, One Shilling.
Not exceeding Nine Feet by Five Feet, One Shilling and Three-pence.
Not exceeding Twelve Feet by Five Feet, One Shilling and Nine-pence; and for every Three Feet above for Stations, Two-pence.
On uncovered Stalls, the same Excess of Tolls for an Increase of Width beyond Five Feet as in the Case of covered Stalls.

*Carts.*

For every Cart used by any Person for exposing or in which shall be exposed to sale any Article, Commodity, or Thing, the following Tolls per Day: —

If drawn by One Horse, Nine-pence; by Two Horses, One Shilling.
Waggons used for the like Purposes, One Shilling and Nine-pence per Day.

*Butter.*

For every Basket, Parcel, or Quantity of Butter, not exceeding Twelve Pounds Weight, One Penny per Day.
For each additional Six Pounds Weight One Penny per Day.

*Poultry and Pigs.*

For Poultry, including Fowls, Chickens, and Ducks, wild Fowls, Pigeons, and Rabbits; videlicet,

Not exceeding Three Couple, One Penny per Day.
For each additional Three Couple, One Penny per Day.
For every Turkey, Goose, Hog, or Pig, One Penny per Day.

*Eggs.*

For every Basket, Parcel, or Quantity of Eggs under One Dozen, One Halfpenny.
For each additional Dozen, One Halfpenny.

*The*

*The Cattle Market.*

For the Exposure to sale of Horses or other Beasts, Cattle, or Pigs, as follows; (that is to say,)

For every Horse, Mare, or Gelding, Four-pence.
For every Colt or Filly, Two-pence.
For every Mule or Ass, One Penny.
For every Bull, Ox, Cow, Heifer, or Steer, Two-pence.
For every Calf, One Penny.
For every Score of Sheep or Lambs, Ten-pence.
For every Score of Pigs, Ten-pence.
For every Score of Sucking Pigs, Two-pence.

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

*Weighing and Measuring.*

For weighing every Piece of Meat or Thing weighing not more than Twenty Pounds Avoirdupois, One Halfpenny.

For weighing every Piece of Meat or Thing weighing more than Twenty Pounds and not exceeding One hundred Pounds, One Penny.

And so in proportion for any greater or smaller Quantity than One hundred Pounds Weight over and above One hundred Pounds Weight.

For measuring every Quantity of Goods and Things sold by Measure, not exceeding One Bushel, One Halfpenny.

For measuring every Quantity more than a Bushel and not exceeding Two Bushels, One Penny.

And for every Bushel beyond Two Bushels, One Halfpenny.

*Slaughter-house.*

Fore very Bull, Ox, Cow, Bullock, Steer, or Heifer, One Shilling.
For every Calf, Six-pence.
For every Sheep or Lamb, Three-pence.
For every Hog or Pig, Four-pence.
For any other Beast, One Shilling.

*Weighing Machine.*

For weighing any Cart, Waggon, or other Carriage, not exceeding One Ton, Three-pence.

And so in proportion for any greater or smaller Weight than One Ton.

*General Tolls.*

For every Basket, Hamper, Parcel, or Quantity of any other Goods, Commodity, Article, or Thing exposed or offered for Sale there, not before specifically charged or enumerated, or falling within any of the preceding Heads; (that is to say,)

Not containing more than One Bushel, One Penny.
Every additional Half Bushel, One Halfpenny.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1847.