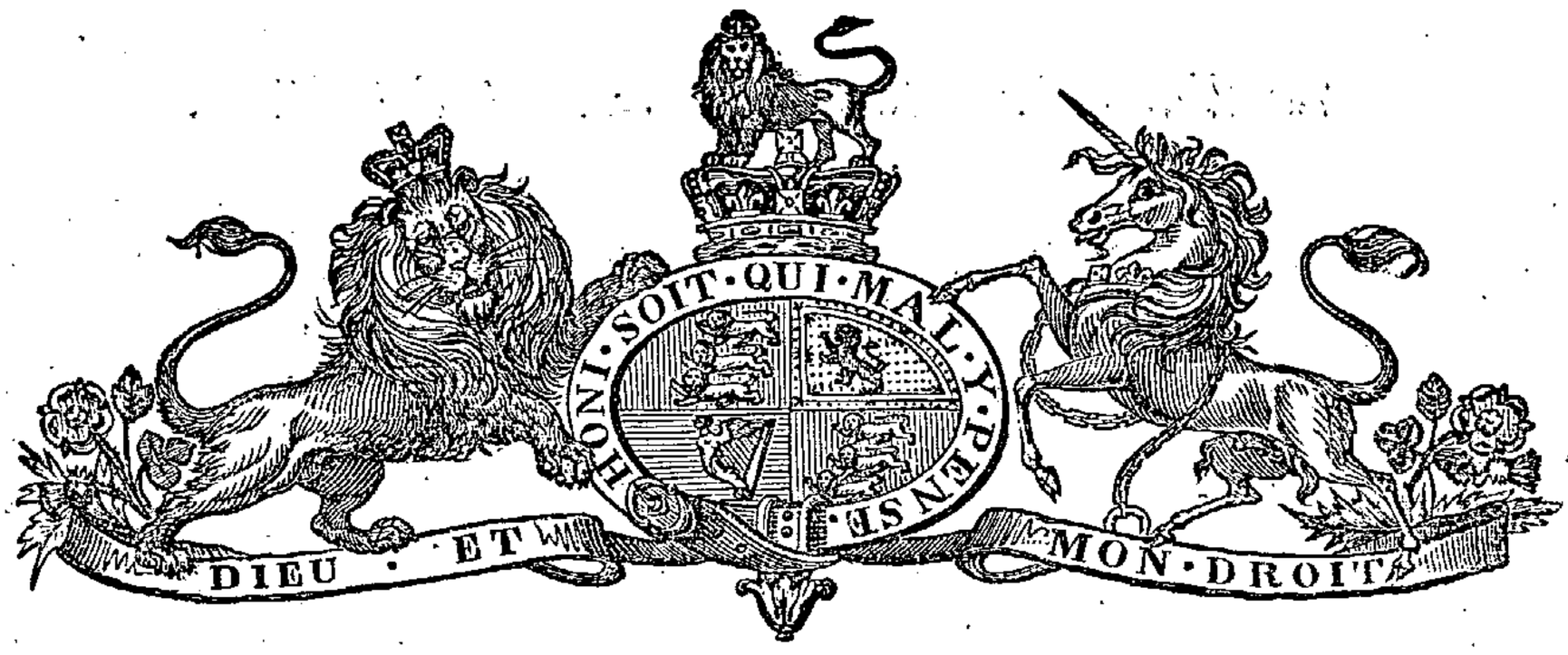


ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

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visional Order, as so confirmed, the Mayor, Aldermen, and Burgesses of the Borough of *Wolverhampton*, by the Council of that Borough, were constituted the Local Board of Health for the said Borough, and some of the Provisions of the recited Act of the Fifty-fourth Year of the Reign of King *George* the Third were repealed: And whereas it is expedient that further Provision be made for the Improvement and for the Regulation and cleansing of the Borough, and for the Maintenance and Regulation of the several Markets and Fairs therein: And whereas such Purposes cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen'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, as follows; (that is to say,)

Short Title.

I. That this Act may be cited for any Purpose as "The *Wolverhampton* Improvement Act, 1853."

Commencement of Act.

II. That this Act shall commence and have effect on and from the Fourth *Wednesday* next after the passing thereof.

Limits of Act.

III. That this Act shall for all Purposes be in force and have effect within the Municipal Borough of *Wolverhampton*.

Same Meanings to Words, &c. in this Act as in Acts incorporated herewith.

IV. That the several Words and Expressions to which by the Acts wholly or partially incorporated with this Act Meanings are assigned shall have in this Act the same respective Meanings, unless there be in the Subject or Context something repugnant to or inconsistent with such Construction.

Interpretation of Terms.

V. That in this Act the Expression "the Corporation" means the Mayor, Aldermen, and Burgesses of the Borough of *Wolverhampton* in their Capacity of the Municipal Corporation of the Borough; and the Expression "the Local Board" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Wolverhampton* in their Capacity of the Local Board of Health for the Borough.

Act to be executed by Corporation;

VI. That, subject to the Provisions of this Act, it shall be executed by the Mayor, Aldermen, and Burgesses of the Borough of *Wolverhampton* acting by the Council of the Borough.

and pursuant to 6 W. 4. c. 76.

VII. That, so far as this Act is to be executed by the Corporation, it shall be executed by the Corporation acting pursuant to the Powers and Provisions of the Act of the Sixth Year of *William* the Fourth for the Regulation of Municipal Corporations, and all other Laws from

from Time to Time in force relating to the Municipal Corporation of the Borough of *Wolverhampton*.

As to Execution of Act by Local Board.

VIII. That, so far as this Act is to be executed by the Local Board, it shall be executed by the Local Board acting pursuant to the Powers and Provisions of "The Public Health Act, 1848," and "The Public Health Supplemental Act, 1850, No. 2," and all other Statutes and Laws from Time to Time in force affecting the Local Board of Health for the Borough of *Wolverhampton*.

Recited Act repealed.

IX. That the recited Act of the Fifty-fourth Year of *George* the Third is by this Act repealed.

Corporation and Local Board to remain entitled to Property.

X. That, notwithstanding the Repeal of that Act, the Corporation and the Local Board respectively shall by virtue of this Act be and remain seised and possessed of and entitled to all the Buildings, Estates, Monies, Property, Effects, Choses in Action, Claims, and Demands whatsoever of or to which the Corporation or the Local Board are respectively by virtue of that Act, and for any of the Purposes of that Act, immediately before the Commencement of this Act, seised, possessed, or in any way entitled, at Law or in Equity, or otherwise howsoever, with the Appurtenances, as if this Act had not passed.

Conveyances, &c. to remain in force.

XI. That, notwithstanding the Repeal of that Act, all Conveyances, Leases, Deeds, Appointments, Contracts, Agreements, Mortgages, Bonds, Covenants, and Securities made or entered into before the Commencement of this Act, to, with, in favour of, or by, for, or on behalf of the Commissioners under that Act, or the Corporation, or the Local Board, or any Person on their respective Behalf, shall be and remain as good, valid, and effectual, in favour of, against, and with reference to the Local Board, and be proceeded on and enforced in the same Manner, to all Intents and Purposes, as if the Local Board, instead of those Commissioners, or the Corporation, or such Person, had been Party to and executed the same, or had been named or referred to therein or privy thereto.

Actions not to abate.

XII. That, notwithstanding the Repeal of that Act, any Action, Suit, Prosecution, or other Proceeding whatsoever commenced either by or against the Commissioners under that Act, or the Corporation, or the Local Board, before the Commencement of this Act, shall not abate or be discontinued or prejudicially affected by this Act, but, on the contrary, shall continue and take effect, both in favour of and against the Local Board, in the same Manner, to all Intents and Purposes, as, in case this Act had not been passed, the same would have continued and taken effect in favour of and against those Commissioners,

sioners, or the Corporation, or the Local Board; and the Court in which any such Action, Suit, Prosecution, or other Proceeding is pending, or any Judge, may, upon the Application in a summary Way of any Party thereto, cause the Name of the Local Board (if necessary) to be substituted for the Name of those Commissioners, or the Corporation, as Party to such Action, Suit, Prosecution, or other Proceeding, and the Name of the Local Board shall after any such Substitution be used in such Action, Suit, Prosecution, or other Proceeding, in like Manner as if the Local Board, instead of those Commissioners, or the Corporation, had originally been Party thereto.

Mortgages under repealed Act charged on General District Rates.

13 & 14 Vict. c. cv.

XIII. That all Mortgages, Assignments, and Annuities granted or made under the Authority of the first-recited Act, and which were in force immediately before the Time of the passing of the said Act of the Fourteenth Year of Her present Majesty, or which by virtue of an Act passed in the Thirteenth Year of Her present Majesty, intituled *An Act to give effect to certain Securities upon the Rates authorized to be levied under the* Wolverhampton *Improvement Act*, have been declared valid and effectual Assignments of the Rates by the firstly-recited Act authorized to be made and collected, or at the Time of the Commencement of this Act are in force and affect any of the Property of the Corporation, or of the Commissioners, acting in execution of the said first-recited Act, or of the Local Board, are by this Act charged on the General District Rates for the Corporate District of *Wolverhampton*, and the Principal Monies and Interests and yearly Sums secured thereby shall be paid out of such General District Rates accordingly; and the several Mortgagees, Assignees, and Annuitants shall have the like Rights and Remedies as if their respective Securities had originally comprised or affected those General District Rates.

Liabilities under repealed Act to be discharged by Local Board out of General District Rates.

XIV. That from and after the Commencement of this Act the Local Board shall be subject to and shall bear, pay, satisfy, and discharge all the Mortgages, Annuities, Debts, Charges, and Liabilities to which the Commissioners under the first-recited Act, or the Corporation, in carrying that Act into execution, or the Local Board, at the Time of the Commencement of this Act, are or but for this Act would be subject, and shall pay, satisfy, and discharge all those Mortgages, Annuities, Debts, Charges, and Liabilities, and all Costs, Charges, and Expenses by reason thereof, by and out of the General District Rates from Time to Time made and levied by the Local Board.

Books to be Evidence.

XV. That, notwithstanding the Repeal of that Act, all Books, Accounts, Writings, and Documents thereby directed or authorized

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to be kept, and which if that Act were not repealed would be receivable in Evidence, shall be admitted in Evidence in all Courts of Law and Equity and elsewhere accordingly.

Officers to continue.

XVI. That, notwithstanding the Repeal of that Act, every Officer and Servant appointed by virtue of or acting under the Authority of that Act shall hold and enjoy his Office and Employment, with the Salary thereunto annexed, and be deemed an Officer and Servant of the Local Board, until he be removed from such Office and Employment, and he shall have the like Power and Authority for the Purposes of this Act, and be subject to the like Power of Removal, Rules, Regulations, Pains, and Penalties, in all respects whatsoever, as if he had been appointed by the Local Board under this Act.

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

XVII. That "The Lands Clauses Consolidation Act, 1845," is incorporated with this Act: Provided always, that, except as is by this Act expressly provided, this Act shall not authorize the taking of any Lands, Streams, or Waters, otherwise than by Agreement.

Power to take Lands for Waterworks specified in deposited Plans.

XVIII. Whereas Plans and Sections showing the Situation and Levels of the Waterworks, and also a Book of Reference containing the Names of the Owners and Lessees or reputed Owners and Lessees and Occupiers of the Land in or through which the same are intended to be made or to pass, and the Lands and Waters required for the Purposes thereof, have been deposited with the Clerk of the Peace for the County of *Stafford*: Therefore the Local Board, subject to the Provisions of this Act, may enter upon and take, by Compulsion or Agreement, and use, such of those Lands and Waters as they think requisite for the Purposes of the Waterworks by this Act authorized.

Certain Provisions of 10 & 11 Vict. c. 17. incorporated with this Act.

XIX. That "The Waterworks Clauses Act, 1847," except the several Clauses and Provisions therein, (that is to say,)

With respect to the Supply of Water to be furnished by the Undertakers;

With respect to the Communication Pipes to be laid by the Undertakers;

With respect to Communication Pipes to be laid by Inhabitants;

With respect to the Waste or Misuse of Water;

With respect to the Payment and Recovery of the Water Rates;

With respect to the Amount of Profit to be received by the Undertakers when the Waterworks are carried on for their Benefit,

Shall be incorporated with this Act.

Power to make Waterworks ac-

XX. That, subject to the Provisions of this Act, the Local Board from Time to Time may make and maintain the Waterworks in

cording to deposited Plans.

in the Line, on the Level, and in and upon the Lands delineated on the Plans and Sections and described in the Book of Reference respectively deposited for the Purposes of this Act, and may, in and upon any Lands authorized to be purchased or held by them under this Act, make and maintain, alter and discontinue, any Works and Conveniences for the Purposes of the Waterworks, and may maintain, alter, and discontinue any Waterworks acquired by the Local Board under this Act.

Waterworks authorized as herein specified.

XXI. That the Waterworks by this Act authorized comprise the following Works; (to wit,)

Firstly, the making and maintaining of a Tank or Reservoir, with all necessary and proper Erections, Shafts, Engines, Standpipes, Pumps, Mains, Filtering Beds, and other Works connected therewith, in or upon the *Townwell-fold* and upon certain Properties on the Western Side of and near or adjoining to the *Townwell-fold*, in the Parish and Township of *Wolverhampton*:

Secondly, the collecting and diverting into the intended Tank or Reservoir and Works of the Waters of the Well-spring or Stream called the *Town Well*, and of any other Springs or Streams connected therewith.

Limits of Deviation.

XXII. That, subject to the Provisions of this Act, the Local Board, in the Execution of the Works, may deviate from the Lines of the Works as delineated on the Plans deposited for the Purposes of this Act, to any Extent within the Limits of Deviation delineated on those Plans.

Period for Completion of Waterworks.

XXIII. That the Waterworks shall be completed within Five Years after the Commencement of this Act, and on the Expiration of that Period the Powers of the Local Board for making the Waterworks, or otherwise in relation thereto, shall cease to be exercised, except as to so much thereof as is then completed: Provided always, that nothing in this Act contained shall extend so as to restrain the Local Board from enlarging and extending their Water Mains and Pipes from Time to Time, whenever they think it necessary, for supplying Water within the Limits and for the Purposes of this Act.

Supply of Water for public Purposes only.

XXIV. That the Local Board shall not supply Water to any private House or Manufactory, or in any other Manner than gratuitously, or for any other than public Purposes, as herein-after defined.

Restricting Communication with

XXV. That no Person shall make or lay down, or permit to be made or laid down, any Pipe or other Mains, or Contrivance for obtaining

obtaining or using Water, to communicate with any Pipe or Apparatus connected with any of the Mains or Pipes of the Local Board. Pipes of Local Board.

XXVI. That the Mains and Pipes of the Local Board shall be so made and manufactured as to have a distinguishing Mark, Stamp, or Letter on the Outside thereof, cast with or cut into the Metal of the Pipe, so that the same may be readily distinguished from the Mains or Pipes of any other Persons or Company; and in case the said Local Board shall lay down any Mains or Pipes not having such distinguishing Mark, Stamp, or Letter, they shall forfeit and pay a Sum not exceeding Twenty Shillings for every Length of Nine Feet of Pipe laid contrary to the Directions aforesaid. Mains, &c. belonging to Local Board of Health to have a distinguishing Mark upon them. Penalty.

XXVII. That the Local Board from Time to Time may afford a gratuitous Supply of Water to any public Baths, Wash-houses, and Markets in *Wolverhampton*, being respectively the Property or in the holding of the Local Board or of the Corporation, and for watering the Streets, Passages, and public Places therein, and for flushing Sewers and Drains, and cleansing public Urinals. Supply to public Purposes.

XXVIII. That "The Markets and Fairs Clauses Act, 1847," shall be incorporated with this Act. 10 & 11 Vict. c. 14. incorporated with this Act.

XXIX. And whereas the Local Board are now in possession of the new Market House and Place next herein-after described, under an Agreement made by the Mayor, Aldermen, and Burgesses of *Wolverhampton* as Trustees for the said Local Board, with the Proprietors thereof, for the Purchase of the said Building, and all Reversion, Estate, and Interests of such Proprietors of and in the Market Rights of *Wolverhampton*: Therefore that Agreement shall be carried into effect, and the new Market House, and the Buildings and Fittings connected therewith, lately erected between *North Street* and *Exchange Street* and *Saint Peter's Walk* and *Craddock's Walk* in *Wolverhampton*, and of which the Local Board are so in possession as aforesaid, with the Franchises, Rights, Members, and Appurtenances thereof, and all the Reversion, Estate, and Interest of *George Robinson*, *William Warner*, *George Cox*, *John Sidney*, and *Moses Ironmonger*, *John Shinton*, *John Neve*, *Richard Warner*, *George Cope*, and *Thomas Evans*, the Proprietors thereof, of and in the same, and of and in the Market Rights of *Wolverhampton*, shall be, after the Execution of the Deed herein-after mentioned, transferred to and vested in the Local Board. New Market House vested in Local Board.

XXX. Provided always, That such Transfer shall be at the Cost of the Local Board, and shall be evidenced sufficiently and conclusively by a Deed of Transfer duly stamped, and in which Deed the full Consideration Transfer to be evidenced by Deed duly stamped.

Consideration for such Transfer shall be fully and truly set forth: Provided also, that such Purchase shall be completed and Sums of Money paid on the Twenty-fifth Day of *March* One thousand eight hundred and fifty-four, or, if the said Local Board shall so wish, and shall give the said *George Robinson*, *William Warner*, *George Cox*, *John Sidney*, *Moses Ironmonger*, *John Shinton*, *John Neve*, *Richard Warner*, *George Cope*, and *Thomas Evans* Three Calendar Months Notice prior to that Day, then on some other Day to be fixed by such Notice, not later than the Twenty-fifth Day of *March* One thousand eight hundred and fifty-six.

Power to maintain Cattle Market.

XXXI. That the Local Board may from Time to Time maintain, regulate, and improve the present Cattle Market now held on Lands adjoining the *Cleveland Road* and *Bilston Street* in *Wolverhampton*, and establish and declare the same to be a public Market and Market Place for the Sale of Horses, Cattle, Bullocks, Pigs, Sheep, and other Beasts and Animals, and of Hay, Straw, and other like Articles.

Power to maintain Market on the High Green.

XXXII. That the Local Board from Time to Time may maintain and regulate a public Market on the *High Green* in *Wolverhampton*, or in any other convenient Place in *Wolverhampton*, for the Sale and pitching of marketable Articles and Provisions sold by Wholesale.

Abolition of Retail Market on the High Green.

XXXIII. That from and after the Commencement of this Act the Retail Market now held upon the *High Green* shall be abolished: Provided always, that this Act or anything therein contained shall not prevent any Person from buying or selling Corn or Grain on such Part of the *High Green* as the Local Board from Time to Time for that Purpose appoint.

Establishment of Fairs.

XXXIV. That the Local Board from Time to Time may establish such Fairs in *Wolverhampton* for the Sale of such Articles as they think fit, and to be held in such Places and at such Times as they may think fit, and may regulate and from Time to Time discontinue such Fairs.

Market and Fair Days.

XXXV. That the Markets and Fairs shall be held on such Days and within such Hours as the Local Board from Time to Time appoint: Provided always, that a Market or Fair shall not be held on *Sunday*, *Christmas Day*, *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving: Provided also, that the yearly Fair held in *July* shall be held on the Tenth Day of that Month, unless such Day happen on a *Sunday*, and then the same shall commence on the Day following; and such Fair shall continue for Three Days, and no longer.

XXXVI. That

Power to provide Slaughter-houses.

XXXVI. That the Local Board from Time to Time may make or provide such Slaughter-houses as shall from Time to Time be sufficient for the slaughtering of Cattle for the Supply of the Town of *Wolverhampton* and the Neighbourhood thereof, and such Slaughter-houses shall be deemed Part of the Market Place.

For preventing Nuisances by Pigs.

XXXVII. That every Person who shall, in any Yard, Ground, or Premises within the Limits of this Act whereof he is Owner, Lessee, or Occupier, sell or keep, offer or exhibit for Sale, or permit to be sold or kept, offered or exhibited for Sale therein, any Pigs or Swine not being the *bonâ fide* Property of such Person, and in his Possession within the said Borough for the Space of Seven Days prior to such Sale, shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Power to levy General Market Tolls, as in Schedule (A.);

XXXVIII. That from and after the Commencement of this Act the Local Board and their Lessees may from Time to Time demand and take, from any Person occupying or using any Shop, Stall, Stand, Bench, or Ground Space in any Market Place for the Time being under the Management of the Local Board, and used as a General Market, such Tolls as the Local Board or their Lessees from Time to Time appoint, not exceeding the several Tolls specified in the Schedule (A.) to this Act annexed.

Wholesale Market Tolls, as in Schedule (B.);

XXXIX. That the Local Board and their Lessees from Time to Time may demand and take from every Person bringing into any Market Place for the Time being under the Management of the Local Board, and used as a Wholesale Market, any Waggon or Cart, or having the Charge of any Waggon or Cart in any such Market Place, or who shall pitch any Commodities in such Market, such Tolls as the Local Board or their Lessees from Time to Time appoint, not exceeding the several Tolls specified in the Schedule (B.) to this Act annexed.

Cattle-Market Tolls, as in Schedule (C.);

XL. That the Local Board and their Lessees from Time to Time may demand in the Cattle Market, from any Person bringing therein any Cattle or other Live Stock specified in the Schedule (C.) to this Act annexed, or having Charge of the same therein, such Tolls as the Local Board and their Lessees from Time to Time appoint, not exceeding the several Tolls specified in the Schedule (C.) to this Act annexed.

Hay and Straw Market Tolls, as in Schedule (D.);

XLI. That the Local Board and their Lessees from Time to Time may demand and take, from every Person bringing into any Market Place for the Time being under the Management of the Local Board, and used as a Hay and Straw Market, any Waggon or Cart, or having the

the Charge of any Waggon or Cart in any such Market Place, such Tolls as the Local Board or their Lessees from Time to Time appoint, not exceeding the several Tolls specified in the Schedule (D.) to this Act annexed.

Weighing and Measuring Tolls, as in Schedule (E.);

XLII. That the Local Board and their Lessees from Time to Time may demand and take, for the weighing or measuring of any Article sold or brought for Sale by Weight or Measure in any Market Place, from any Person having any such Article weighed or measured at the Weighing Houses or Places provided by the Local Board, any Tolls not exceeding those specified in the Schedule (E.) to this Act annexed.

Cart-weighing Tolls, as in Schedule (F.);

XLIII. That the Local Board and their Lessees from Time to Time may demand and take, for the Use of the Machines for weighing Carts within the Limits of this Act, from any Person requiring a Cart to be weighed, any Tolls not exceeding the Tolls specified in the Schedule (F.) to this Act annexed.

Tolls for Fairs, as in Schedule (G.);

XLIV. That the Local Board and their Lessees from Time to Time may demand and take, from any Person occupying any Stall, Stand, Bench, or Space of Ground in the Fairs, or bringing for Sale therein any of the Articles specified in the Schedule (G.) to this Act annexed, any Sums not exceeding those specified in that Schedule.

Slaughter-house Tolls, as in Schedule (H.);

XLV. That the Local Board and their Lessees from Time to Time may demand and take, from any Person slaughtering Cattle in any Slaughter-house belonging to the Local Board, any Tolls not exceeding those specified in the Schedule (H.) to this Act annexed.

Tolls to be payable by successive Occupiers of Shops, &c.

XLVI. That the several Tolls in the Markets and Fairs payable with respect to the Occupation of any Shop, Stall, Bench, Compartment, or Space of Ground shall be paid, not only by the original Taker or Occupier thereof for a Part of a Day or other Time, but also by any subsequent Taker or Occupier thereof for any other Part of the same Day or other Time.

Receipt of Tolls by Officers.

XLVII. That the several Tolls respectively may be demanded and taken by the Officers of the Local Board and of their Lessees respectively.

Power to grant Leases of Stalls, &c.

XLVIII. That the Local Board may let any of the Shops, Stalls, Stands, Benches, Ground, Spaces, and other Conveniences in any Market Place to any Person, for any Term not exceeding Seven Years, at such Rents and on such Terms and Conditions as are mutually agreed on.

XLIX. That

Assignment thereof.

XLIX. That the Lessee of any such Shop, Stall, Stand, Bench, Ground, Space, or other Convenience, his Executors, Administrators, and Assigns, with the Consent of the Local Board, may assign the same for the Residue of his Term.

Power to grant Leases of Markets, Slaughter-houses, &c.

L. That the Local Board may from Time to Time demise and let the Markets and Market Places, and the Slaughter-houses, Weighing Houses, Weighing Places, and Weighing Machines, or any of them, and the Tolls or any of them, for any Period not exceeding Seven Years, upon such Terms and Conditions as the Local Board and their Lessees mutually agree on.

Certain Clauses of 10 & 11 Vict. c. 34. incorporated with this Act.

LI. That the following Clauses and Provisions of "The Towns Improvement Clauses Act, 1847," are incorporated with this Act; (to wit,)

With respect to naming the Streets and numbering the Houses:

With respect to improving the Line of the Streets, and removing Obstructions:

With respect to ruinous or dangerous Buildings:

With respect to Precautions during the Construction and Repair of the Sewers, Streets, and Houses:

With respect to Objections to the Works to be constructed by or subject to the Approval of the Commissioners:

With respect to the Prevention of Smoke:

With respect to the Construction of Houses for Prevention of Fire:

With respect to supplying Buildings with fresh Air:

With respect to Things to be done by the Commissioners by special Order only:

With respect to Clocks:

With respect to Entry by the Commissioners or their Officers in execution of this or the Special Act:

With respect to the ensuring the Execution of the Works by this or the Special Act required to be done by the Owners or Occupiers of Houses or Lands:

With respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices:

With respect to affording Access to the Special Act.

Power to cause public Urinals to be erected.

LII. That, whenever the Local Board think it requisite, they may require the Owner or Occupier of any Licensed Victualling House or Beerhouse to provide and maintain, at his Expense, in a proper and convenient Situation near such House, and to keep, at the like Expense, duly cleansed, a proper and convenient public Urinal; and every such Owner or Occupier who, after being thereunto required by the Local Board, wilfully fails to provide to the Satisfaction of the Local Board, and within such Time as they on that Behalf appoint, or to maintain

to

to their Satisfaction, such an Urinal as required by them, shall be liable to a Penalty not exceeding Twenty Pounds for every such Offence, and to a further Penalty not exceeding Forty Shillings for every Day during which the Offence continues; and every such Owner or Occupier who does not once in every Day, to the Satisfaction of the Local Board, cleanse such Urinal, shall be liable to a Penalty not exceeding Forty Shilllngs for every such Offence.

Indictments for Abatement of Nuisances.

LIII. That the Local Board from Time to Time may proceed by Indictment, Action, or other lawful Proceeding for the Abatement of any Nuisance occasioned by any Trade, Manufacture, or otherwise, as if the Local Board were the Party aggrieved, and their Costs in that Behalf shall be defrayed out of their District Fund.

Footways.

LIV. That the Local Board from Time to Time may flag, brick, and maintain in good Order all or any of the public Footways by the Sides of any Turnpike Roads in *Wolverhampton*, and the Gutters, Drains, Posts, Rails, and Fences thereof, and may make and place such Gutters, Drains, Posts, Rails, and Fences in connexion with such public Footways and the Crossings thereof as they think fit, and may apply any Monies received from "The Footway Paving Rate" towards such Purposes.

Repair of Streets injured by Mining Works.

LV. That whenever any Street in *Wolverhampton* is injured by or in consequence of any Mining Works or the Abandonment thereof, the Local Board may repair the Street; and all the Expenses of such Injury and Repair shall be paid by the Owner of the Mine, and may be recovered in any of the Superior Courts at *Westminster*.

Certain Provisions of 10 & 11 Vict. c. 89., incorporated with this Act.

LVI. That the Clauses of "The Town Police Clauses Act, 1847," with respect to Fires, and with respect to Hackney Carriages, shall be incorporated with this Act.

Mad Dogs.

LVII. That any Constable or other Officer appointed by the Corporation may destroy any Dog or other Animal within the Limits of this Act reasonably suspected to be in a rabid State, or to have been bitten by any Dog or other Animal reasonably suspected to have been in a rabid State.

Penalty for using Dogs to draw Carts.

LVIII. That every Person who at any Time makes use of any Dog to draw any Cart or other Vehicle, or to carry any Burden, within the Limits of this Act, and every Owner of a Dog who knowingly permits it to be used for such Purposes, shall respectively for every such Offence forfeit a Sum not exceeding Forty Shillings.

Power for Local Board to borrow

LIX. That the Local Board from Time to Time may, for the Purpose of raising the said Sums to be paid on the Completion of the said

said Purchase of the said Market House and Buildings and Fittings, with the Franchises, Rights, Members, and Appurtenances thereof, and for any of the Purposes of this Act, and under the Authority thereof, borrow at Interest on the Security of their District Fund Account and the General District Rate, or either of them, or of any Part thereof, any Sums not exceeding in the whole Fifty thousand Pounds, and for securing the Repayment of the Money so borrowed, with Interest, may mortgage such District Fund Account and General District Rate, or either of them, or any Part thereof, to the Persons who advance such Money, and their respective Nominees, or the Local Board may borrow all or any Part of that Money on Bond.

Money on Mortgage or Bond.

LX. That the Local Board from Time to Time may reborrow any Amount from Time to Time repaid by them, unless it be repaid by means of a Sinking Fund, in which Case, and to the Extent of the Amount paid off by means of the Sinking Fund, their Powers for borrowing and reborrowing shall cease.

Power to reborrow Money.

LXI. That from Time to Time, and in addition to the Sum of Fifty thousand Pounds which the Local Board may borrow under the Authority of this Act, they may, with the Consent of the General Board of Health, borrow on Mortgage of their General District Rate, for any of the Purposes of this Act, any further Sums which the Local Board think requisite.

Power for Local Board to borrow further Sums, with Consent of General Board of Health.

LXII. That in order to pay off any Monies borrowed and secured by any Mortgages made by the Local Board under the Powers of this Act, the Local Board shall in every Year, until the same be paid off, appropriate and set apart as a Sinking Fund such Sum as, together with the Interest from Time to Time to accrue thereon, will in the Period of Thirty Years amount to a Sum sufficient to repay the Monies borrowed and secured by any such Mortgage, and shall from Time to Time cause such Sinking Fund and the Interest thereon to be invested in the Purchase of Exchequer Bills or other Government Securities, and to be increased by Accumulation in the way of Compound Interest or otherwise; and whenever the Local Board are enabled to pay off One or more of such Mortgages, and are not able to pay off the whole of such Mortgages, they shall, in default of Arrangement between the Local Board and the Mortgagees, decide by Lot the Order in which the same shall be paid off.

Sinking Fund for Discharge of Mortgages.

LXIII. That all the Costs, Charges, and Expenses from Time to Time incurred by the Corporation in executing such of the Powers and Provisions of this Act as are to be executed by the Corporation shall from Time to Time be paid and borne by and out of the Borough Fund of the Borough, as if the same were an Expenditure necessarily

Expenditure by Corporation how to be defrayed.

necessarily incurred in carrying into execution within the Borough the Provisions of the Act for the Regulation of Municipal Corporations.

Income of Local Board to be paid to Credit of District Fund Account.

LXIV. That all Monies from Time to Time borrowed by the Local Board under this Act, and all Tolls, Rents, Penalties, and other Monies whatsoever from Time to Time received by or for the Use of the Local Board, under this Act, or in carrying it into execution, shall from Time to Time, forthwith after the Receipt thereof, be paid to the Credit of their District Fund Account.

Expenditure by Local Board to be defrayed out of General District Rates.

LXV. That all the Rent which if this Act were not passed would be payable up to the Twenty-fifth Day of *March* One thousand eight hundred and fifty-four by the Corporation of the Local Board, by way of Rent for the new Market, and all Monies from Time to Time paid by the Local Board for or with respect to the Execution of this Act or any of the Powers or Provisions thereof, and all Debts, Liabilities, and Engagements whatsoever from Time to Time incurred and entered into by the Local Board for or with respect to the Execution of such of the Powers and Provisions of this Act as are to be executed by the Local Board, and all other the Costs, Charges, Losses, Damages, and Expenses whatsoever from Time to Time paid or incurred by the Local Board with respect to the Execution of this Act, shall be borne and paid by and out of the District Fund Account, or, if and so far as the same from Time to Time prove insufficient, by and out of their General District Rates; and the Local Board shall from Time to Time raise a sufficient Amount by General District Rates accordingly.

Rating of Railways and Canal.

LXVI. That for the Purpose of any Rate to be made or levied under the Provisions of this Act or of any of the recited or incorporated Acts, all Lands covered with Water and used as a Canal, and any Towing Path to the same, and all Lands used as a Railway constructed under the Powers of any Act of Parliament for public Conveyance, shall be assessed and liable in the Proportion of One Fourth Part only of the net annual Value of such Lands respectively, anything in this or any of the recited or incorporated Acts contained to the contrary notwithstanding.

Local Board not disqualified by Contracts in certain Cases.

LXVII. That a Contract with the Local Board for Supply of Water, or for any Sale or Lease, under this Act, shall not disqualify a Person from being and continuing or acting as a Member of the Council, or as One of the Local Board: Provided always, that any such Person who votes or takes part in the Discussion of any Matter before the Council or the Local Board relating to any such Contract for the Time being entered into, or proposed to be entered into, and

in

in which he or his Partner has, or if the Contract were entered into would have, directly or indirectly, any pecuniary Interest, shall thereupon be disqualified as being a Contractor with the Corporation and with the Local Board.

Rates, &c. due may be levied by Distress.

LXVIII. That all Rates and other Sums of Money due under this Act to the Corporation or the Local Board, on any Account whatsoever, and all Costs, Damages, and Expenses by this Act directed to be paid, may be levied by Distress; and any Justice, on Application by the Corporation or the Local Board, shall issue his Warrant accordingly.

As to Costs of Distresses.

LXIX. That any Justice who issues any such Warrant of Distress may order that the Costs of the Proceedings for the Recovery of such Money shall be paid by the Person liable to pay such Money; and such Costs shall be ascertained by the Justice, and shall be included in the Warrant of Distress for the Recovery of such Money.

Several Names in One Warrant.

LXX. That any Number of Names and Sums may be included in any such Warrant of Distress, and may be expressed in the Body of the Warrant, or in a Schedule thereto.

Recovery of Tolls, Rates, &c. otherwise than by Distress.

LXXI. That the Local Board may, from Time to Time as they think fit, recover the whole or any Part of any Toll, Rate, or other Money payable to them by virtue of this Act, by Action, Plaint, or other Proceeding in any Court of competent Jurisdiction.

Local Board to repair Roads over Birmingham Canal.

LXXII. That from and after the Commencement of this Act the Company of Proprietors of the *Birmingham* Canal Navigations shall not be liable to repair or amend any Part of the Roads now or hereafter vested in the Local Board approaching to or passing over any Bridge belonging to the said Company within the Borough.

Saving Rights of Mayor, &c., Corporation, and Local Board.

LXXIII. That, except as is by this Act expressly provided, this Act or anything herein contained shall not take away, lessen, or prejudice any of the Rights, Privileges, Powers, or Authorities of the Mayor, Aldermen, and Burgesses, or of the Corporation, or of the Local Board, but all such Rights, Privileges, Powers, and Authorities respectively may be had, exercised, and enjoyed as if this Act had not passed.

Not to take Lands of or interfere with the Birmingham, Wolverhampton, and Stour

LXXIV. That nothing in this Act contained shall extend to authorize the Local Board to take or enter upon any of the Lands or Grounds now belonging to the *Birmingham, Wolverhampton, and Stour Valley* and *London and North-western* Railway Companies, or either of them, or to alter, vary, use, or interfere with their Railway,

Valley and London and North-western Railway Companies, without Consent.

way, or any of the Works thereof, or to restrict or obstruct or interfere with the Rights, Privileges, Easements, and Advantages now used and exercised by the said Companies respectively, whether under the Authority of Parliament or otherwise, without the Consent in Writing of the said *Birmingham, Wolverhampton, and Stour Valley* and *London and North-western* Railway Companies respectively, for that Purpose first had and obtained.

Saving Rights of the Birmingham, Wolverhampton, and Stour Valley and London and North-western Railway Companies.

LXXV. That this Act or anything herein contained shall not take away, lessen, alter, or prejudice any of the Rights, Privileges, and Authorities now vested in the *Birmingham, Wolverhampton, and Stour Valley* and *London and North-western* Railway Companies respectively, but all such Rights, Privileges, and Authorities respectively may be had, exercised, and enjoyed, as if this Act had not passed.

Expenses of Act.

LXXVI. That all the Costs, Charges, and Expenses of and incident to the obtaining and passing of this Act, or otherwise in relation thereto, shall be borne, raised, and be paid by the Local Board as Part of the Expenses of executing such of the Powers and Provisions of this Act as are to be executed by them.

The SCHEDULES referred to by the foregoing Act.

SCHEDULE (A.)

General Market Tolls.

Shops.

From the Occupier of every enclosed Shop, whether for the Sale of Butchers' Meat, Game, Poultry, Fish, Vegetables, Fruit, China, Glass, Earthenware, Baskets, Hardware, or other Commodities, Articles, or Things, according to the Size and Dimensions of such Shop; namely, for each lineal Foot of the Frontage thereof,

	£	s.	d.
If let by the Year, any yearly Sum not exceeding -	4	10	0
If let by the Half Year, any half-yearly Sum not exceeding - - - - - -	2	5	0
If let by the Quarter, any quarterly Sum not exceeding	1	2	6
If let by the Week, any weekly Sum not exceeding -	0	2	0

Butchers' Stalls.

From the Occupier of every Butcher's Stall, according to the Size and Dimensions of the same; namely, for each lineal Foot of Frontage thereof,

	£	s.	d.
If let by the Year, any yearly Sum not exceeding -	2	10	0
By the Half Year, any half-yearly Sum not exceeding -	1	5	0
By the Quarter, any quarterly Sum not exceeding -	0	12	6
By the Week, any weekly Sum not exceeding - -	0	1	0
If otherwise taken or occupied, for each Market Day or other Day in the Week, any daily Sum not exceeding	0	0	6

Vegetable and other Stalls.

From the Occupier of every Stall raised above the Ground for the Sale of Vegetables, Fruit, Fish, Game, Poultry, China, Glass, Earthenware, Baskets, Hardware, or other Commodities, Articles, or Things, according to the Size and Dimensions of such Stall; namely, for each lineal Foot of Frontage thereof,

	£	s.	d.
If taken by the Year, any yearly Sum not exceeding -	1	15	0
By the Half Year, any half-yearly Sum not exceeding	0	17	6
By the Quarter, any quarterly Sum not exceeding -	0	9	0
By the Week, any weekly Sum not exceeding - -	0	0	9
If otherwise taken, for every Market Day or other Day in the Week, any daily Sum not exceeding - -	0	0	4½

Stands or Benches.

From the Occupier of every Stand or Bench according to the Size or Dimensions of the same; namely, for each superficial Square Foot or fractional Part of a superficial Square Foot thereof,

	£	s.	d.
If taken by the Year, any yearly Sum not exceeding -	0	5	0
If taken by the Half Year, any half-yearly Sum not exceeding - - - - - -	0	2	6
By the Quarter, any quarterly Sum not exceeding -	0	1	3
By the Week, any weekly Sum not exceeding - -	0	0	6
If otherwise taken, for each Market Day or other Day in the Week, any daily Sum not exceeding - -	0	0	2

Ground Space.

From the Occupier of each Compartment or Space on the Surface of the Ground, according to the Size and Dimensions of the same; namely, for each Superficial Square Foot thereof,

	£	s.	d.
If taken by the Year, any yearly Sum not exceeding -	0	3	0
By the Half Year, any half-yearly Sum not exceeding -	0	1	6
By the Quarter, any quarterly Sum not exceeding -	0	0	9
By the Week, any weekly Sum not exceeding - -	0	0	3
If otherwise taken, for each Market Day or other Day in the Week, any daily Sum not exceeding - -	0	0	1

SCHEDULE (B.)

Wholesale Market Tolls.

	£	s.	d.
For every Waggon used by any Person for exposing or in which shall be exposed to Sale any Article, Commodity, or Thing, for each Market Day or other Day the daily Sum of - - - - - - -	0	4	0
For every Cart used by any Person for the like Purpose, for each Market Day or other Day any daily Sum not exceeding,—			
If drawn by One Horse or other Animal, the Sum of -	0	2	0
If drawn by Two or more Horses or other Animals, the Sum of - - - - - - -	0	3	0
For each Compartment or Space on the Surface of the Ground used by any Person for the like Purpose, according to the Size or Dimensions of the same; namely, for each Superficial Square Foot thereof the daily Sum of - - - - - - - -	0	0	1

SCHEDULE (C.)

Cattle Market Tolls.

	£	s.	d.
For Horses under Thirteen Hands high, any Sum not exceeding, each	0	0	4
For Horses Thirteen Hands and upwards, any Sum not exceeding, each	0	0	8
For Mules and Asses, any Sum not exceeding, each	0	0	4
For Bulls, Cows, Steers, and Heifers, any Sum not exceeding, each	0	0	6
For Calves, any Sum not exceeding, each	0	0	4
For Sheep, Lambs, and Goats, any Sum not exceeding, each	0	0	2
For Pigs, any Sum not exceeding, each	0	0	2
For Sucking Pigs, any Sum not exceeding, each	0	0	1
For each Bull, Cow, Steer, or Heifer placed in the Market previously to the Market or Fair Day, for each Night so placed any Sum (in addition to the above Tolls payable in respect of such Animals) not exceeding	0	0	4
For each Calf or Pig placed in the Market previously to the Market or Fair Day (in addition to the above Tolls payable in respect of such Animals), any Sum not exceeding, for each Night	0	0	1
For Horses of any Size, Mules, and Asses placed under the covered Space of the said Market (in addition to the Tolls as above payable in respect of each such Horse, Mule, or Ass), if such Space be taken by the Quarter, any Sum not exceeding, per lineal Yard	0	2	0
If taken by the Day, any Sum (in addition to the Tolls as above for each Horse, Mule, or Ass) not exceeding, per lineal Yard	0	0	4

SCHEDULE (D.)

Hay and Straw Market Tolls.

	£	s.	d.
For each Waggon Load of Hay, Straw, or Fodder, any Sum not exceeding	0	1	0
For each Cart Load of Hay, Straw, or Fodder, any Sum not exceeding	0	0	8

SCHEDULE (E.)

Weighing and Measuring Tolls.

	£	s.	d.
For weighing every Piece of Meat or Thing weighing not more than 20 lbs. Avoirdupois - - -	0	0	0½
For weighing every Piece of Meat or Thing weighing more than 20 lbs. and not exceeding 240 lbs. - -	0	0	1
And so in proportion for any greater Quantity than 240 lbs. Weight - - - - -	0	0	2
For measuring every Quantity of Goods and Things sold by Measure, not exceeding One Bushel - -	0	0	0½
For measuring every Quantity more than One Bushel and not exceeding Two Bushels - - -	0	0	1
And for every Bushel beyond Two Bushels - -	0	0	0½

SCHEDULE (F.)

Cart-weighing Tolls.

	£	s.	d.
For weighing every Waggon, whether loaded or unloaded	0	0	4
For weighing every Cart, whether loaded or unloaded -	0	0	2

SCHEDULE (G.)

Tolls for Fairs.

Cheese, Butter, Bacon, &c.

	£	s.	d.
For every Hundredweight or fractional Part of a Hundredweight of Cheese exposed for Sale, not exceeding the daily Sum of - - - - -	0	0	4
For every Tub of Butter, not exceeding the daily Sum of	0	0	4
For every Side of Bacon, not exceeding the daily Sum of	0	0	4
For every Ham, not exceeding the daily Sum of - -	0	0	4
For every Stack of Onions, per Cubic Yard, not exceeding the daily Sum of - - - - -	0	1	0

GENERAL FAIRS.

	£	s.	d.
For each and every Superficial Square Foot of Ground used for an Exhibition of Wild Beasts, or for any other public Shows or Performances, any Sum not exceeding the daily Sum of - - - - - -	0	0	0½
For every Stall, Stand, Bench, and Space of Ground used by any Person for the Sale of any Article or Articles whatsoever, according to the Size and Dimensions of such Stall, Stand, Bench, or Space of Ground; namely, for each Superficial Square Foot thereof the daily Sum of - - - - - - - -	0	0	0½

SCHEDULE (H.)

SLAUGHTER-HOUSE TOLLS.

	£	s.	d.
For every Bull, Ox, Cow, or Bullock, any Sum not exceeding - - - - - - -	0	2	0
For every Calf, any Sum not exceeding - - -	0	1	0
For every Sheep or Lamb, any Sum not exceeding -	0	0	6
For every Hog or Pig, any Sum not exceeding - -	0	0	8
For any other Beast, any Sum not exceeding - -	0	2	0

SCHEDULE (I.)

WHEREAS a Petition from the Inhabitants rated to the Relief of the Poor within the Boundaries of the Borough of Wolverhampton, as fixed by the Charter of Incorporation granted by Her most Gracious Majesty Queen Victoria, in the Eleventh Year of Her Reign, in pursuance of the Provisions of an Act of Parliament passed in the Sixth Year of the Reign of His Majesty King William the Fourth, intituled "An Act to provide for the Regulation of Municipal Corporations in England and Wales," and signed by One thousand and fourteen of such Inhabitants, being more than One Tenth of the total Number of such Inhabitants, was presented to the General Board of Health appointed for the Purposes and for superintending the Execution of "The Public Health Act, 1848," praying that the Powers and Provisions of the said Public Health Act, 1848, might be extended to such Borough:

And whereas, in pursuance of such Petition, and of the Provisions of the said Public Health Act, the General Board of Health directed Robert Rawlinson, Esq., a Superintending Inspector appointed for the Purposes of the same Act, to visit the said Borough within and throughout the said Boundaries, and to make public Inquiry and to examine Witnesses as to the Sewerage, Drainage, and Supply of Water, the State of the Burial Grounds, the Number and sanitary Condition of the Inhabitants, and as to any Local Acts of Parliament in force within the said Borough for paving, lighting, watching, regulating, supplying with Water, or improving the said Borough, or having relation to the Purposes of the said Public Health Act; also as to the natural Drainage Areas, and the existing municipal, parochial, or other local Boundaries, and the Boundaries which might be most advantageously adopted for the Purposes of the said Public Health Act:

And whereas the said Superintending Inspector, having previously given the Notices directed by the said Public Health Act, proceeded upon the said Inquiry in the Manner directed by the said Act, and hath reported in Writing to the said General Board of Health upon the several Matters with respect to which he was directed to inquire, and upon certain other Matters in respect of which he deemed it expedient to report for the Purposes of that Act:

And whereas Copies of the said Report, accompanied by a Notice stating that written Statements might be forwarded to the said Board with respect to any Matter contained in or omitted from the said Report, or any Amendment proposed to be made therein, have been duly published and deposited as directed by the said Public Health Act, and the Time for forwarding such Statements has now elapsed, and all such Statements as have been received by the said Board have been duly deposited as required by such Act:

And whereas it appears upon the said Report that there is a certain Local Act of Parliament in force within the said Borough, having relation to the Purposes of the said Public Health Act, (that is to say,) an Act passed in the Fifty-fourth Year of the Reign of His Majesty King George the Third, intituled "An Act for improving the Town of Wolverhampton in the County of Stafford, and for removing and regulating the Markets in the said Town:"

And whereas the Commissioners for putting in execution the said Local Act, in pursuance of the Provisions of the said Act passed in the Sixth Year of the Reign of King William the Fourth, did, at a Meeting of the said Commissioners specially called for that Purpose, on the 14th November 1848, unanimously resolve and agree to

transfer

transfer to the Mayor, Aldermen, and Burgesses of the said Borough the Powers vested in them by the said Local Act passed in the Fifty-fourth Year of the Reign of King George the Third; and the said Commissioners, by Writing under their Hands and Seals, did transfer such Powers accordingly unto the said Mayor, Aldermen, and Burgesses of the said Borough:

And whereas it appears to the said General Board of Health to be expedient that the said Public Health Act, except as herein-after mentioned, should be applied to the said Borough, and to the Boundaries thereof as defined as aforesaid, and within which the said Inquiry had been made, and that Provision should be made with respect to the said Local Act of Parliament, and the partial Repeal thereof; but the same cannot be done without the Authority of Parliament:

Now, therefore, in pursuance of the Power vested in the said Board by the Public Health Act, 1848, we, the said General Board of Health, do, by this Provisional Order under our Hands and Seal of Office, order and direct:—

1. That from and after the passing of any Act of Parliament confirming this present Order, "The Public Health Act, 1848," and every Part thereof, except the Section numbered Fifty in the Copies of that Act printed by Her Majesty's Printer, and except so much of that Section numbered Eighty-eight in the Copies of the same Act printed by Her Majesty's Printer as provides that if within any District or Part of a District any kind of Property shall before the passing of that Act have been exempted from rating by any Local Act in respect of all or any of the Purposes for which General or Special District Rates might be made under that Act, the same kind of Property should in respect of the same Purposes and to the same Extent within the Parts to which the Exemption applies, but no further or otherwise, be exempt from Assessment to any General or Special District Rates under that Act, shall apply to and be in force within and throughout the entire Area, Places, and Parts of Places comprised within the Boundaries fixed as the Boundaries of the said Borough, and by the said Charter of Incorporation granted as aforesaid.
2. That the Mayor, Aldermen, and Burgesses of the Borough of Wolverhampton shall be, by the Council of the said Borough, within and for the said Corporate District, constituted, for the Purposes of the said "Public Health Act, 1848," as aforesaid, the Local Board of Health under that Act.
3. That from and after the passing of any Act of Parliament confirming this Order, the aforesaid Transfer to the said Mayor, Aldermen, and Burgesses of the Powers vested in the Commissioners

missioners for putting in execution the said Local Act be confirmed.

4. That from and after the passing of any Act of Parliament confirming this Order, such Provisions of the said Local Act as are herein-after enumerated, except in so far as such Provisions or any of them relate to any Rate, Assessment, Composition, Mortgage, Assignment, or Annuity made, executed, or granted, or to any Act, Matter, or Thing done, before the passing of any Act of Parliament confirming this Order, shall be repealed; and the said Provisions to be repealed are as follows; (that is to say,)

The Provisions with respect to the Qualification, Meetings, and Mode of transacting Business by the Commissioners for putting in execution the said Local Act:

The Provisions with respect to the said Commissioners suing or being sued in the Name of their Treasurer or Treasurers, Clerk or Clerks:

The Provisions as to Statute Duty and Compositions for Statute Duty:

The Provisions with respect to paving, pitching, flagging, repairing, relaying, amending, altering, cleansing, and lighting the Streets, Lanes, and public Passages and Places, and raising, lowering, and altering the same, or the Ground thereof:

The Provisions with respect to Gutters, Sinks, Drains, and Sewers:

The Provisions with respect to Watchmen and watching:

The Provisions with respect to sweeping, cleansing, and scraping Footways:

The Provisions for the Cesser and Determination of the Tolls, Taxes, and other Rights and Privileges in right or in respect of the Markets held in the Town of Wolverhampton, and for making the Markets established or to be established by virtue of the said Local Act free and open Markets:

The Provisions for or relating to the Purchase of Buildings, Lands, Tenements, and Hereditaments:

The Provisions for or relating to the ascertaining the Limits of the said Town of Wolverhampton:

The Provisions for or relating to the Appointment of Assessors, and the Rates and Assessments in the said Local Act mentioned and authorized to be raised for the Purposes of the said Local Act.

5. That from and after the passing of any Act of Parliament confirming this Order, whenever any House or other Building, Wall or Fence, standing in any Street, Lane, Highway, Turnpike or other Road, Square, public Passage or Place within the said Corporate District, shall be taken down, it shall be lawful for the said Local Board of Health, if they think proper, to require

require and compel the Owner or Owners thereof, when the same shall be rebuilt, to cause such House or other Building, Wall or Fence, to be set back, and to give such Directions and make such Orders, under the Corporate Seal of the said Borough of Wolverhampton, as the said Local Board of Health shall think proper, and to cause the same to be delivered to such Owner or Owners, or to be left at the usual or last known Place of Abode of such Owner or Owners, some or One of them; and if any House or other Building, Wall or Fence, shall be built or erected contrary to such Directions and Orders, the same shall be and be deemed to be an Encroachment, Nuisance, and Annoyance, and it shall be lawful for the said Local Board of Health to cause the same to be pulled down and removed: Provided always, nevertheless, that full Recompense and Satisfaction shall be made to the Owner or Owners of and all Persons interested in the Premises, for any Loss or Damage he, she, or they may sustain by such House or other Building, Wall or Fence, being set back; and the Amount of such Recompense and Satisfaction shall be ascertained and fixed in the same Manner as the Recompense and Satisfaction for Lands or Premises purchased by Agreement for the Purposes of the said Public Health Act, 1848; and the Amount of such Recompense and Satisfaction shall be defrayed out of the General District Rates, or by a Special District Rate, as the said Local Board of Health shall direct, and to be levied under the said Public Health Act.

6. That forthwith after the passing of any Act of Parliament confirming this Order the said Local Board of Health shall, by Order under the Corporate Seal of the said Borough, and referring or not to a Map or Plan of the said Corporate District, ascertain and fix the Part of the said Corporate District within which the Streets, Lanes, Highways, Turnpike and other Roads, Squares, public Passages and Places, Markets, and public Buildings are to be lighted; and the said Local Board of Health shall and may from Time to Time thereafter, by Orders under the said Corporate Seal, and referring or not to a Map or Plan of the said Corporate District, vary and alter the Part of the said Corporate District to be so lighted as aforesaid, and the said Part of the said Corporate District so from Time to Time ascertained and fixed as aforesaid may in all Rates, or legal or other Proceedings or Writings whatsoever, be called "The Lighted District" of the Borough of Wolverhampton.

7. That from and after the passing of any Act of Parliament confirming this Order, and when the said Lighted District shall be ascertained and fixed as aforesaid, the said Local Board of Health may contract, for any Period not exceeding Three Years

at any One Time, with any Company or Person for the lighting, by Gas, Oil, or other Means, the Streets, Roads, Highways, Turnpike and other Roads, Squares, public Passages and Places, Markets and public Buildings within the said Lighted District or any Part thereof, and may contract with such Company or Person for or may provide such Lamps, Lamp Posts, and other Materials and Apparatus as the said Local Board may deem necessary for the lighting the said Streets, Lanes, Highways, Turnpike and other Roads, Squares, public Passages and Places, Markets, and public Buildings; and the said Local Board of Health may affix or set up such Lamps, Lamp Posts, and other Materials and Apparatus on or against the Houses or other Buildings, Walls, Rails, or Palisades within the said Lighted District, or in any other Manner which they shall think proper, and the said Lamps shall be lighted at such Seasons of the Year, on such Nights, and for such Hours of the Night, as the said Local Board of Health shall seem proper; and the Costs and Expenses of or relating to such lighting of the said Lighted District shall be defrayed out of a Rate in the Nature of a General District Rate, to be from Time to Time made and levied upon the Occupier or Occupiers of all such Kinds of Property within the said Lighted District, exclusively of the rest of the said Borough, as by the Laws in force for the Time being are or may be assessable to any Rate for the Relief of the Poor, and shall be assessed upon the full net annual Value of such Property ascertained by the Rate (if any) for the Relief of the Poor made next before the making of the said Assessment, and the said Rate shall be called "The Lighting Rate," and shall be carried to a separate Account, to be called "The Lighting Fund Account;" and all the Provisions relating to General District Rates in the said "Public Health Act, 1848," shall, so far as they are not inconsistent with this Order and the several Provisions thereof, apply to the Lighting Rates to be levied under and in pursuance of the aforesaid Provisions.

Provided always, that all Monies which at the Time of the passing of any Act of Parliament confirming this Order shall be in the Hands of the said Mayor, Aldermen, and Burgesses, as Commissioners for putting in execution the said Local Act, and applicable to any of the Purposes of the said Local Act, shall be paid to the said "Lighting Fund Account," and shall be applied to the Purposes to which the said "Lighting Fund Account" is applicable as aforesaid; and all Debts and Sums due and owing by the said Mayor, Aldermen, and Burgesses, as Commissioners as aforesaid, not being Debts or Sums of Money due on Mortgages, Assignments, or Annuities made or granted under the said Local Act, shall be forthwith paid out of the

said "Lighting Fund Account," and no Lighting Rate shall be invalid or illegal by reason of such Rate being made wholly or in part to pay the said Debts or Sums of Money.

8. That forthwith after the passing of any Act of Parliament confirming this Order the said Local Board of Health shall, by Order under the Corporate Seal of the said Borough, and referring or not to a Plan of the said Corporate District, ascertain and fix the Part of the said Corporate District within which the Footways of the Streets, Lanes, Highways, Turnpike and other Roads, Squares, public Passages and Places, and Markets, or such of them as to the said Local Board of Health shall seem convenient, are to be paved with Flags, Bricks, or other Materials equally suitable; and the said Local Board of Health shall and may from Time to Time thereafter, by Order under the said Corporate Seal, and referring or not to a Map or Plan of the said Corporate District, vary and alter the Part of the said Corporate District within which the Footways are to be so paved as aforesaid; and the said Part of the said Corporate District within which the Footways are to be so paved as aforesaid, and the said Part of the said Corporate District so from Time to Time ascertained and fixed as aforesaid, may, in all Rates or legal or other Proceedings or Writings whatsoever, be called "The Paved Footway District" of the Borough of Wolverhampton; and the Costs and Expenses of or relating to such paving the Footways within such District, or the maintaining the present or future Pavement of the said Footways within the said District, shall be defrayed out of a Rate in the Nature of a General District Rate to be from Time to Time made and levied upon the Occupier or Occupiers of all such Kinds of Property within the said paved Footway District, exclusively of the rest of the said Corporate District, as by the Laws in force for the Time being are or may be assessable to any Rate for the Relief of the Poor, and shall be assessed upon the full net annual Value of such Property, ascertained by the Rate (if any) for the Relief of the Poor made next before the making of the said Assessment; and the said Rate shall be called "The Footway Paving Rate," and shall be carried to a separate Account to be called "The Footway Paving Fund Account;" and all the Provisions relating to General District Rates in the said Public Health Act, 1848, shall, so far as they are not inconsistent with this Order and the several Provisions thereof, apply to the Footway Paving Rates to be levied under and in pursuance of the aforesaid Provisions.

9. That from and after the passing of any Act of Parliament confirming this Order, all Tolls, Rates, and Monies received or to be received or derived from the Markets conveyed to the said Commissioners for putting in execution the said Local Act,

under

under and by virtue of a certain Lease from the Duke of Cleveland for Twenty-one Years from the 25th May 1843, if Three Persons on whose Lives the Lease is held should so long live, and assigned to the said Mayor, Aldermen, and Burgesses by Indenture dated the 15th Day of November 1848, and from the Cattle Market and the Lands and Buildings forming such Market vested in the said Mayor, Aldermen, and Burgesses by virtue of an Indenture dated the 15th Day of November 1848, shall (subject to the Payment of the yearly Rent reserved under such Lease, and of the Costs and Expenses attending the Collection of the Tolls and Rates of the said Markets, and the Repair and Alterations which from Time to Time may be deemed necessary in such Markets or either of them, and of all other incidental Expenses,) be placed and carried to "The District Fund Account" of the said Corporate District.

10. That from and after the passing of any Act of Parliament confirming this Order all Mortgages, Assignments, and Annuities which shall have been given, contracted, or payable by the Commissioners for putting in execution the said Local Act, or by the said Mayor, Aldermen, and Burgesses acting as such Commissioners, together with all Interest due thereon, shall be charged upon and defrayed out of the General District Rates of the said Corporate District, as if the said General District Rate had been mentioned in the said Mortgages, Assignments, and Annuities, instead of the Rates and Assessments arising by virtue of the said Local Act: Provided that no greater Sum than 1,500*l.* shall in any One Year be leviable or paid out of the said General District Rates, in discharge of the said Mortgages, Assignments, and Annuities, or any of them.

Given under our Hands and under the Seal of the General Board of Health, this Seventeenth Day of June in the Year of our Lord 1850.

L. S.

(Signed) ASHLEY.
EDWIN CHADWICK.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1853.