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present South Quay, and at a Distance of Ninety-eight Feet from the above-mentioned Extremity of the Wall of the aforesaid Yard; thence a Distance of Nine hundred and sixty-five Feet North-westwards, in a Line a little curved, but parallel with the Breastwork of the said Quay, and at the uniform Distance of Fifty Feet from the said Breastwork; thence in a straight Line to the Eastern Extremity of the Wall which supports the Hurries on the South Side of the said Harbour; thence along the said Wall to the North-east Corner of the Harbour House, being a Distance of Three hundred and eighty-nine Feet or thereabouts; thence along the North Side of the Harbour House and Custom House to the North-west Corner of the said Custom House, being a Distance of One hundred Feet and a Half or thereabouts; thence in a straight Line to and along the Wall which supports the Hurry on the South Side of the Dock to a Point directly opposite to the South-east Corner of the Ship-building Yard of Messieurs *Falcon* and *Alexander*, being a Distance of Three hundred and fifty-six Feet or thereabouts from the above-mentioned Corner of the said Custom House; thence to the said South-east Corner of the said Ship-building Yard, being a Distance of Twenty-one Feet or thereabouts; thence in a curved Line along the Eastern Boundary of the said Ship-building Yard to the Point where the same adjoins the Ship-building Yard of Messieurs *William Peile*, *Scott*, and Company, being a Distance of Two hundred and thirty-three Feet and a Half or thereabouts; thence along the South-east Boundary Fence of the said last-mentioned Ship-building Yard of Messieurs *William Peile*, *Scott*, and Company, One hundred and eight Feet or thereabouts; thence in a straight Line across the Slip belonging to the last-mentioned Yard in an oblique Direction towards the East, Sixty Feet or thereabouts, to the South Corner of the Paling or Fence of the said Yard next adjoining to the said Slip on the North-east Side thereof; thence in a straight Line One hundred and twenty Feet to a Point on the North-west Side of the Jetty or Quay forming the Entrance to the Dock; thence in a straight Line Three hundred and forty-four Feet or thereabouts to a Point on the Eastern Side of the South Pier, distant Ninety-six Feet from the North Wall of the said last-mentioned Building Yard; thence along the Eastern Side of the said South Pier to the Southern Extremity thereof, being a Distance of Sixty-nine Feet or thereabouts; thence along the Western Side of the said Pier down towards the Sea One hundred and eight Feet; thence Westerly in a Direction pointing to the principal Capstan Four hundred and sixty-eight Feet; thence in a South-west Direction to the South Corner of a House or Building called the *Spile House*, being a Distance of One hundred and fifty Feet or thereabouts; thence along the South-western Boundary Fence of a Timber Yard in the Occupation of the said Messieurs *William Peile*, *Scott*, and Company, (adjoining to the Yard of the late Colliery or Pit called *Isabella Pit*, belonging to *Henry Curwen* Esquire,) to the South Corner of the said Timber Yard; thence in a straight Line South-eastwards to the South-western Extremity of a certain Ropewalk now in the Occupation of Messieurs *David Fletcher* and Company; thence in a straight Line Eastwards to the South-west Corner of a certain Garden belonging to *Isaac Scott*, and now occupied by *Lancelot Bouch*; thence in a straight Line in a Direction a little more Southerly

southerly to the South-western Extremity of a certain Ropewalk called *Hodgson's Ropewalk*, now occupied by Messieurs *Fishers* and Company; thence in a straight Line to the South-west Corner of a certain Schoolhouse or Building lately built on the South-west Side of and near to the *Low Meeting House;* thence in a straight Line to the North-west Corner of a certain Garden belonging to the Premises of the late *Henry Dickinson* (formerly a Soapery), and now in the Occupation of *Joseph Brown*, Common Carrier; thence in a straight Line to the North-west Corner of a certain Garden adjoining and belonging to the Roman Catholic Chapel; thence along the South-western Boundary Fence of the said last-mentioned Garden, and the South-western Boundary Fence of the Burial Ground adjoining and belonging to the said Chapel, to the South-west or South Corner or Angle of the said Burial Ground; thence in a straight Line to the North Corner of a certain Field at the Town Head called the *Schoolhouse Field*, next adjoining to the public Highway leading from the Town of *Workington* to *Whitehaven;* thence in a straight Line across the said Highway to the South-west Corner of the Court in front of a certain Dwelling House at the Town Head, the Property of and now or lately occupied by one *Solomon Ellwood;* thence along the said Court and the upper Side of the said last-mentioned House to the South-east Corner of the same Dwelling House; thence in a straight Line to the North-east Corner of a certain Garden at the Row situate behind and adjoining to the Dwelling House now or lately occupied by *Charles Thompson;* thence in a straight Line across the Park of the said *Henry Curwen* to the Place where a certain Mill Stream or Race belonging to the *Workington* Mill runs out of the said Park (near to the Soapery); thence in a Line downwards along the Middle of the said Mill Stream or Mill Race (skirting the *Middle Cloffock* and the *Lower Cloffock*) to the Entrance of the South Gut at the Harbour of *Workington* aforesaid; thence in a straight Line through the said South Gut to a Point or Place in the said Gut from whence if a straight Line be drawn South-westwards to the South Quay it will intersect the Breastwork of the said Quay at the Distance of Nine hundred and ninety Feet from the South-eastern Extremity of the said Breastwork, measuring along the same, and extending from the said Point or Place in the said South Gut South-westwards to the said last-mentioned Point or Place in the said Breastwork of the said South Quay; from thence again along the said Breastwork Nine hundred and ninety Feet to the South-eastern Extremity thereof; and thence along the said old Wood Work or Piece of broken down Quay Sixty Feet or thereabouts to the South-eastern Extremity thereof, being the Place from whence the Description of the Limits of the said Town of *Workington* began.

Jurisdiction of Trustees.

II. And be it further enacted, That the Limits of this Act, and the Jurisdiction of the Trustees acting in the Execution thereof, shall comprehend the District comprised within the Boundary Line above defined.

Appointment of Trustees.

III. And be it further enacted, That the Lord of the Manor of *Workington* for the Time being, the Reverend *Henry Curwen* Clerk, *William Lindow Dickinson*, *Ralph Clay*, *Michael Falcon*, *Thomas Falcon*,

Falcon, Thomas Bowman, Joseph Tyrrell, Thomas Hamilton, George Irvin, and *Robertson Crosthwaite,* and the Survivors and Survivor of them, shall be the first Trustees for carrying into execution the several Purposes of this Act, and shall continue in Office until the First *Thursday* which shall fall on or after the Twenty-first Day of *November* next after the passing of this Act, or until other Trustees shall be appointed and elected in their Place in manner herein-after mentioned.

Service of Trustees.

IV. And be it further enacted, That on the First *Thursday* which shall fall on or after the Twenty-first Day of *November* next after the passing of this Act the several Trustees herein named (except the Lord of the Manor of *Workington* for the Time being, who shall always be a Trustee,) shall go out of Office and cease to be Trustees for the Purposes of this Act, and Three other Persons, duly qualified as in this Act mentioned, shall be named by the Lord of the Manor of *Workington* for the Time being, and Seven other Persons duly qualified shall be elected by the Majority of the Inhabitants of the said Town of *Workington* qualified to vote as herein-after mentioned, who shall be present at some Meeting to be held for that Purpose between the Hours of Nine of the Clock in the Forenoon and Five of the Clock in the Afternoon, in the Presence of the Clerk for the Time being of the said Trustees, and which said Clerk is hereby authorized and required to attend for the Purpose of taking such Votes, and to give Six Days public Notice of the Time and Place of holding the Meeting, to be Trustees for carrying into execution the Purposes of this Act; and the Trustees so appointed by the said Lord of the Manor of *Workington,* and elected by the said Inhabitants as last herein-before mentioned, shall continue in Office for the Space of Three Years from the said First *Thursday* on or after the Twenty-first Day of *November* next after the passing of this Act, and on the First *Thursday* which shall fall on or after the Twenty-first Day of *November* in every succeeding Third Year the Trustees who shall then be in Office shall go out of Office and cease to be Trustees, and their Places be supplied in like Manner.

Trustees to give Notice of going out of Office and of a Meeting to elect new Trustees.

V. And be it further enacted, That Ten Days at least previous to the Expiration of every Third Year the Trustees who shall then be in Office shall fix the Time and Place for the Election of such of their Successors as are herein provided to be elected by the Inhabitants of the Town of *Workington,* and give public Notice thereof, by causing Notice in Writing, signed by Three or more of such Trustees, or by the Clerk of the said Trustees, to be affixed to the Door of every Church and Chapel within the said Town, and also in One or more conspicuous Situation or Situations within the said Town, stating the Time the said Trustees will go out of Office, and the Day, Hour, and Place of Meeting of the Inhabitants to be held for the Purpose of electing Trustees as herein directed.

Inhabitants may give Notice of a Meeting if the Trustees neglect.

VI. Provided always, and be it further enacted, That in case the said Trustees shall neglect or omit to fix the Time and Place for the Election of such of their Successors as are herein provided to be elected by the said Inhabitants, or to give public Notice thereof in

the Manner herein directed, it shall be lawful for any Three or more of the Inhabitants of the said Town of *Workington*, qualified to vote as herein-after mentioned, to fix the Time and Place for such Election, and to give such public Notice thereof as is herein-before directed to be given by the said Trustees or their Clerk, Five Days at least previous to the Day of holding such Election; and the Proceedings to be had and taken at every Meeting so convened by the said Inhabitants, or at any Adjournment of such Meeting, shall be of the same Force, Validity, and Effect as if such Meeting had been fixed and Notice thereof given by the said Trustees.

Trustees to continue in Office for Three Years, &c.

VII. And be it further enacted, That if the Lord of the said Manor for the Time being shall, for the Space of Fourteen Days after the Day on which such new Trustees ought to have been appointed by him, neglect to make such Appointment, the Persons who shall have last served the Office of Trustees on the Part of the Lord so neglecting shall continue in Office for the further Term of Three Years from the Day when such Appointment ought to have been made.

Trustees to continue in Office for 14 Days after the Time for going out, &c.

VIII. And be it further enacted, That the Trustees who shall have last served the Office of Trustees on the Part of the Lord of the said Manor shall continue in Office for the Space of Fourteen Days next after the Expiration of every Third Year, or for such Portion of the said Fourteen Days as shall intervene between the Expiration of such Third Year and the Appointment of their Successors.

Trusteees to continue in Office until Successors be elected.

IX. And be it further enacted, That if from any Cause whatsoever no Election of new Trustees by the said Inhabitants of the Town of *Workington*, qualified to vote as herein-after mentioned, shall have been made as herein-before directed, the Trustees then in Office, and representing the said Inhabitants, shall remain in Office until their Successors shall have been elected, or until they shall be otherwise lawfully removed.

Trustees going out of Office re-eligible.

X. Provided always, and be it further enacted, That every Trustee who shall go out of Office as herein-before mentioned shall be eligible to be immediately or at any future Period re-appointed by the said Lord of the said Manor of *Workington*, or re-elected by the said Inhabitants (as the Case may require) a Trustee for the Purposes of this Act.

Qualification of Electors of Trustees.

XI. And be it further enacted, That no Person shall be entitled to vote at any Meeting of the Inhabitants of the said Town of *Workington* for the Election of Trustees for the Purposes of this Act unless he shall be assessed to the Rates made for the Relief of the Poor of the Township of *Workington* (of which the said Town of *Workington* forms a Part) to the Amount of Five Pounds *per Annum* at the least, in respect of some Dwelling House, Shop, Warehouse, Counting-house, or other Building situate within the Limits of the said Town, and shall have resided within the said Town for the Space of Twelve Calendar Months at the least prior to the Day of Election.

XII. And

Qualification of Trustees.

XII. And be it further enacted, That no Person in this Act named (except the Lord of the Manor of *Workington* for the Time being) shall be capable of being elected or appointed, or if elected or appointed be capable of acting as a Trustee for the Purposes of this Act, unless he shall reside within the said Town, and unless he shall be, either in his own Right or in right of his Wife, in the actual Possession of, or in the Receipt and Enjoyment of the Rents of Freehold or of Copyhold or Customary Lands, Tenements, or Hereditaments, held for a Life or Lives, or of Leasehold Lands, Tenements, or Hereditaments, held under a Demise of not less than Five hundred Years, of the clear yearly Value of Thirty Pounds at least above Reprizes, or be possessed of Personal Estate of the Value of Seven hundred and fifty Pounds at least, or unless he shall occupy some Dwelling House within the said Town which shall be assessed to the Rates made for the Relief of the Poor of the Township of *Workington* to the Amount of Fifteen Pounds *per Annum* at the least, or unless he shall occupy some Dwelling House, together with any Shop, Warehouse, Counting-house, or other Building within the said Town which shall be so assessed to the Amount of Twenty-five Pounds *per Annum* at the least, nor (except in receiving or administering the Declaration herein-after mentioned) until he shall, at some Meeting of the Trustees to be held under the Authority of this Act, have made and subscribed a Declaration in the Form or to the Effect following; (that is to say,)

Declaration of Qualification.

'I *A. B.* do solemnly and sincerely declare, That I am in my own Right [*or* in right of my Wife, *as the Case may be*,] in the actual Possession of [*or* in the Receipt and Enjoyment of] the Rents and Profits of Freehold [*or* of Copyhold or Customary] Lands, Tenements, or Hereditaments, held for a Life or Lives [*or* of Leasehold Lands, Tenements, or Hereditaments held under a Demise of not less than Five hundred Years], of the clear yearly Value of Thirty Pounds above Reprizes, [*or* am possessed of Personal Estate of the Value of Seven hundred and fifty Pounds,] [*or* that I occupy a Dwelling House within the Town of *Workington* assessed to the Rates made for the Relief of the Poor of the Township of *Workington* to the Amount of Fifteen Pounds *per Annum* at the least, [*or* that I occupy a Dwelling House, together with a Shop, Warehouse, Counting-house, or other Building, within the Town of *Workington*, so assessed to the Amount of Twenty-five Pounds *per Annum* at the least, and that I do now reside within the said Town of *Workington*]; and I make this solemn Declaration conscientiously believing the same to be true.'

Declaration to be made by all the Trustees on taking Office.

XIII. Provided always, and be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act (except in receiving or administering the Declaration herein-before and also the Declaration herein-after mentioned, and which respective Declarations may be administered by any of the said Trustees,) until he shall, at some Meeting of Trustees to be held under the Authority of this Act, have made and subscribed a Declaration in the Form or to the Effect following, (that is to say,)

'I *A. B.*

'I *A. B.* do solemnly and sincerely declare, That I will faithfully and impartially, according to the best of my Judgment, execute the Powers and Authorities reposed in me as a Trustee by virtue of an Act passed in the Year of the Reign of Queen *Victoria*, intituled [*here set forth the Title of this Act.*]'

Penalty on Persons making false Declaration.

XIV. And be it fnrther enacted, That any Person who shall wilfully and corruptly make and subscribe a Declaration under this Act, knowing the same to be untrue in any Particular, shall be deemed guilty of a Misdemeanor.

Certain Persons not to act as Trustees, but Justices of the Peace not disqualified from acting, &c.

XV. And be it further enacted, That no Person shall be capable of being elected or appointed, or of acting as a Trustee for the Purposes of this Act, who shall be a Licensed Victualler, nor shall any Person be capable of acting as such Trustee during the Time he shall hold or enjoy any Office or Place of Profit or Emolument under this Act: Provided nevertheless, that no Justice of the Peace shall be disqualified from acting as such Justice within his Jurisdiction in the Execution of this Act by reason only of his being a Trustee under this Act.

Penalty on Trustees acting not being qualified.

XVI. And be it further enacted, That if any Person shall act as a Trustee in the Execution of this Act without being duly qualified as aforesaid, or being disqualified by any of the Causes in this Act mentioned, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by any Person who shall sue for the same, by Action of Debt or on the Case; and every Person so sued shall prove that he was qualified, or (as the Case may be) that he was not disqualified, at the Time of acting, or otherwise shall pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person hath acted as a Trustee in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings of any Person acting as such Trustee without being qualified, or being disqualified as aforesaid, shall, notwithstanding such Conviction, be as valid and effectual as if such Person had been qualified, or had not been disqualified as hereinbefore mentioned.

Election of Trustees on Vacancies.

XVII. And be it further enacted, That whenever any Trustee (except the Lord of the Manor of *Workington* for the Time being) to be appointed or elected under or by virtue of this Act shall die, resign, or refuse to act, or by Bankruptcy, Insolvency, or otherwise shall become incapable of acting, in the Execution of this Act, it shall be lawful for the said Lord of the Manor of *Workington* for the Time being, or for the surviving or continuing Trustees elected by the Inhabitants of the said Town (as the Case may require), and he and they is and are hereby respectively required, within Six Calendar Months after the Decease of any such Trustee, or Notice of the Resignation or Refusal or Incapacity of any such Trustee, to elect some Person to be a Trustee in the Room of every Trustee so dying, resigning, or refusing to act, or becoming incapable of acting as aforesaid; and every Person who shall be so elected a Trustee to fill

fill up any such Vacancy shall continue in Office so long only as the Person in whose Place or Stead he may be elected would have been entitled to have continued had he lived and remained in Office.

Meetings and Proceedings of Trustees.

XVIII. And be it further enacted, That the Trustees for executing this Act, or any Five or more of them, shall assemble and hold their First General Meeting at the Harbour House in the Town of *Workington*, or at some other convenient Place within the said Town on the Second *Thursday* next after the passing of this Act, or on some subsequent *Thursday*, between the Hours of Ten of the Clock in the Forenoon and Two of the Clock in the Afternoon, and proceed to put this Act into execution; and a General Meeting of the said Trustees shall be held on the Second *Thursday* in every Calendar Month at the Place and between the Hours aforesaid, unless some other Place within the said Town of *Workington*, or some other Day or Hour, shall from Time to Time be appointed by the said Trustees; and the Trustees present at such First or any subsequent Meeting may from Time to Time adjourn such Meeting to the same or any other Place within the said Town; and if at any such Meeting there shall not be Five or more Trustees then and there present within One Hour after the Time appointed for such Meeting, then any Three of the said Trustees assembled at any such intended Meeting may, if they shall think proper, adjourn such Meeting from Time to Time to the same or any other Place within the said Town; and no Act of the said Trustees, except in Cases where by this Act it may be otherwise directed, shall be valid unless made or done at some Meeting to be held by virtue of this Act; and all the Powers and Authorities by this Act granted to or vested in the said Trustees shall and may from Time to Time be exercised by the Majority of them present at any Meeting to be held as aforesaid, the Number of such Trustees present at any such Meeting not being less than Five; and at every such Meeting the first Business shall be the Election of a Chairman to preside at the same; and in all Cases where the Number of Votes upon any Question shall be equal (including the Chairman's Vote,) the Chairman shall have the casting Vote; and the said Trustees shall defray their own Expences at every such Meeting (except for the Use of the Room where such Meeting shall be held): Provided nevertheless, that it shall be lawful for the said Trustees and they are hereby authorized to hold any Special Meeting, so that such Meeting shall be required by Three or more of the said Trustees, and Notice thereof in Writing be given to or left with the Clerk to the said Trustees, who shall thereupon give Notice of such Special Meeting by sending or addressing to each of the Trustees a Letter by Post or otherwise at least Five Days previously, specifying the Place, Day, and Hour fixed for the Meeting, and the special Purpose thereof.

Restriction as to revoking Orders.

XIX. And be it further enacted, That no Order, Rule, Regulation, Act, or Proceeding made or done by the said Trustees shall be revoked, altered, or suspended unless at some subsequent Special Meeting to be required as aforesaid, and of which Five Days Notice shall be given in the Manner herein-before mentioned for calling Special Meetings, expressing the Occasion of such Meeting.

XX. And

Proceedings to be entered in a Book.

XX. And be it further enacted, That the Orders and Proceedings of all Meetings of the said Trustees shall be entered in some Book or Books to be provided and kept for that Purpose, and shall be signed by the Chairman of such respective Meetings; and such Orders and Proceedings, when so entered and signed, shall be deemed original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts before all Judges, Justices, and others, and that without Proof of such respective Meetings having been duly convened, or of the Persons making or entering such Orders or Proceedings being Trustees.

Trustees to cause Accounts to be kept.

XXI. And be it further enacted, That the said Trustees shall cause Books to be kept by some Book-keeper to be appointed for that Purpose, who shall enter or cause to be entered in the said Book distinct Accounts of all Sums of Money received and expended for the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed and paid, and such Books shall at all reasonable Times be open to the Inspection of the said Trustees and of the Creditors on the Rates or Assessments to be made by virtue of this Act, without Fee or Reward, and the said Trustees and Creditors may take Copies of or Extracts from the said Books without paying any thing for the same; and in case the said Book-keeper shall refuse to permit or shall not permit such Trustees and Creditors, or any of them, to inspect such Books, or to take such Copies or Extracts as aforesaid, such Book-keeper shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be levied and applied in the same Manner as other Penalties are by this Act directed to be levied and applied.

Trustees to appoint Officers, &c.

XXII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time at any of their Meetings to elect a Treasurer and Clerk, and also all such other Officers as they shall think proper, to transact the Business of the said Trustees; and it shall also be lawful for the said Trustees, at any subsequent Meeting, from Time to Time to remove and displace any of the before-mentioned Officers, and elect in manner aforesaid some other Person to act in the Place of such of the said Officers as shall die, or resign or be removed from their respective Offices; and it shall be lawful for the said Trustees to allow such Salaries or other Emoluments to the said Officers respectively, and to such other Officers as may be from Time to Time appointed pursuant to the Provisions of this Act, as they shall from Time to Time think proper: Provided always, that the said Trustees shall and they are hereby required to take sufficient Security from every Person who shall be appointed Treasurer of the said Trustees, and from every Collector, Receiver, or Officer of the said Trustees who shall have the Custody or Control of any Money received by virtue of this Act, for the faithful Execution of his Office, before he shall enter thereupon.

Trustees empowered to appoint temporary Officers.

XXIII. And be it further enacted, That in case any Treasurer, Clerk, or other Officer of the said Trustees shall die, or be removed from or shall quit the Service of the said Trustees, it shall be lawful for

for the said Trustees, or any Three of them, although not assembled at a Meeting to be held pursuant to this Act, to appoint some other Person to execute such Office in the Place of the Person who shall so die, or be removed from or quit the Service of the said Trustees, until the next monthly Meeting of the said Trustees, when the Appointment of such Person to such Office shall either be confirmed, or such other Person be appointed to succeed to such Office as such Meeting shall think proper.

No Person to hold the Offices of Clerk and Treasurer at the same Time.

XXIV. Provided also, and be it further enacted, That it shall not be lawful for the said Trustees to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or any Person in the Service or Employ of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or any Person in the Service or Employ of such Treasurer or of his Partner, to be the Clerk of the said Trustees for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or in the Service or Employ of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer, or the Partner of such Treasurer, or in the Service or Employ of such Treasurer or of his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place of Profit or Trust under the said Trustees other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

Officers to account.

XXV. And be it further enacted, That every Officer and Person who shall be appointed or employed by virtue of this Act shall from Time to Time, when thereunto required by the said Trustees, make out and deliver to the said Trustees, or to such Persons as they shall for that Purpose appoint, a true and perfect Account in Writing under his Hand of all Monies which shall have been by him received by virtue of this Act, and such Account shall state how and to whom and for what Purpose the same shall have been disposed of, together with the Vouchers and Receipts for such Payments; and every such Officer and Person shall and is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him to the said Trustees, or to such Persons as they shall respectively appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof, when thereunto required in manner aforesaid, or shall refuse or neglect to deliver up to the said Trustees, or to such Persons as they shall respectively appoint, within Three Days after being thereunto required by the said Trustees, or by such other

Proceedings in case of Default.

Persons as last aforesaid, all Books, Papers, and Writings in his Possession or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Trustees, or by any other Person on their Behalf, to any Justice of the Peace for the County of *Cumberland*, such Justice may and he is hereby required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his appearing or not being to be found to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Trustees might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, or by the solemn Affirmation of any Person being a Quaker, it shall appear to such Justice that any of the Monies which shall have been collected and received shall be in the Hands of or be owing from such Officer or Person, such Justice may and he is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels shall be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer or Person shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and deliver to the said Justice the several Vouchers and Receipts relating to such Accounts in his Possession or Power, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may, by Warrant under his Hand and Seal, commit such Officer or Person to some Common Gaol or House of Correction for the said County of *Cumberland*, there to remain, without Bail or Mainprize, until he shall have made out and delivered such Account, and have delivered up the Vouchers and Receipts (if any) relating thereto, and have delivered up such Books, Papers, and Writings (if any) as aforesaid, and shall have paid all the Money which shall appear to be in the Hands of or owing from him, and the reasonable Charges of such Distress and Sale as shall in that respect have been made, or until he shall have compounded with the said Trustees for such Money and Charges, and have paid the Composition Money to the said Trustees (and which Composition the said Trustees are hereby empowered to make), or have given Satisfaction in respect of such Vouchers, Receipts, Books, Papers, and Writings, to the said Trustees: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Space of Time than Three Calendar Months.

Trustees may sue and be sued in the Name of their Clerk or of a Trustee.

XXVI. And be it further enacted, That the said Trustees may sue and be sued in the Name of their Clerk or of any of the said Trustees; and no Action or Proceeding which may be brought or instituted by or against the said Trustees, by virtue of or on account of this Act, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by the Death of such Trustee, or by any Act or Default of such Clerk or Trustee done or suffered without the Consent

Consent or Direction of the said Trustees, but such Clerk or Trustee shall be deemed Plaintiff or Defendant in all such Actions or Proceedings, except in Cases of Actions prosecuted between the said Trustees and their Clerk for the Time being: Provided always, that in all Cases in which the Clerk for the Time being, or any Trustee as aforesaid, shall be the Plaintiff or Defendant on the Record in any Action or Proceeding in which in effect the Trustees for executing this Act shall be suing or be sued in the Name of such Clerk or Trustee as aforesaid, such Clerk or Trustee as aforesaid may and shall, if not otherwise interested or objectionable, be a good and competent Witness in such Action or Proceeding either for or against the said Trustees; and all Affidavits of Debt or Service which may be necessary to be made in reference to any such Action or Proceeding shall and may be made by such Clerk or Trustee (as the Case may be), notwithstanding he shall be nominal Plaintiff or Defendant on the Record as aforesaid: Provided also, that every Clerk or Trustee as aforesaid, in whose Name any Action or Proceeding shall be instituted or defended as herein-before mentioned, shall always be reimbursed, out of the Money to arise by virtue of this Act, all such Costs and Expences as he shall incur or become chargeable with by reason of his being so made Plaintiff or Defendant, and shall not be personally answerable or liable for the same, unless such Action or Proceeding shall have arisen in consequence of his own wilful Neglect or Default, or been instituted or defended without the Order or Direction of the said Trustees.

Accounts to be annually audited at the Meeting held in the Month of November in every Year.

XXVII. And be it further enacted, That the Accounts of all Monies received or disbursed in pursuance of this Act from the Commencement thereof, or, as the Case may be, from the last annual Settlement thereof, shall be made up to the First Day of *November* in each Year, and shall be produced and stated at the regular Monthly Meeting of the said Trustees which shall take place thereafter in the same Month, or at some Adjournment thereof, and shall be examined, audited, and settled by them, and in case the same shall be found just and true shall and may be allowed by them, and certified accordingly under the Hand of the Chairman of such Meeting, and at which Meeting all Persons interested in such Accounts, and all Creditors on the Rates, Duties, or Assessments by this Act authorized, shall be at liberty to attend; and the said Trustees shall, at the Settlement of such Account, cause a full and true Statement to be made and drawn out of all Rates or Assessments made, and of all Contracts entered into, and of all Monies received and paid under and by virtue of this Act, during the preceding Year, and of all Debts then due and owing on account thereof; and such Statement shall be printed, and every Creditor on the Rates and Assessments by this Act authorized to be made, and every Person paying any such Rate or Assessment, shall, upon Application to the Clerk to the said Trustees, be entitled to a printed Copy of such Statement, on paying the Sum of One Shilling for the same: Provided always, that Ten Days Notice of such Meeting for the Purpose of passing such Accounts shall be given, by affixing the same in some convenient Place within the said Town.

XXVIII. And

Trustees Accounts to be audited.

XXVIII. And be it further enacted, That in the Month of *November* in the Year of our Lord One thousand eight hundred and forty, and in the Month of *November* in each succeeding Year, it shall be lawful for the Inhabitants of the said Town of *Workington*, being entitled to vote at the Elections of Trustees as herein-before mentioned, to nominate Three fit and proper Persons to be Auditors of the Accounts of the said Trustees, who shall make and sign a solemn Declaration of the like Purport and Effect to that hereby required to be taken by the Trustees before One of Her Majesty's Justices of the Peace for the County of *Cumberland* (which Declaration any such Justice is hereby authorized to administer), but no Person so to be nominated shall be a Trustee in the Execution of this Act, neither shall any Person so to be nominated be interested either directly or indirectly in any Contract, Office, Business, or Employ, or in providing or supplying any Articles or Materials under the Provisions of this Act; and the Auditors so to be nominated shall meet on the First *Thursday* in the Month of *December* in the Year One thousand eight hundred and forty, and proceed to audit the Accounts of the said Trustees (in the Presence of their Clerk, in case he should desire to be present,) from the Time they shall have begun to act as Trustees up to the First Day of *November* next preceding the Meeting of the Auditors; and on the First *Thursday* in the Month of *December* in every subsequent Year the Auditors to be nominated in the Month of *November* then next preceding shall meet and proceed in the like Manner and in the like Presence to audit the Accounts of the said Trustees for the Year ending on the First Day of *November* then last past, and the said Trustees are hereby required, by their Clerk, to produce and lay before the said Auditors at every such Meeting all Books, Papers, and Writings in their Custody or Power relating to the Execution of this Act, and a true and just Statement or Account in Writing, accompanied with proper Vouchers, of all Sums of Money which shall have come to the Hands of the said Trustees or of their Treasurer by virtue of this Act, and also of all Monies paid, laid out, or expended by them during the said Period, and in and about the obtaining and carrying the same into execution, and other Expences incident thereto; and in case the said Auditors shall think there is just Cause to disapprove of any Parts of the Accounts so to be presented, it shall be lawful for the said Auditors, or the major Part of them, to appeal against any such Parts of the said Accounts as shall be so disapproved to such Person or Persons, within the Time, and subject to the Regulations and Provisions herein-after mentioned in respect of Appeals to be made in pursuance of this Act, and in case no such Appeal be made as aforesaid the same Accounts shall be final and conclusive on all Persons whomsoever.

Annual Account of Receipts, &c. to be transmitted to the Clerk of the Peace.

XXIX. And be it further enacted, That the said Trustees shall and they are hereby required to transmit, free of Expence, on or before the First Day of *January* in each Year, to the Clerk of the Peace for the said County of *Cumberland*, a Copy of their Account in Abstract, showing the total Receipts and Expenditure of all Funds levied under the Provisions of this Act for the passed Year, under the several and distinct Heads of Receipts and Expenditure, together with

with a Statement of the Balance of the said Account, duly audited and certified by the Trustees or by the Auditors of the said Accounts, and in case they shall refuse or neglect to transmit the same as aforesaid they shall forfeit and pay the Sum of Five Pounds for each Offence; which Copies of their said Account, when so transmitted to the said Clerk of the Peace, shall be open to the Inspection of any Persons interested therein upon Payment of the Sum of Two Shillings and Sixpence, upon Application at the Office of the said Clerk of the Peace at any reasonable Hour of the Day.

Vesting Pavements, &c. within the Town in the Trustees.

XXX. And be it further enacted, That all the present and future Pavements, Stone, Gravel, and all the other Materials of the several present and future public Streets, Roads, Highways, Lanes, Passages, and other public Places within the Limits of this Act, and all the present and future Drains and Sewers within the same Limits, and all Gasometers, Pipes, Apparatus, and Machinery, Lamps, Lamp Irons, Watchboxes, Posts, and other Things purchased or provided under the Authority of this Act, for the Purpose of lighting and watching the said Town, and all other Implements, and Apparatus, Materials, Articles, and Things whatsoever purchased or provided under the Authority of this Act for any of the Purposes of this Act, shall severally and respectively be deemed to belong to and be the Property of, and the same are hereby vested in, the Trustees for the Time being for executing this Act, and the said Trustees shall and may cause any Action to be brought, or direct any Bill of Indictment to be preferred, (as the Case may require,) against any Person who shall deface, damage, injure, or destroy, detain, steal, or carry away any of the Property so vested in the Trusteees as aforesaid; and in every such Action and Bill of Indictment respectively it shall be sufficient to state generally that the Premises, Articles, Matters, or Things for or in respect of which such Action shall be brought or Indictment preferred is or are the Property of "The Trustees for improving the Town of *Workington*," without stating or specifying the Names of all or any of the said Trustees.

Royalties, &c. reserved.

XXXI. Provided also, and be it further enacted, That nothing in this Act contained shall be construed, or adjudged, deemed, or taken to defeat, lessen, or prejudice the Right, Title, or Interest of the Lord of the said Manor of *Workington* for the Time being of, in, or to the Seigniories or Royalties, Franchises, Rights, and Liberties incident or belonging to the said Manor, but the Lord of the said Manor of *Workington* for the Time being shall at all Times for ever hereafter have, hold, take, and enjoy all Rents, Fines, Suits, and Services to and at the Lord's Courts, Perquisites and Profits of Courts, and all other Suits and Services, Royalties, Liberties, Privileges, Franchises, and Jurisdictions, and all such Right, Title, and Interest of, in, and to any Market or Markets, Fair or Fairs, and the Stallage, Tolls, and Profits thereof, and of, in, and to all other Dues, Profits, Emoluments, and Advantages, and all Remedies and Powers of recovering and enforcing Payment of the same, (except such as are expressly taken away by this Act,) in the same and as full, ample, and beneficial a Manner, to all Intents and Purposes, as they are now held, taken, or enjoyed, or have been anciently or heretofore used, exercised,

cised, or enjoyed by the present or any former Lord or Lords of the said Manor, or as he or they might or could have held, used, exercised, received, taken, or enjoyed the same in case this Act had not been passed; and also that the Lord or Lords of the said Manor of *Workington* for the Time being shall for ever hereafter be deemed and taken to be the Owners (according to their several Rights and Interests therein as they exist by Law) of all the Mines of Coal, Lead, Copper, Tin, Iron, and other Mines, Minerals, and Ores, of what Nature or Kind soever, within or under the Limits of the said Town as herein defined, as well those not opened as those already worked and opened, and shall have full Power and Authority to use and exercise all convenient Ways and Means of searching for, winning, working, taking, leading, carrying away, and shipping the Coals, Ores, and other Minerals there found, and of making Drifts, Levels, Watercourses, and other Workings under Ground, for the more effectual and easy working and winning the said Mines and Minerals, and all other Powers, Privileges, and Authorities to do or execute any necessary Acts or Things for all or any of the Purposes aforesaid, in, under, and over the Messuages, Lands, Tenements, Hereditaments, and Premises comprised within the Limits of the said Town as herein defined, in such and the like Manner as he or they could have done if this Act had not been passed.

Houses, &c. within Fifty Yards of the Boundary Line to be assessed.

XXXII. And be it further enacted, That all Houses, Shops, Warehouses, and other Erections and Buildings, of whatever Description, already erected or which shall hereafter be erected, situate, standing, or being, and all Gardens, Lands, Tenements, and Hereditaments, of whatever Description, within the Distance of Fifty Yards from the Boundary Lines of the said Town of *Workington* as herein-before laid down, shall (except as herein-after mentioned) be considered as comprised within the Limits of this Act, and shall be liable to be rated or assessed accordingly.

Trustees from Time to Time to appoint the District to be lighted and watched.

XXXIII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby empowered, at any of their regular monthly Meetings to be held within Six Calendar Months after the passing of this Act, or at some Adjournment thereof, to declare and direct what Parts or Portions of the said Town shall be lighted, watched, and regulated under the Authority of this Act, and in like Manner at their regular annual Meeting in the Month of *November* in every Year to declare and direct whether any and what Parts or Portions of the said Town shall be added to the Parts already lighted, watched, and regulated; and the Parts or Portions of the said Town so appointed to be lighted, watched, and regulated as aforesaid, and the Part and Parts from Time to Time added thereto, shall be considered as the District to be lighted, watched, and regulated by the said Trustees under the Authority of this Act during the ensuing Year, and until the same shall be altered by the said Trustees at any subsequent annual Meeting as aforesaid; and the Tenants or Occupiers of any Messuages, Houses, Shops, Buildings, or Premises not within the District so from Time to Time set out shall not be subject or liable to the Payment of any of the Rates herein-after directed to be raised.

XXXIV. And

For providing Lamps and lighting the Streets.

XXXIV. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby empowered from Time to Time to purchase and provide such and so many Lamps, of such Sorts and Sizes, and also such and so many Lamp Irons and Lamp Posts, with all requisite Materials for the same respectively, as they shall judge necessary, and to direct the same to be affixed or set up upon or against the Posts, Rails, Palisadoes, or Walls of all or any of the several Houses or Buildings, or upon or against any other Walls or Posts, Rails or Palisadoes, or such other Places within the District or Districts so appointed to be lighted, watched, and regulated as aforesaid, and to be altered, taken down, or renewed in such Manner as they shall think fit, but so as not to injure any Building, or to interfere with or prevent any Person from erecting Buildings on any Land or Ground; and also to cause such Lamps or any of them to be lighted, either with Gas or Oil, or otherwise, at such Seasons of the Year, and during such Hours, and to use the same in such Manner, as to them shall seem necessary or proper for sufficiently lighting the several Streets, Roads, Lanes, Highways, Passages, and other public Places within the same District or Districts.

Power to contract for lighting.

XXXV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to contract with any Person or Body Politic or Corporate for lighting the Streets, Roads, Lanes, Highways, Passages, and other public Places within the said District or Districts so appointed as aforesaid with Gas, Oil, or otherwise, for such Periods and upon such Terms and Conditions as the said Trustees shall from Time to Time think proper.

Trustees may erect Apparatus to make Gas themselves.

XXXVI. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, in case they shall deem it expedient to light the said Streets, Roads, Lanes, Highways, Passages, and other public Places within the said District or Districts so appointed as aforesaid with Gas, without contracting for the same, to set up and establish a Manufactory of Gas for the Use of the said Town, with all necessary Works and Apparatus for the same, and to purchase or rent, from any Person or Body Politic or Corporate who shall be willing to sell or let the same, any Buildings, Lands, Tenements, Hereditaments, or Premises whatsoever within the Limits of the said Town, or within any Township or Place contiguous thereto, not exceeding Two Statute Acres of superficial Content, for the Purpose of erecting and making suitable and necessary Erections, Buildings, Works, and Apparatus for the manufacturing or preparing of Gas; and it shall be lawful for the said Trustees, and also for any Company of Proprietors, or any Person or Persons who shall or may from Time to Time contract for the furnishing or supplying of Gas to be consumed within the Limits of the said Town, from Time to Time to break up the Soil or Pavement of any of the Footways or Carriageways of any of the said Streets, Roads, Lanes, Highways, Passages, and other public Places within the Limits of the said Town, or within any Township or Place contiguous thereto respectively, where the said Buildings, Works, and Apparatus shall be made, and also to cause Mains or Pipes for the Conveyance of Gas to be laid and carried, altered, and renewed, as may be necessary, along, through, and under the

the said Streets, Roads, Lanes, Highways, Passages, and other public Places, or any of them: Provided always, that nothing herein contained shall empower the said Trustees, or any Company of Proprietors, or other Person furnishing or supplying Gas to be burnt or used in the said Town, to carry, lay, or affix any Pipe through, into, or against any Dwelling House, Manufactory, public or private Building, or any private Yards or Grounds, or to continue the same against the Will of the Owner or Occupier, or the Person for the Time being having the Superintendence or Control thereof, respectively expressed by Writing under his Hand; and if any Injury or Damage shall be occasioned to any Post, Rail, Palisado, Building, or Wall, by the affixing or setting up, taking down, altering, removing, or renewing of any Lamp or Lamp Iron, or any Fastener thereof, the said Trustees, or the Person by whom or by whose Direction the same shall have been done, shall immediately cause the same to be well and sufficiently made good and repaired, or Compensation to be made and paid for such Damage to the Person or Persons whose Property may be thereby injured.

Pipes to be removed from Dwelling Houses on Notice.

XXXVII. Provided always, and be it further enacted, That in case any Pipe, Cock, or Branch shall be carried or laid from any Main or Pipe of the said Trustees, or of any Company or other Person supplying Gas as aforesaid, into or through or against any private Dwelling House, Manufactory, Warehouse, Building, Yard, or Ground, for the Purpose of lighting the same, or any other Dwelling House, Manufactory, Building, Yard, or Ground, in pursuance and conformably to the Powers or Authorities in this Act contained, and the Owner or Occupier of any such private Dwelling House, Manufactory, Building, Yard, or Ground, into or through or against which such Pipe, Cock, or Branch shall pass or be laid, shall be desirous that the same Pipe, Cock, or Branch shall be altered or removed and taken away, and of such his Desire shall give Notice in Writing to the said Trustees or Company, or other Person as aforesaid, then the said Trustees, Company, or other Person as aforesaid shall, within Seven Days after the Receipt of such Notice, alter or remove and take away all or any of such Pipes, Cocks, and Branches as shall have been so introduced and laid therein or thereupon from any such Main of the said Trustees, Company, or other Person as aforesaid; and in default thereof it shall be lawful for such Owner or Occupier, or any other Person acting under his Authority, to cause such Pipes, Cocks, and Branches to be altered or removed and taken away, as the Case may require, and the Costs and Expences of such Removal may be recovered from the said Trustees, Company, or other Person as aforesaid, on Complaint before a Justice of the Peace, in the same Manner as any Penalty is recoverable under this Act.

Trustees empowered to let out Gas Lights in case they light the Streets themselves.

XXXVIII. And be it further enacted, That in case the said Trustees shall deem it expedient to erect such Gas Apparatus, and to light the said Streets, Roads, Lanes, Passages, and other Places within the Limits of the said Town, or any Part thereof, with Gas, without contracting for the same, it shall be lawful for the said Trustees, after sufficiently lighting the said Streets, Roads, Lanes, Passages, and public Places, to let out or grant to any Person whomsoever, within

such Limits, or within the Limits of the Harbour of *Workington*, who shall be willing to take the same, a Supply of Gas, upon such Terms and Conditions, and at such annual and other Rents for the same, and in such Manner, as they the said Trustees shall from Time to Time think proper: Provided nevertheless, that all Monies to proceed therefrom, or arise thereby, or by the Sale of any Coke, Tar, or other Product of Coal, shall be in the first place applied to defray the Expence of the Gas Apparatus and other Things connected therewith, and of maintaining the same, and of the Manufactory of Gas, and if there shall be any Surplus then the same shall be applied in the Manner hereafter provided for with respect to the Rates or Assessments to be raised by virtue of this Act.

Recovery of Gas Rents.

XXXIX. And be it further enacted, That in case any Person who shall contract with the said Trustees or otherwise agree to take, or shall use or enjoy the Benefit of the said Gas, in his private Dwelling, Shop, Inn, Tavern, School, or other Building or Manufactory, or who shall contract with the said Trustees for the lighting with Gas of the Whole or any Part of any Church, Chapel, or other Place of Religious Worship, shall refuse or neglect for the Space of Ten Days after Demand to pay the Sum then due for the same to the said Trustees, according to the Terms and Stipulations of the said Trustees, it shall be lawful for the said Trustees, or their Clerk, or any Person acting by or under their Authority, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Cumberland*, to levy the said Sum of Money in respect whereof such Neglect or Refusal shall happen by Distress and Sale of the Goods and Chattels of the Person so neglecting or refusing to pay the same, rendering the Overplus (if any), upon Demand, to such Person so refusing or neglecting, after the necessary Charges of making and attending such Distress and Sale shall have been first deducted.

Footways, Carriageways, and Pavements to be reinstated after Pipes, &c. have been laid down.

XL. And be it further enacted, That in case the said Trustees shall enter into any Contract with any Company of Proprietors or any other Person for lighting the said Streets, Roads, Lanes, Ways, Passages, and public Places, or any of them, with Gas, or in case the said Trustees shall manufacture Gas for the Purposes aforesaid, the said Company of Proprietors, or other Person so contracting to light as aforesaid, or the said Trustees, (as the Case may require,) shall, in the supplying of such Gas, or in the laying or repairing of any Pipes, Plugs, or other Apparatus, do as little Damage as may be to the Soil, Pavement, or other Covering of the Footpaths or Carriageways which it may be necessary to break or take up, and shall immediately after fill in the Trenches, and reinstate and make good such Footways and Carriageways, and shall cause to be carried away any surplus Earth, Filth, and Rubbish occasioned thereby at their own Costs and Charges, and during the Time that such Works are carrying on, and until such Soil and Pavement or other Covering shall be so reinstated and made good as aforesaid, such Company of Proprietors or other Person as aforesaid, or the said Trustees, as the Case may be, shall sufficiently guard and affix Lights during the Night at or near the Place where any Ground shall be opened in such Manner as to prevent Accident, Damage, or Inconvenience to Passengers, Cattle, or

Carriages: Provided always, that if there shall be any wilful Negligence or Delay in such Company of Proprietors or other Person as aforesaid, or in the said Trustees, (as the Case may be,) or any of their respective Agents or Servants, in filling in such Ground or removing such Rubbish, or making good such Soil, Pavement, or other Covering, or in case the Ground so opened shall not be sufficiently guarded and lighted, then and in every such Case it shall be lawful for the said Trustees or their Surveyor, or in case the Offence be committed by the said Trustees then it shall be lawful for the Surveyor of the Highways within the said Township of *Workington*, or other the Persons having the Control, Direction, or Superintendence of such Soil and Pavement, to fill in, reinstate, and make good such Ground, Soil, or Pavement, and to carry away all Rubbish occasioned thereby, and during the Time that such Works are carried on to fence or guard any such Trench or Excavation, and provide necessary Lights at Night; and the Expences attending the same shall be repaid to the said Trustees by the said Company of Proprietors, or by the Person so contracting to light as aforesaid, or (as the Case may require) by the said Trustees; and in default of Payment thereof within Twenty-eight Days next after Demand made in Writing, all such reasonable Costs, together with a Penalty not exceeding Five Pounds, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the same Company of Proprietors or other Person so contracting to light as aforesaid, or (as the Case may be) of the Treasurer of the said Trustees, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Cumberland*, who, upon due Proof of such Default, is hereby empowered to grant the same.

Service Pipes to be kept fully charged with Gas.

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

No Pipes of Communication to be laid without the Consent of the Trustees, &c.

XLII. And be it further enacted, That no Person shall lay any Pipe to communicate with any Main or other Pipe, nor fit or alter any of the Fittings of any Pipes or Lamps belonging to the said Trustees, or to any Company of Proprietors, or any Person so contracting to light as aforesaid, without their Consent in Writing first obtained, on pain of forfeiting to the said Trustees, or Company of Proprietors, or Person as aforesaid, (as the Case may be,) the Sum of Forty Shillings *per* Day for every Day such Pipe shall so remain or such Fittings remain altered.

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

XLIII. And be it further enacted, That if the said Trustees, or any Company of Proprietors, or any Person, making, furnishing, or supplying Gas within the Limits of the said Town, shall empty, or cause or suffer to be emptied, or to flow, any Washing or other waste Liquid, Substance, or Thing whatsoever which may arise or be produced in the making of such Gas, into any River, Brook, or running Stream,

Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, Springhead, or Well, or into any Canal, Dock, Basin, Cut, or navigable Stream, or into any Drain, Sewer, or Ditch communicating therewith, or shall do or cause to be done any Act to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Springhead, Well, Canal, Dock, Basin, Cut, or navigable Stream, Drain, Sewer, or Ditch, whereby the Water or any Part thereof shall be fouled or corrupted, then the said Trustees, or such Company of Proprietors, or such Person as aforesaid, (as the Case may require), shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty shall and may be sued for and recovered, together with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case; and the whole of such Penalty shall be paid to the Person who shall sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Six Calendar Months next after the Time in which such Act shall have ceased: Provided also, that in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall have been sued for and recovered or not, in case any of the said Washings or other waste Liquids, Substances, or Things, shall be emptied, or caused or suffered to flow, in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, or Well, or any Canal, Dock, Basin, Cut, or navigable Stream, or into any Drain, Sewer, or Ditch communicating therewith, or any such Act shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person whomsoever to the said Trustees, or to the Company of Proprietors, or to such Person as aforesaid, and the said Trustees, Company, or Person as aforesaid shall not, within Twenty-four Hours after such Notice shall have been given, prevent such Washing or other waste Liquid, Substance, or Thing from being emptied or from flowing in manner aforesaid, and every such Act as aforesaid from being done, then the said Trustees, Company, or Person as aforesaid shall forfeit and pay the Sum of Twenty Pounds for each Day such Washing or other Substance or Thing shall be so emptied, or caused or suffered to flow in manner aforesaid, or such other Act shall be done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in the like Manner as any other Penalty may by this Act be recovered and levied, and shall be paid to the Informer, or to the Person who in the Judgment of the Justice before whom the Conviction shall take place shall have sustained any Annoyance, Injury, or Damage by any such Act so done as aforesaid.

Penalty for allowing Escape of Gas, &c.

XLIV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Trustees, or by any Company of Proprietors, or by any Person making, furnishing, or supplying any Gas within the said Town, the said Trustees, or such Company or Person as aforesaid, shall, at their own Expence, immediately after Notice given to them or him by Parol or in Writing of any such Escape of Gas, by any Person whomsoever, cause the most speedy and effectual Measures to be taken

taken to prevent such Gas from further escaping; and in case the said Trustees, Company of Proprietors, or other Person aforesaid shall not, within Twenty-four Hours next after such Notice being given, effectually prevent the Gas from escaping, and wholly and effectually remove the Cause of Complaint, the said Trustees, Company of Proprietors, or other Person aforesaid shall for every such Offence forfeit and pay the Sum of Five Pounds for every Day after the Expiration of Twenty-four Hours from the Time of such Notice being given during which the Gas shall be suffered to escape as aforesaid; which Penalty shall be recovered in a summary Way, on the Oath of some credible Witness, by Information to be laid and exhibited before some Justice of the Peace for the said County of *Cumberland*, and shall be recovered and levied, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Trustees, or of the said Company of Proprietors, or Person aforesaid, by the Warrant of any Justice of the Peace in manner herein-after directed.

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

XLV. And be it further enacted, That all the Pipes or other Conduits to be laid or used by the said Trustees, or by any Company of Proprietors or Person whomsoever, for the Conveyance of Gas within the Limits of the said Town or of any adjoining District, shall be so laid at the greatest practicable Distance, and (whenever the Width of the Carriageway will allow thereof) at the Distance of Four Feet at least from the nearest Part of any Water Pipe already or hereafter to be laid down for the Conveyance of Water, except in Cases where it shall be unavoidably necessary to lay the said Gas Pipes across any of such Water Pipes, in which Cases the said Gas Pipes shall be laid over the Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle, and in which Cases also the Length of the said Gas Pipes so crossing the said Water Pipes shall always exceed Nine Feet, in order that no Joint of the said Gas Pipes may be nearer to any Part of the said Water Pipes than Four Feet; and in laying down the said Gas Pipes the said Trustees, or such Company of Proprietors or Person as aforesaid, shall in no Case join Two or more Gas Pipes together previously to their being laid in the Trench, but shall first lay each Pipe as near as may be in its Place within the Trench, and shall then in such Trench properly form and complete with good and sufficient Materials the joining with the other Pipes to be connected therewith, and shall also make and keep Air-tight all such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, and Openings therein respectively, and in every respect prevent the said Gas from escaping therefrom, on pain of forfeiting the Sum of Five Pounds for every such Default.

Trustees to prevent Contamination of Water.

XLVI. And be it further enacted, That whenever the Water of any Waterworks within the said Town, or the Water in any Well, Reservoir, or Pond belonging to or used by any Person whomsoever within the said Town, shall be contaminated by the Gas of the said Trustees, or of the Company of Proprietors, or other Person aforesaid, such Trustees, Company of Proprietors, or other Person shall forfeit and pay for every such Offence the Sum of Twenty Pounds,

and the same shall be applied to the Use and Benefit of the Owner of such Waterworks, Well, or Pond, or the Party using any such Water and suing for the same; and in case any such Water shall be contaminated by Gas in any way whatsoever, the said Trustees, Company of Proprietors, or other Person as aforesaid shall within Twenty-four Hours after Notice thereof in Writing, signed by any Person whomsoever interested in or using such Water, to be left at the usual Office or Place of transacting the Business of the said Trustees, or of such Company of Proprietors or other Person aforesaid, cause the most proper and speedy Method to be taken effectually to prevent Gas from further escaping from their Mains, Works, or Pipes, and from contaminating such Water; and in case such Trustees, Company of Proprietors, or Person shall not, within Twenty-four Hours next after such Notice so left as aforesaid, effectually prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of Complaint, and prevent all such Contamination whereof Notice shall be given as aforesaid, the said Trustees, Company of Proprietors, or such Person shall forfeit and pay to the Party so interested in or using such Water and complaining as aforesaid, for the Use and Benefit of such Party (over and above the before-mentioned Penalty of Twenty Pounds), the further Sum of Ten Pounds for each Day during which any such Water shall remain contaminated by any such Gas as aforesaid.

For ascertaining if the Water be contaminated.

XLVII. And whereas it may become a Question, upon such Complaint as aforesaid, whether the said Water be contaminated by the said Gas; be it therefore enacted, That in every such Case it shall be lawful for the Owners or Proprietors of any such Waterworks, or for any Person interested in such Well, Reservoir, or Pond, to dig and examine the Pipes and other Apparatus of the said Trustees, Company of Proprietors, or other Person as aforesaid, for the Purpose of ascertaining whether such Contamination proceed from or be occasioned by such Gas; and if it shall appear that the said Water has been contaminated by the Escape of such Gas, the Costs and Expences of the said Examination, and also of the Repair of the Soil or Pavement which shall have been taken up or disturbed, shall be paid by the said Trustees, Company of Proprietors, or other Person aforesaid, which Costs and Expences shall be ascertained and determined, if necessary, by any Justice of the Peace for the County of *Cumberland*, and the Amount thereof be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas, then the Owners or Proprietors of such Waterworks, or the Person interested in such Well, Reservoir, or Pond, shall bear and pay all the Costs and Expences of such Examination and Repair, and shall also make good to the said Trustees, Company of Proprietors, or other Person as aforesaid any Loss, Injury, or Damage which may be occasioned to the Pipes or other Apparatus of the said Trustees, Company of Proprietors, or other Person, in and by such Examination, and also to the Soil or Pavement so broken up or disturbed in such Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by any Justice for the said County.

Act not to protect Persons, &c. lighting with Gas from being indicted for a Nuisance.

XLVIII. Provided always, and be it further enacted, That the Powers and Provisions in this Act contained shall not extend to protect the said Trustees, or any Company of Proprietors, or other Persons, making, furnishing, or supplying Gas within the Limits of the said Town, or of any District adjoining thereto, or any of the Servants, Officers, or Workmen of such Trustees, Company of Proprietors, or other Person, from any Indictment or Prosecution for a public or private Nuisance in respect of any Works, or of the Means which shall be employed by them in making or using the Gas, or in furnishing any such Gas Light, nor from any Action for any Injury or Damage sustained by reason of any such Works, or of the Use of the said Gas, or of the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or the Use of such Gas, or from the Method of lighting, or from the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Penalty for wilfully breaking Lamps, &c.

XLIX. And be it further enacted, That if any Person shall wilfully or maliciously break, throw down, deface, or damage any Lamp set up under the Powers of this Act by Order of the said Trustees, or in pursuance of any Contract made by the said Trustees, or by any Person at his own Expence, for the Purposes of lighting the said Town, or any Post, Pillar, Pilaster, Lamp Iron, Cover, or other Furniture thereof, or shall wilfully extinguish the Light of any such Lamp, it shall be lawful for any Justice of the Peace for the County of *Cumberland* and he is hereby required, upon Oath made (or upon Affirmation, if made by a Quaker,) of the Commission of such Offence, to issue a Warrant for apprehending the Party accused; or it shall be lawful for any Person who shall see such Offence committed to apprehend, and for any other Person to assist in apprehending, the Offender, and by the Authority of this Act, and without any other Warrant, to deliver him into the Custody of a Peace Officer in order to his being conveyed before some Justice of the Peace for the said County; and upon the Party accused being brought before such Justice such Justice shall proceed to examine upon Oath (or being a Quaker upon Affirmation) any Witness who shall appear to give Evidence touching such Offence; and if the Party so accused shall be convicted of such Offence (either upon Confession or upon such Evidence as aforesaid) he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, and shall also make full Satisfaction to the said Trustees or other the Person injured for the Damages so done; and in case such Offender shall not upon such Conviction pay the said Penalty, and make such Stipulation as aforesaid, the Justice before whom he shall be convicted is hereby empowered and required to commit him to the Common Gaol or House of Correction for the said County, there to be kept, with or without hard Labour, as such Justice shall determine, for any Space of Time not exceeding Three Calendar Months.

Damages to be paid for Lamps broken accidentally.

L. And be it further enacted, That if any Person shall carelessly or accidentally break, throw down, or damage any Lamp set up as aforesaid, or the Irons or other Furniture thereof, and shall not immediately upon Demand make Satisfaction for the Damage done thereto,

thereto, it shall be lawful for any Justice of the Peace for the County of *Cumberland*, upon Complaint thereof to him made by any credible Person, to summon before him the Party complained of, and upon hearing the Allegations and Proofs on both Sides, or on the Non-appearance of the Party so complained of, to award such Sum of Money as the Damage proved shall amount unto, together with the Costs of the Proceedings, and in case of Refusal or Neglect to pay the Money and Costs so awarded within Five Days next after Demand to cause the same to be recovered in such Manner as Penalties and Forfeitures are by this Act directed to be recovered.

Trustees may appoint Constables and Assistant Constables.

LI. And be it further enacted, That it shall be lawful for the said Trustees to nominate and appoint One or more Constable or Constables for and to act within the Limits of the said Town of *Workington* for promoting the good Order thereof, and also from Time to Time, if they shall think it expedient so to do, to appoint a competent Number of able-bodied Men as Assistant Constables for the said Town for keeping the Peace therein, and for executing all such Warrants, Precepts, and Orders as the Justices of the Peace for the County of *Cumberland* shall from Time to Time direct to them, to be executed within the Limits of the said Town or of this Act, and from Time to Time to discharge and displace any such Constables or Assistant Constables, and make other Nominations and Appointments, and to pay such Salaries for the due Execution of the Duty they are required to perform, and to make such Orders and Rules for the better Government and Regulation of the said Constables or Assistant Constables as they shall see fit.

Constables, &c. to be sworn in.

LII. And be it further enacted, That the said Constables and Assistant Constables, and also all Watchmen, Patroles, and Beadles to be appointed by virtue of this Act, as herein-after mentioned, shall be sworn in as Constables before some Justice of the Peace for the said County of *Cumberland*, and shall afterwards act as such while in the Execution of the Powers and Authorities of this Act, and they are hereby invested with and shall have and enjoy the like Powers, Privileges, and Immunities as Constables are invested with by Law, and shall be subject to the like Responsibilities and Penalties as Constables are by Law subject to.

Constables to take Recognizances.

LIII. And be it further enacted, That, for the better Administration of the Police within the Limits of the said Town, it shall be lawful for the said Constables or Assistant Constables, on having an Appointment in Writing from the said Trustees for that Purpose, to take Recognizances, without any Fee or Reward, from any Person who shall be brought before them or any of them in the Night-time, upon any Charge not amounting to Felony, and who shall be willing to enter into such Recognizance for the Appearance of such Person before any Justice of the Peace for the said County of *Cumberland*, within the Space of Seven Days then next ensuing, for further Examination; and such Recognizances so to be taken as aforesaid shall be of equal Obligation on the Parties entering into the same, and be liable to the same Proceedings for the estreating thereof, as if the same had been taken before a Justice of the Peace; and such Constables

Constables or Assistant Constables as aforesaid shall enter in a Book to be kept for that Purpose the Names, Residences, and Occupations of the Parties and their Sureties (if any) entering into such Recognizances, together with the Conditions thereof, and the Sums respectively acknowledged, and shall lay the same before such Justice as shall be present at the Time and Place when and where the Parties are required to appear; and if the Parties do not appear at the Time and Place required, or within One Hour after, the Justice shall cause a Record of the Recognizance to be drawn up, and to be signed by such Constables or Assistant Constables as aforesaid, and shall return the same to the next General or Quarter Sessions, or the Adjournment thereof, for the County of *Cumberland*, with a Certificate at the Back thereof, signed by such Justice, that the Parties have not complied with the Obligations therein contained; and the Clerk of the Peace for the said County, or his Deputy, shall make the like Extracts and Schedules of every such Recognizance as of Recognizances in the Sessions of the Peace, and if the Parties not appearing shall apply by any Person on their Behalf to postpone the hearing of the Charge against them, and the Justice shall think fit to consent thereto, such Justice shall be at liberty to enlarge the Recognizances to such further Time as he shall think proper, and when the Matter shall be heard and determined, either by the Dismissal of the Complaint or by binding the Parties over to answer the Matter thereof at the Sessions or otherwise, the Recognizances for the Appearance of the Parties before a Justice shall be discharged without a Fee.

Power to erect Watch-houses and to employ Watchmen.

LIV. And be it further enacted, That it shall be lawful for the said Trustees, when and so often as they shall think it expedient, to provide such Watch-houses and Watchboxes, in such Situations as they shall judge proper, within the District or Districts from Time to Time directed to be watched as aforesaid, and to appoint and employ so many Watchmen and Night Patroles, and so many Superintendents of such Watchmen and Night Patroles, and so many Beadles, as well for the Day as Night, as they shall judge expedient for the Security and good Order of the said District or Districts; and also from Time to Time to remove and displace such Watchmen, Night Patroles, and Beadles, and to appoint others in their Stead, and to make such Orders and Regulations from Time to Time, for the better Government and Direction of the said Watchmen, Night Patroles, and Beadles, and to pay them such Salaries, as the said Trustees shall think proper.

Duties of Constables, Watchmen, &c.

LV. And be it further enacted, That the said Constables, Assistant Constables, Watchmen, Night Patroles, and Beadles shall in their several Courses of Service use their utmost Endeavours to prevent Fires, and also to keep Watch and Ward within the Limits of the said Town, and to prevent Murders, Burglaries, Felonies, and other Outrages, Disorders, and Breaches of the Peace, and to that end they shall and may and they are hereby empowered and required to arrest and apprehend all Felons, Malefactors, Vagrants, Beggars, Disturbers of the Peace, and all disorderly and suspected Persons, Prostitutes, and Night Walkers, who shall be found misbehaving or

wandering within the same Limits, and to lodge them in any Place of Security which shall be provided and appointed for that Purpose by the said Trustees, to be there safely kept and detained until they can conveniently be carried before some Justice of the Peace to be examined and dealt with according to Law.

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

LVI. And be it further enacted, That if any of the said Constables, Assistant Constables, Superintendents, Watchmen, Night Patroles, or Beadles, so appointed as aforesaid, or any of their Substitutes, shall at any Time wilfully neglect or omit to observe and perform all the Orders, Rules, and Regulations made by the said Trustees for their Conduct or Government respectively, or shall in any Manner neglect their Duty or misbehave, he shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings, and shall be dismissed from his said Employment, if the said Trustees shall think proper so to do.

Constables, Watchmen, &c., guilty of Misconduct liable to Punishment.

LVII. And be it further enacted, That if any Constable, Assistant Constable, Superintendent, Watchman, Night Patrole, or Beadle, to be appointed by virtue of this Act, shall be guilty of any Neglect or Misconduct in the Execution of his Duty, it shall be lawful for any Justice of the Peace for the County of *Cumberland*, upon Complaint against such Constable, Assistant Constable, Superintendent, Watchman, Night Patrole, or Beadle of any such Misconduct, to commit him to the Common Gaol or House of Correction for the said County, there to remain for any Term not exceeding Three Calendar Months.

Penalty on Publicans harbouring Constables, Watchmen, &c.

LVIII. And be it further enacted, That if any Innkeeper, Victualler, or Keeper of any Public House or Beerhouse, or Keeper of any House, Shop, Room, or other Place for the Sale of any Liquors, whether spirituous or otherwise, shall knowingly harbour or entertain, or wilfully suffer to remain in his Inn, Public House, Shop, Room, or other Place, any such Constable, Assistant Constable, Superintendent, Watchman, Night Patrole, or Beadle as aforesaid, during any Part of the Time appointed for his being on Duty, he shall on Conviction thereof forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Power to reward disabled Constables, Watchmen, &c.

LIX. And be it further enacted, That it shall be lawful for the said Trustees to give such Rewards in Money to any Constable, Assistant Constable, Superintendent, Watchman, Night Patrole, or Beadle who may conduct himself with any particular Merit, or may be disabled or wounded in the Execution of his Office, as they the said Trustees shall think reasonable, out of the Monies to be raised by virtue of this Act.

Trustees empowered to provide Fire Engines.

LX. And be it further enacted, That it shall be lawful for the said Trustees to provide and maintain in good Repair such Fire Engines (as well floating as common), together with such Pipes, Buckets, and other Apparatus as they may think necessary, and also from Time to Time to provide and maintain proper and convenient Receptacles

for such Engines, and to pay and defray all Costs and Expences attending the same respectively out of the Money to be raised by virtue of this Act.

Repair of Streets and public Roads to be under the Direction of the Trustees.

LXI. And be it further enacted, That immediately after the said Trustees shall have appointed the District or Districts to be so lighted, watched, and regulated as herein-before mentioned, the Repair and ordering of all the public Streets, Roads, Lanes, Highways, and Passages, and other public Places within the said District or Districts, shall be wholly under the Management and Direction of the said Trustees; and all Surveyors appointed under or by virtue of this Act shall be and they are hereby invested with and made subject and liable to all the Rights, Liberties, Powers, and Authorities, Duties, Penalties, and Obligations, in respect of the public Streets, Roads, Lanes, Highways, and Passages, and other public Places within the said District or Districts, which by Law now are or hereafter shall or may be granted to or conferred or imposed upon the Surveyors of public Highways within that Part of *Great Britain* called *England;* and all Monies, Costs, and Charges which any such Surveyor shall pay or be subject to in the Duties of his Office shall be paid by the said Trustees or their Treasurer out of any Monies to be raised by virtue of this Act.

No Money arising from Turnpikes to be laid out in repair of Streets.

LXII. And be it further enacted, That it shall not be lawful for the Trustees or Commissioners of any Turnpike Road to lay out or expend any Money arising by virtue of any Act relating to such Turnpike Road in or for or towards paving, repairing, improving, lighting, cleansing, or watching any of the Streets or public Places within the said District or Districts, or to erect or continue any Toll Gate or Turnpike, or to take any Tolls within the same.

Trustees empowered to pave the Streets, &c.

LXIII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby empowered, when and so often and in such Manner as they shall think proper, to order and cause the several Streets, Roads, Lanes, Highways (as well Carriage as Foot Ways), Passages, and public Places within the District or Districts which from Time to Time shall be appointed to be lighted, watched, and regulated as aforesaid, to be altered, widened, or extended, and the said several Streets, Roads, Lanes, Highways, Passages, and public Places within the said District or Districts to be paved, flagged, or otherwise improved, soughed, repaired, and amended, supported, and kept in good Order and Condition, with such Materials as the said Trustees shall think proper; and also from Time to Time to cause the Pavements, Flagging, and other Materials thereof to be taken up and relaid and renewed, and the Ground and Soil thereof to be raised, lowered, or altered, in such Manner and with such Materials as the said Trustees shall deem proper; and also to cause proper and convenient Sewers, Gutters, Drains, or Watercourses to be made along or under the said several Streets, Roads, Lanes, Highways, Passages, or other public Places, for carrying off Water, Mud, or other Filth from the same, and to cause Grates to be placed over any of the said Sewers, Gutters, Drains, or Watercourses, and to remove, alter, or vary

vary the Situation of such Grates in such Manner as the said Trustees shall think proper.

Penalty for damaging Materials.

LXIV. And be it further enacted, That if any Person shall wilfully or negligently break up, destroy, or otherwise damage any of the Flagging or Pavement of the Footways or Carriageways of the Streets, Roads, Lanes, Highways, public Passages or Places within the Limits of this Act, or any of the Sewers, Gratings, or any of the Posts, Pales, and Rails or Fences, or any of the Works done or constructed in pursuance of this Act, every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Trustees may make Causeways on the Sides of Roads for Foot Passengers.

LXV. And be it further enacted, That it shall be lawful for the said Trustees to make and keep in repair any Causeways for the Use of Foot Passengers in, upon, or on the Sides of any of the Streets, Roads, or Thoroughfares within the said District or Districts so to be appointed as aforesaid, in such Manner as they shall think proper; and after any such Causeway shall have been made and completed by the said Trustees any Person convicted of wilfully riding or driving thereon shall forfeit and pay any Sum not exceeding Five Pounds for every Offence.

Power to place Bars across the Streets under Repair.

LXVI. And be it further enacted, That it shall be lawful for the said Trustees, during such Time as any of the Streets, Roads, Lanes, Highways, Passages, or public Places within the said District or Districts so to be appointed as aforesaid shall be under Repair, or during the making or repairing of any Sewers or Drains therein, to cause so many Bars, Posts, and Chains, or other Obstructions, to be fixed, set up, and placed across or in any of the said Streets, Roads, Lanes, Highways, Passages, or other public Places, to prevent the passing of Carriages, Horses, and Cattle, whilst such Works and Repairs are in progress, as to the said Trustees shall seem proper; and if any Person shall throw down, break, remove, or injure any of the said Bars, Posts, Rails, Chains, or other Obstructions, he shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Power to set up Posts for guarding Footways, and to remove the same.

LXVII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to erect and set up, in such Parts of the said Streets, Roads, Lanes, Highways, Passages, and other public Places as they may think necessary, any Posts, Pillars, Stones, Rails, Bars, Chains, or any other Fences, either permanent or temporary, for the Purpose of preserving any of the Footways within the said District or Districts clear from Annoyance by Horses, Cows, Swine, or other Cattle, and for the Purpose of keeping off Carriages from any of the said Footways, and for the Prevention of Accidents; and also to repair and replace any such Posts, Pillars, Stones, Rails, Bars, Chains, or other Fences from Time to Time whenever it shall appear to be requisite; and also from Time to Time to order and cause the Removal of all or any Posts, Rails, Pales, and Fences which are or shall be in or upon any of the said Streets, Roads, Lanes, Highways, Passages,

Passages, or public Places, and which shall in the Opinion of the Trustees be useless or an Obstruction to the free Passage along the same.

Land to be provided for depositing Materials.

LXVIII. And be it further enacted, That the said Trustees shall have full Power to purchase or rent, from any Person who may be willing to treat for the same, any Land, Building, or Premises for depositing Stone, Gravel, or other Materials for the several Purposes of this Act, and for Stables for Horses and Carts purchased, hired, or employed by the said Trustees, and the Property thereof is hereby vested in the said Trustees; and the Purchase Money or Rent for the same shall be paid by the said Trustees out of any of the Money to be raised for any of the Purposes of this Act, as the said Trustees may think proper and direct.

Inhabitants assessed under this Act discharged from other Assessments.

LXIX. And be it further enacted, That from and after the Expiration of One Year next after the said Trustees shall have appointed the District or Districts to be lighted, watched, paved, and regulated as aforesaid, every Person who shall be assessed under or by virtue and for the Purposes of this Act, for or in respect of any Messuages, Lands, Tenements, or Hereditaments within such District or Districts, shall be and he is hereby exonerated, released, and for ever discharged from the Payment of all Rates and Assessments for the Repairs of the Highways within the said Township of *Workington* for or in respect of such Messuages, Lands, Tenements, or Hereditaments.

Trustees liable to contribute to the Repairs of the Highways of the Township not comprised within the District or Districts.

LXX. Provided always, and be it further enacted, That the said Trustees shall for ever hereafter be liable to pay, out of the Money to be assessed and raised under or by virtue and for the Purposes of this Act, yearly and every Year, to the Surveyors of the Highways of the said Township of *Workington*, One Seventh Part of the actual Sum expended during the then expired Year for the Repairs of the Highways of the said Township not comprised within the said District or Districts, for and in lieu of the Liability of all such Messuages, Lands, Tenements, and Hereditaments so rated and assessed as aforesaid within the said District or Districts to be rated or assessed to the Repairs of the Highways of the said Township.

Inhabitants of the District or Districts to be liable to Indictments for Nonrepair of the Streets, &c.

LXXI. Provided always, and be it further enacted, That from and immediately after such District or Districts shall have been so appointed as aforesaid, the Inhabitants thereof respectively shall be liable to Indictment at Common Law for the Nonrepair or the Want of sufficient Repair of the Roads, Highways, Passages, and other public Places, being common Highways, within the said District or Districts; and all Indictments and other Processes of Law which may be brought for or on account of the Nonrepair or Want of sufficient Repair of the same Roads, Highways, and other public Places shall be brought against the Trustees, or any Five of them, or their Clerk or Treasurer.

To prevent Nuisances on the Sides of

LXXII. And be it further enacted, That it shall be lawful for the said Trustees, and for such Persons as shall be appointed by them, to remove

the High-ways, &c.

remove and prevent Annoyances on any of the Highways within the said District or Districts, occasioned by Filth, Dung, Manure, Ashes, Rubbish, or any other Matter being placed upon any of the Highways within the said District or Districts, or upon any open or waste Ground adjoining thereto, within Eighty Feet of the Centre thereof, and to dispose of the same in case the Owner thereof shall neglect to remove the same within Twelve Hours after Notice in Writing, signed by any Three of the said Trustees or their Surveyor for the Time being, given to or left at the usual Place of Abode of such Owner for that Purpose, if the same shall be known, and to turn any Watercourses, Sinks, or Drains running into, along, or out of any of the aforesaid Highways to the Prejudice of the same, and to open, scour, and cleanse any Watercourses or Ditches adjoining to any Highways, and to make the same as deep and large as such Trustees shall think necessary, in case the Owners or Occupiers of the adjoining Lands shall neglect to open, scour, or cleanse such Watercourses or Ditches, after Five Days Notice in Writing given for that Purpose; and the Charges thereof, and of removing any Annoyances (such Charges being settled by any Justice of the Peace for the County of *Cumberland*,) shall be reimbursed to the said Trustees by such Owners or Occupiers, and the same shall be recovered in such Manner as Penalties and Forfeitures are in this Act directed to be recovered; and if, after the Removal of any such Annoyances, any Person shall again offend in the same Manner, he shall forfeit and pay any Sum not exceeding Five Pounds for every Offence.

Power to make Common Sewers.

LXXIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to cause such and so many Sewers, Drains, Culverts, Watercourses, public Wells, and Pumps, of such Materials, Dimensions, and Forms as they may think necessary, to be constructed and made or continued in, along, under, or across any of the Streets, Roads, Lanes, Highways, Passages, or other public Places within the said District or Districts, where in the Opinion of the said Trustees private Individuals ought not to be required to make or construct the same at their own Expence, and also to adopt any of the Common Sewers, Drains, Culverts, and Watercourses, Wells, or Pumps, which now are or hereafter shall be made within the said District or Districts, and to cause the same to be altered, enlarged, repaired, cleansed, or completed, as the said Trustees shall deem proper, and also, for any of the said Purposes, from Time to Time to cause to be dug and carried away from or brought into or upon the said Streets, Roads, Lanes, Highways, Passages, or other public Places, such Gravel, Stones, Bricks, and other Materials as they shall think necessary, and to cause such and so many Gutters and Openings to be made therein for carrying off the Filth, Soil, and other Waters from the Houses and Buildings already built or to be built in or adjoining to such Streets, Roads, Lanes, Highways, Passages, or other public Places, into the said Sewers and Drains, as the said Trustees shall think necessary; and in case it shall be found necessary for completing any of the aforesaid Sewers, Drains, Culverts, and Watercourses, Wells, and Pumps, to carry and continue the same into and through any inclosed Lands lying within the said District or Districts, it shall be lawful for the said Trustees

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

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

LXXIV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to empower any Person, at his own Expence, and upon such Terms as they may think proper, to turn or carry any new, private, or branch Drain into any Common Sewer, Drain, Culvert, or Watercourse already made or which shall or may be made by virtue of this Act; but if any Person shall turn or carry any such new, private, or branch Drain into any Common Sewer, Drain, Culvert, or Watercourse, without the Consent of the said Trustees, he shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds: Provided always, that all such private or branch Drains so to be made as aforesaid, and communicating with any Common Sewer, Drain, Culvert, or Watercourse, already made or hereafter to be made, shall be made of such Size, Construction, and Form as the said Trustees shall direct, and under the Inspection and Direction of their Surveyor.

Private Drains to be cleansed.

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

Course of Gutters to be turned if necessary.

LXXVI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to direct and cause the Course of any Gutter or Channel running in, under, upon, or through the said

said Roads, Highways, Passages, or other public Places to be turned, tunnelled, covered, or altered in such Manner as they shall think proper, the Expences attending which shall be defrayed out of the Money arising by virtue of this Act.

Trustees to appoint or contract with Scavengers.

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

Scavengers Duty.

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

LXXIX. And

Penalty on Contractors not fulfilling their Agreement.

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

Penalty on casting Rubbish upon the Roads or into the Streets.

LXXX. And be it further enacted, That if any Person shall throw, cast, or lay, or cause or permit to be thrown, cast, or laid, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth whatsoever, into or upon any Street, Road, Lane, Highway, Passage, or other public Place within the said District or Districts, (with the Exception of such Ashes as may be laid upon any Foot Pavement in Time of Frost for the Prevention of Accidents,) or shall throw or cast, or cause to be thrown or cast, any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or Filth, or any Animal or Carcase, or any noxious or offensive Materials or Ingredients, or any other Substance whatsoever, into any common Drain, Sink, public or private Well, Pump, Canal, Pond, Pool, Watercourse, Reservoir for Water, common River or Brook, within the said District or Districts, (except such Nightsoil or other Filth as may be conveyed into any Common Sewer from any Privy or Watercloset within the said Town,) every such Person shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings: Provided always, that nothing herein contained shall extend to subject any Person whomsoever to any Penalty for or on account of any Dirt or Rubbish being laid or placed in any such Street, Road, Lane, Highway, Passage, or public Place as aforesaid in the Course of erecting, pulling down, altering, or repairing any Building, so as there be sufficient Space left in or at the Side of the Street, Road, Lane, Highway, Passage, or public Place, where such Dirt or Rubbish shall lie or be placed, for Carriages to pass and repass, and sufficient Way be kept clear for Foot Passengers, by the Person laying or causing such Dirt or Rubbish to be laid or placed as aforesaid, and so as a sufficient Light be, at his own Expence, set and maintained at the Place where such Dirt or Rubbish shall be so laid or placed, from Sunset to Sunrise, to prevent Accidents to Passengers and Cattle, and so as such Dirt or Rubbish, be inclosed in such Manner and within such Time as the Surveyor of the said Trustees shall direct, and so as such Dirt or Rubbish be removed at the Expence of the Person laying or causing the same to be laid, within such Time as shall be ordered by the said Surveyor.

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

LXXXI. And be it further enacted, That if any Person shall take away any Dust, Dirt, Dung, Offal, Rubbish, Ashes, or other Filth (other than any Ashes laid upon the Pavement in Time of Frost for the Prevention of Accidents, and any Rubbish or Dirt occasioned by building as aforesaid,) out of or from any of the Streets, Roads, Lanes, Highways, Passages, or other public Places, except the Person

appointed by the said Trustees, he shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Offence.

Inhabitants may use their own Ashes, &c.

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

Regulations as to Night-soil.

LXXXIII. And be it further enacted, That if any Person shall begin to empty any Privy, or carry away any Nightsoil, or bring or place any Cart for removing the same from any House, Building, or Place within the said District or Districts, except between the Hours of Twelve of the Clock at Night and Four of the Clock in the Morning from *Lady Day* to *Michaelmas*, and between the Hours of Twelve of the Clock at Night and Six of the Clock in the Morning from *Michaelmas* to *Lady Day*, or if any Person shall use any Cart or Carriage for the Purpose before mentioned without a proper Covering thereto, or shall at any Time negligently spill or cast any Nightsoil, out of any Cart, Tub, or otherwise, in or over any of the said Streets, Roads, Lanes, Highways, public Passages or Places, or into any Drains therein, or shall deposit any Nightsoil on any open Space within Four hundred Yards from any Dwelling House within the said District or Districts, or in any respect improperly, carelessly, or negligently remove the same, he shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Occupiers of Houses to cleanse Foot-paths.

LXXXIV. And be it further enacted, That the several Occupiers of Houses and Buildings, with the Yards, Gardens, Pleasure Grounds, and other Appurtenances next adjoining the several Streets, Roads, Lanes, Highways, Passages, and other public Places within the said District or Districts, the Churchwardens or Chapelwardens of every Church or Chapel, the Owner of any dead Wall or other Fence and vacant Piece of Land not used as Arable, Meadow, or Pasture only, the Trustee, Treasurer, and Minister of every Meeting House or Place of Public Worship, or any One or more of them, and the Person who for the Time being shall be ostensible Director or Manager of every Hospital, School, Theatre, or other public Building situate or being next adjoining any Street, Road, Lane, Highway, Passage, or public Place within the said District or Districts, shall and they are hereby required to cause the several Footpaths or Pavements along the whole Length of the Front of the respective Premises aforesaid,

and to the full Extent of the said Footpaths or Pavements, before, behind, and on the Side or Sides of the same respectively, to be well and effectually swept and cleansed every Morning in the Year between the Hours of Six and Ten of the Clock; and every such Occupier or other Person making default therein shall forfeit and pay any Sum not exceeding Five Shillings for every such Default.

Trustees may compound for the sweeping of the Footpaths.

LXXXV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time as they shall think proper to compound by the Year or otherwise with the several Occupiers of Houses or Buildings or other Persons within the said District or Districts for relieving such Persons from the Burden of sweeping and cleaning the Footpaths or Pavements to which they may be liable under the Provisions of this Act, and from all Penalties to be incurred for any Neglect therein, at or for such Sums of Money as the said Trustees and such Persons as aforesaid shall agree upon: Provided nevertheless, that such Composition Money shall always be paid in advance.

Dirt not to be swept into Channels.

LXXXVI. And be it further enacted, That in case any Person shall sweep, rake, or place any Mud, Dirt, Dust, Rubbish, Filth, or Soil into or upon the Channels on the Sides of the said Streets, Roads, Lanes, Highways, and public Places within the said District or Districts, he shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Streets may be watered.

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

Water from Buildings to be conveyed by Pipes into Drains.

LXXXVIII. And be it further enacted, That no Water shall be permitted to drain from any Building upon the Footpath of any Street, Road, Lane, Highway, or public Place, but all such Water shall be conveyed from Buildings in covered Pipes or Tunnels below the Surface of the Pavement or Flagging of the Footpath where practicable, and where impracticable, on account of the Level of the Street, then in Channels formed in the Pavement or Flagging of the Footpath; nor shall any Water be pumped up or discharged from any Building upon the Footpath of any Street, Road, Lane, Highway, or public Place, but the same shall be conveyed over or under the Footpath by Spouts or Trunks to the Drain or Channel of the Street, nor shall any Smoke or Steam be discharged from the Front, Side, or End of any Building, into any Street, Road, Lane, Highway, or public Place, under the Penalty of any Sum not exceeding Forty Shillings for each Offence.

How Pipes, &c. for conveying Water shall be laid.

LXXXIX. And be it further enacted, That for the Purpose of laying or forming such Pipes, Tunnels, or Channels as aforesaid, it shall be lawful for the Proprietors of any Buildings, at their own Expence, to take up so much of the Pavement or Flagging of any Footpath

Footpath or Carriageway as may be requisite, and the said Pipes, Tunnels, or Channels shall be laid and formed under the Directions of the Surveyor of the said Trustees, and all Damage which may thereby be occasioned to the Flagging of the Footpath or Carriageway shall be made good and shall be paid by the said Proprietors of Buildings to the Surveyor of the said Trustees; and in the event of any Neglect or Refusal to make good or pay the Amount of such Damages such Amount shall and may be recovered as any Penalties are by this Act authorized to be recovered.

Cellar Windows and Grates to be secured,

XC. And be it further enacted, That if any Cellar Door, Trap Door, Hatchway, or Flap Window leading into or giving Light or Air to or placed over any Cellar, Area, Vault, or Office under Ground within the said District or Districts shall be left open, or shall not be effectually made and secured so as to prevent Accidents, or if any Grate or other Covering placed over any Opening in the Flagging or Pavement, and used for putting Coals or other Articles into any Cellar or Place under Ground, or for any other Purpose, shall be left opened, or not well and effectually fastened down and made in such Manner so as to prevent Accidents, the Occupier of such Cellar, Area, Vault, Office, or other Place shall for every such Offence forfeit and pay any Sum not exceeding Sixty Shillings; and in case the Occupier of such Cellar, Area, Vault, Office, or other Place shall not, after Twenty-four Hours Notice in Writing from the said Trustees, signed by their Clerk, well and effectually secure, fasten down, and put in proper Repair, so as to prevent Accidents from such Cellar, Area, Vault, Office, or other Place under Ground as aforesaid, such Occupier shall, in addition to the said Penalty of Sixty Shillings, forfeit and pay any Sum not exceeding Twenty Shillings for each Day during which such Cellar, Area, Vault, Office, or other Place under Ground as aforesaid shall so remain open and unsecured or not in repair as aforesaid.

Doors and Gates to open inwards.

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

hereby required to allow the same accordingly; and it shall be lawful for the Trustees to allow such Occupier or Landlord all or any Part of the Expence attending such Alteration if the said Trustees shall consider it expedient.

Regulating Slaughter-houses.

XCII. And be it further enacted, That it shall be lawful for the said Trustees, or for any Person by them appointed as an Inspector for that Purpose, from Time to Time, and they and he are and is hereby empowered, at all Times in the Day or Night, with or without any Servants or Assistants, to enter into and inspect any House or Place kept or used for the slaughtering or killing, storing or preserving, of Cattle, Swine, or Beasts of any Kind, or any Fish, within the said District or Districts, and also any Building, Shed, Yard, or Place belonging thereto, (such House or Place not being the actual Dwelling House of any Person,) and then and there to examine whether any Cattle, Swine, or other Beast, or any Part of the Carcase of any such, or any Fish, is or are deposited or has or have been brought there; and in case such Inspector as aforesaid shall find any Cattle, Swine, or other Beast, or any Part of the Carcase of any such, or any Fish, which shall appear to be unsound or unwholesome, it shall be lawful for the Inspector to seize and carry away the same for the Purpose of being further examined by competent Persons; and in case upon such Examination such Cattle, Swine, Beast, or Carcase, or Fish, shall be declared to be unsound or unwholesome, the same shall be immediately destroyed; and in case the Owner or Occupier of any such House or Place kept for the slaughtering or killing or storing or preserving of Cattle, Swine, or other Beast, or Fish, or of any Building, Shed, Yard, or Place belonging thereto, or any other Person, shall obstruct such Inspector as aforesaid in entering into and inspecting the same, and examining, seizing, carrying away, or destroying any Carcase or Fish which shall appear to be and which shall be declared to be unsound and unwholesome, he shall forfeit and pay any Sum not exceeding Five Pounds for each Offence.

For Removal of Slaughter-houses.

XCIII. And be it further enacted, That if any Slaughter-house, Swine-stye, Necessary-house, Dunghill, or Sewer, or any Dung, Carrion, Offal, Blood, Soil, Filth, or Rubbish, or any other noisome Matter whatsoever, in or near any of the Streets, Roads, Lanes, Highways, Passages, or other Places within the said District or Districts, shall be considered by any of the Inhabitants of the said District or Districts as an Annoyance, it shall be lawful for the said Trustees, on Complaint thereof being made to them by any of such Inhabitants, to inquire into the Matter complained of, and if they shall deem the same to be an Annoyance they are hereby empowered and required, by Notice in Writing under the Hand of their Clerk, to order such Annoyance to be abated or removed within One Calendar Month next after such Notice given to the Person who ought to remove or abate the same, or for or on whose Behalf the same is carried on, or left at his last or usual Place of Abode; and in case such Annoyance shall not be abated or removed within the Time mentioned in such Notice by the Person who ought to abate or remove the same, every such Person shall forfeit and pay any Sum not

not exceeding Twenty Shillings for every Day the same shall continue unabated or unremoved after the Expiration of the Time mentioned in such Notice, unless an Appeal as herein-after mentioned shall be prosecuted with Effect against the Order of the said Trustees; and in case Notice of such Appeal shall be given the said Penalty shall not be inflicted until after such Appeal has been decided: Provided always, that nothing herein contained shall extend or be construed to extend to any Slaughter-house which shall have been erected or set up before the passing of this Act.

For punishing Misbehaviour in Drivers of Carriages.

XCIV. And be it further enacted, That if the Driver of any Waggon, Cart, Dray, Sledge, or other such Carriage shall ride upon any Part of such Carriage, or drive the same faster than a Walk, in any of the Streets, Roads, Lanes, Highways, Passages, or public Places within the Limits of the said Town, or shall be at such a Distance from the same during its Passage through or within such Limits as not to possess the complete Command over the Horses drawing the same; or if any Person riding or driving any Horse shall drive or ride the same furiously in any such Streets, Road, Lane, Highway, Passage, or public Place, or shall by Negligence or wilful Misbehaviour intercept the free Passage of any Carriage or Passenger along the same; or if the Driver of any empty or unloaded Waggon or other such Carriage shall refuse or neglect to turn aside and make way for any Coach, Chaise, or loaded Carriage of any other Description; or if any Person shall haul or draw, or cause to be hauled or drawn, upon any Part of the said Streets, Roads, Lanes, Highways, Passages, or other public Places, any Tree or Piece of Timber, or any Stone, otherwise than upon a wheeled Carriage, or shall suffer any Part of any Tree or Piece of Timber or Stone to drag upon any Part of the said Streets, Roads, Lanes, Highways, Passages, or other public Places, he shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and such Person may by the Authority of this Act, with or without a Warrant, be apprehended by any Person who shall see such Offence committed; and it shall be lawful for the Person so apprehending such Driver, Rider, or other Person to cause him to be delivered to a Peace Officer, in order to be brought before some Justice of the Peace for the said County of *Cumberland*, to be dealt with according to Law; and if such Driver, Rider, or Person, in any of the Cases aforesaid, shall refuse to disclose his Name, the necessary Proceeding may be had against him before such Justice for the said Penalty, by a Description of his Person and the Offence committed, without stating his Name.

Penalty for Injury to Buildings, &c.

XCV. And be it further enacted, That if any Person shall, without the Consent of the said Trustees, take away, remove, destroy, deface, or injure any Erection, Building, Fountain, Cistern, Well, Fence, Pillar, Lamp, Lamp Iron, Board, Post, Rail, Pump, Pipe, Plug, Apparatus, Pavement, Flag, Material, Implement, Matter, or Thing by this Act vested in the said Trustees, or shall waste or beyond his Contract consume any Gas supplied by the said Trustees, he shall forfeit and pay to the said Trustees for every such Offence any Sum not exceeding Five Pounds, and also such further Sum of Money, as a Compensation for the Damage and Costs which shall have been

occasioned by such Offence, as shall be awarded by any Justice of the Peace for the said County of *Cumberland*, to be recovered in such Manner as by this Act is provided for the Recovery of Penalties.

Hoards or Fences to be made round Buildings under Repair or erecting.

XCVI. And be it further enacted, That all Persons who, at the Time of the passing of this Act, shall have taken down or who shall have begun to take down, repair, or alter, or erect, or who, after the passing of this Act, shall begin to take down, repair, alter, or erect any House or other Building whatsoever within the Limits of this Act, shall cause proper and sufficient Hoards or Fences, in case said Trustees shall require it, to be erected or set up, to guard all such Houses or other Buildings, and the Ground whereon such Houses or other Buildings stood, in such Manner as the said Trustees shall require, either before or after such Houses or Buildings shall be begun to be taken down, repaired, or altered, or erected, and shall continue such Hoards or Fences in good Condition during the Time such Building, Alteration, or Repair shall be going on; and if any Person shall refuse or neglect to erect such Hoards or Fences as aforesaid, or to continue the same in good Condition as aforesaid, or to take down the same when thereunto required by the said Trustees, such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings *per* Day; and in case of such Refusal or Neglect it shall be lawful for the said Trustees to cause such House or Ground to be well and sufficiently fenced in, or the Hoard or Fence set up to be well and sufficiently repaired and continued as aforesaid, or taken down, (as the Case may require,) and the Person neglecting or refusing shall, over and above the aforesaid Penalty, pay all the Charges and Expences of such fencing or repairing, upon Demand made by the said Trustees or by their Clerk.

Regulations relative to rebuilding Houses.

XCVII. And be it further enacted, That when any House or Building, the Front, Foundation, or any Part of which now stands or projects beyond the regular Line of the Street or Place in which the same shall be situate, or beyond the Front of any of the Houses or Buildings on each or either Side thereof in any of the Streets or public Places within the Limits of this Act, shall be taken down or be rebuilt, or where any House or Building shall be erected on any vacant Piece of Ground within the said Limits, not already built upon, the same shall be set back to the Line of the Street or Place aforesaid, or to the Line of the adjoining House or Building, or in such Manner as the said Trustees or their Surveyor shall direct, and where the next House or Building shall not adjoin the House or Building so to be taken down or rebuilt, but shall be separated therefrom by any Street, Way, or Ground, then the same shall be set back to the Line of such Street or Place, or of such House or Building on either Side thereof, or as the said Trustees or their Surveyor shall direct; and every Person who shall be desirous to erect or rebuild any such House or Building shall, before he shall commence the same, give Fourteen Days Notice to the said Trustees of his Intention so to do; and every Person who shall act contrary to the Directions of the said Trustees or their Surveyor herein, or shall neglect

neglect to give such Notice as aforesaid, shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence; and it shall be lawful for the said Trustees or their Surveyor to order and cause any House or Building which shall be erected contrary to the Provisions of this Act to be taken down and altered at the Expence of the Owner or Proprietor thereof, to be recovered in manner herein directed for the Recovery of Damages and Expences: Provided always, that the said Trustees shall and they are hereby required to make Compensation to the Owner or Occupier of every such House or Building for any Damage or Injury which he may sustain by the setting back of such House or Building.

Buildings may be advanced so as to improve Streets.

XCVIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, or their Surveyor, to admit any Building hereafter to be erected within the Limits of this Act to be advanced and brought forward for the Purpose of improving and conforming to the general Line of the Street or Place in which such Building shall be situate, or of the Buildings adjacent thereto.

For Removal of existing Projections.

XCIX. And be it further enacted, That, notwithstanding any thing herein contained to the contrary, it shall be lawful for the said Trustees from Time to Time to cause all or any of the Penthouses, Porches, Sheds, projecting Windows, Palisadoes, Rails, Posts, Steps, Scrapers, Areas, Cellar Holes, Windows, Cellar Doors, Hatchways, and all other Obstructions and Projections whatsoever, not herein specified, which at the Time of the passing of this Act are erected, fixed, set up, laid down, or exist against or in front of any House or other Buildings in any of the Streets, Roads, Lanes, Highways, Passages, or other public Places within the Limits of this Act, and which in the Judgment of the said Trustees are public Annoyances or Nuisances, by reason of their projecting into or encroaching upon, or otherwise annoying or endangering the public Passage along any of the said Streets, Roads, Lanes, Highways, Passages, or other public Places, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, as shall be thought proper and expedient by the said Trustees, first causing Thirty Days Notice in Writing under the Hand of the Clerk or Surveyor for the Time being of the said Trustees to be given to the respective Owners and Occupiers of such Houses and Buildings of their Intention to take down, fill up, remove, alter, or reform such Obstructions or Projections respectively, and the said Trustees shall defray the whole Costs and Charges of executing the same: Provided always, that the said Trustees shall and they are hereby required to make Compensation to the Owner or Occupier of every such House or Building for any Damage or Injury which he may sustain by the taking down, filling up, removing, altering, or reforming of such Obstructions or Projections respectively.

For Removal of future Projections.

C. And be it further enacted, That the several Occupiers of Houses and other Buildings situate in the several Streets, Roads, Lanes, Highways, Passages, and other public Places within the Limits of this Act, are hereby required, at their own respective Costs and Charges, within Thirty Days next after their respectively receiving

receiving Notice in Writing from the said Trustees in that behalf, signed by their Clerk or Surveyor for the Time being, to cause all and every of the Penthouses, Porches, Sheds, projecting Windows, Palisadoes, Rails, Posts, Steps, Scrapers, Areas, Cellar Holes, Windows, Cellar Doors, Hatchways, and all other Obstructions and Projections whatsoever which shall in future be erected, set up, affixed, or laid down against or in front of their respective Houses or other Buildings, and which in the Judgment of the said Trustees shall be public Annoyances or Nuisances by reason of their projecting into or encroaching upon, or otherwise annoying or endangering the public Passage along any of the Streets, Roads, Lanes, Highways, Passages, or other public Places within the Limits of this Act, to be so taken down, filled up, removed, and carried away, or otherwise altered or reformed, in such Manner as shall be directed by the said Trustees or their Surveyor; and in case the Occupiers of any such House or other Building as aforesaid shall neglect or refuse to cause any such Penthouse, Porch, Shed, projecting Window, Palisado, Rail, Post, Step, Scraper, Area, Cellar Hole, Window, Cellar Door, Hatchway, or other Obstruction or Projection to be taken down, filled up, removed, and carried away, or otherwise altered and reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Trustees or their Surveyor to cause the same to be forthwith done; and the Costs and Charges attending the same, having been ascertained by some Justice of the Peace, shall and may be recovered from the Occupier of such House or other Building in like Manner as any Penalties are by this Act authorized to be recovered; and it shall be lawful for the Occupier of such House or other Building, having either paid such Costs and Charges in the first instance, or having repaid the same to the said Trustees, to deduct and retain the Amount out of his Rent; and the Landlord of every such House or other Building is hereby required to allow the same accordingly, except only in such Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been erected by such Occupier, in which Case he shall bear the Expence of altering or removing the same.

Trustees empowered to cause Houses to be numbered, and to name Streets.

CI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered, from Time to Time to cause the Name and Residence of the Surveyor to the said Trustees for the Time being, and also of the Turncock of any Gas or Water Company within the Limits of this Act, to be placed in some conspicuous Places within the said Limits for the Information of Parties there, and to cause the several Houses and other Buildings in the said several Streets, Roads, Lanes, Highways, Passages, and public Places to be numbered, and also to cause to be affixed or painted on a conspicuous Part of some House or Building or Place, at or near each End, Corner, or Entrance thereof respectively, the Names by which such Streets, Roads, Lanes, Highways, Passages, and public Places are respectively to be called or known; and if any Person shall wilfully or maliciously destroy, pull down, or deface any such Number or Name, or any Part thereof, or shall fix or put up any Number or Name different to the Number or Name fixed or put up

by Order of the said Trustees, he shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence; and if the Occupier of any such House or Building shall not restore such Number within Seven Days after Notice signed by the Clerk or Surveyor to the said Trustees, and left at the usual Place of Abode of such Person, he shall forfeit and pay any Sum not exceeding Twenty Shillings for every such Offence.

Dangerous Walls, &c. to be repaired or taken down.

CII. And be it further enacted, That whenever any Building or Erection, Chimney, Wall, or Fence within the Limits of this Act shall be in a dangerous State of Decay, or shall fall down, or shall impend over any Street, Road, Lane, Highway, Passage, Footpath, or other public Place so as in either Case to become a Nuisance to the Public, it shall be lawful for the said Trustees to order the Occupier or Owner of such Building or Erection, Chimney, Wall, or Fence, to repair or to pull down and rebuild the same; and in case any such Person shall neglect to repair or to pull down and rebuild such Building or Erection, Chimney, Wall, or Fence, (as the Case may be,) for the Space of Seven Days after having received Notice in Writing so to do from the said Trustees or their Surveyor or Clerk, then it shall be lawful for the said Trustees to cause the same to be repaired or pulled down and rebuilt, (as the Case may require,) and the Expences thereof shall be recovered from such Person in the same Manner as any Penalty is by this Act directed to be recovered: Provided always, that if any Person so required to repair, pull down, or rebuild any Building or Erection, Chimney, Wall, or Fence, who shall think himself aggrieved by the Order or Judgment of the said Trustees touching the same, shall within Seven Days next after he shall have been served with Notice to repair or pull down and rebuild the said Building or Erection, Chimney, Wall, or Fence, give Notice in Writing to the said Trustees of his Intention to appeal to the then next General Quarter Sessions of the Peace for the said County of *Cumberland* against the Order and Judgment of the said Trustees, (such last-mentioned Notice to be served in the Manner prescribed by this Act,) then and in every such Case the Penalty shall not be inflicted, nor shall any Proceedings be had or taken upon the said Order or Judgment, or, upon Notice of the said Trustees, until after the final Determination of the said Appeal.

Straying Cattle to be impounded.

CIII. And be it further enacted, That if any Horse, Mule, Ass, Bull, Sheep, Cow, or Swine, or other Beast or Animal, shall at any Time be found at large without some Person therewith claiming the same, in any of the Streets, Roads, Lanes, Highways, public Passages or Places now made or hereafter to be made within the Limits of this Act, it shall be lawful for any Officer to be appointed by the said Trustees, or for any of the Inhabitants or Persons residing within the said Limits, to seize and impound such Horse, Mule, Ass, Bull, Sheep, Cow, Swine, or other Beast or Animal in the common Pound within the said Limits, or in such other Place as the said Trustees shall appoint for that Purpose, and which they are hereby authorized and empowered to provide and maintain, within the said Limits, for common Use by the Inhabitants thereof, and to detain the same therein until the Owner thereof shall, for each Beast or Animal so impounded,

impounded, pay any Sum not exceeding Five Shillings, to the Treasurer for the Time being to the said Trustees, towards the Purposes of this Act, and also any Sum not exceeding One Shilling to the Person impounding the same, besides the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sums, Charges, and Expences shall not be paid within Three Days after such impounding, it shall be lawful for the Pound Keeper, or such other Person as shall be appointed by the said Trustees, to sell any such Beast or Animal; but, previous to such Sale, Seven Days Notice shall be given to or left at the Dwelling House or Place of Abode of the Owner of such Beast or other Animal so impounded, of such intended Sale, if the Owner thereof shall be known, or if not then Notice of such intended Sale shall be given by Advertisement, to be inserted Seven Days before such Sale, in some Newspaper published or circulated in the said County of *Cumberland;* and the Money arising from such Sale, after deducting the said Sums, and the Charges and Expences aforesaid, and such other Charges and Expences as may attend the keeping and Sale of any such Beast or Animal so impounded, shall be paid to the said Treasurer, to be by him paid to the Person whose Property the Beast or other Animal so sold shall appear to have been, and which Money the said Treasurer is hereby directed and required to pay, on Demand.

Punishment of Persons guilty of Pound Breach.

CIV. And be it further enacted, That in case any Person shall release or attempt to release any Horse, Mule, Ass, Bull, Sheep, Cow, or Swine, or other Beast or Animal, which shall be seised for the Purpose of being impounded under the Authority of this Act, from the Pound or Place where the same shall be so impounded, or shall pull down, damage, or destroy the same Pound or Place, or any Part thereof, or any Lock or Bolt belonging thereto, or with which the same shall be fastened, or shall rescue or release, or attempt to rescue or release, any Distress or Levy which shall be made under the Authority of this Act, until or before such Horse, Mule, Ass, Bull, Sheep, Cow, or Swine, or other Beast or Animal, seized or so impounded, or such Distress or Levy so made, shall be discharged by due Course of Law, he shall, on Conviction thereof before any of Her Majesty's Justices of the Peace for the County of *Cumberland*, either upon the Confession of the Party offending or upon the Oath or Affirmation of some credible Witness, and which Oath or Affirmation the said Justice is hereby empowered to administer, forfeit and pay any Sum not exceeding Five Pounds, and in default of Payment of the Penalty or Fine imposed by the said Justice (not exceeding as aforesaid) shall be committed by such Justice, by Warrant under his Hand and Seal, to the Common Gaol or House of Correction for the said County of *Cumberland*, there to remain without Bail or Mainprize, with or without hard Labour, as such Justice shall determine, for any Time not exceeding Three Calendar Months.

Penalty on certain Nuisances.

CV. And be it further enacted, That if any Person shall, after verbal or written Notice given to him by One or more of the Trustees, or by their Clerk, or by any Inhabitant of the said Town of *Workington*, in or upon any of the present or future Streets, Roads, Lanes, public Passages or Places within the Limits of the said Town, expose for Sale or for Hire any Horse, Mule, or Ass, or expose for Sale

Sale any Swine, Pig, Sheep, Ox, Bull, Cow, or other Cattle or Beast, except on such Days and at such Places as shall be appointed by the Lord of the Manor of *Workington* for the Time being for that Purpose; or if any Person shall, in or upon any of the present or future Streets, Roads, Lanes, public Passages or Places aforesaid, without the Consent of the Trustees, exhibit or place for Exhibition any Caravan or other Carriage containing any Animal or other public Show, or in any other Manner exhibit any public Show, (and which Show or Caravan the said Trustees are hereby empowered and required, on Complaint being made to them by any of the Rate-payers within the said District or Districts so appointed as aforesaid, to forthwith remove out of such Limits, except during the Time of any Fair,) or exhibit or show any Stallion or Bull, except in such Places as shall be appointed for those Purposes respectively; or shoe, bleed, or farry any Horse or other Cattle or Beast, except in Cases of Accident, or clean, dress, or exercise any Horse or other Cattle or Beast, or drive any Carriage for the Purpose of breaking, exercising, or trying any Horse or other Cattle or Beast; or turn loose or suffer to be at large any Horse or other Cattle or Beast, or any Bull-dog, Mastiff, or other ferocious Dog not being muzzled, or permit any Dog whatsoever to go at large after any public Notice given by the said Trustees during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of Canine Madness (and which Dogs so at large after such Notice the said Trustees by their Servants are hereby authorized to destroy); or shall ride upon any Waggon, Dray, Cart, Sledge, or other Carriage, or on any of the Horses, Asses, or other Cattle or Beasts drawing the same, without holding the Reins of such Horses, Asses, or other Cattle or Beasts, or shall be at such a Distance from the same as not to possess the complete Direction and Management of the Horses, Asses, or other Cattle or Beasts drawing the same, or whether holding the Reins or not shall ride upon the Shafts of any Waggon, Dray, Cart, Sledge, or other like Carriage; or when driving any Waggon, Dray, Cart, Sledge, or other such like Carriage shall refuse or neglect to turn the same aside, and make way for any Coach, Chaise, or loaded Carriage of any Description, or when driving any Waggon, Dray, Cart, Sledge, or other Carriage shall not, on meeting or being passed by Horses or other Cattle or Beasts or Carriages, promptly turn out of the Way, so as to keep as nearly as may be on his Left Side of the Road, and so as to leave proper and sufficient Quarter for such Horses, Cattle, Beasts, and Carriages, or when drawing any Sort of Carriage whatsoever, and meeting any other Carriage, shall not keep his Carriage on the Left or near Side of the Road, or, being the hindermost of Two or more Coaches, Waggons, Carts, or other Carriages travelling in the same Course or Direction, shall attempt to pass the foremost Coach, Waggon, Cart, or Carriage, or any of them, so as to impede or obstruct the Passage of any Coach, Waggon, Cart, or Carriage, or any Horse coming from the opposite Direction, and being on the proper or Left Side of the Road, or shall in any Manner wilfully prevent any other Person from passing him, or any Carriage under his Care, or by Negligence or Misbehaviour shall prevent or interrupt the free Passage of any Carriage of any of Her Majesty's Subjects; or when riding any Horse or Beast, or when driving any Carriage of any Kind, shall ride or

drive the same furiously, or so as to endanger the Person of any one, or shall drive the same against and injure or damage any Curb-stone or Foot Pavement or Causeway, or the Hedges, Posts, Rails, or Fences thereof, or any public or private Property; or shall wilfully pull down or damage any Bridge, Wall, or any other Building or Erection made by the said Trustees; or suffer any Waggon, Dray, Cart, Sledge, Wheelbarrow, or other Carriage to remain, with or without Horses, longer than may be necessary for the loading or unloading thereof, or suffer the same during the Time of loading or unloading to be placed or remain so as to interrupt the public Passage more than may be absolutely necessary; or shall suffer any Stage Coach, Fly, Post Chaise, or other Carriage let to Hire to remain longer than may be necessary for the taking up or setting down of any Passenger, or for loading or unloading the Baggage; or shall draw any Timber, Stone, Metal, or other heavy Material, except the same be wholly in or upon some Carriage with Wheels; or shall wash or clean, or make or repair, any Carriage, except such Carriages as may want immediate Repair from any sudden Accident upon the Spot, and which cannot conveniently be removed for that Purpose; or shall discharge any Fire-arms, except in Cases of Necessity for Self-defence, or make or assist in making any Bonfire, or set fire to or let off or throw any Cracker, Squib, Rocket, or other Firework, or set fire to any Tar Barrel, or carry about any Tar Barrel on fire, or play at Football, or throw any Snowball, or trundle any Hoop, or fly any Kite, or run any Race, or play any Game to the Annoyance of any Inhabitant or Passenger, or slide or skate during Frost on any Pavement or Footway, or wilfully break any Glass Panes or Windows, or abet and assist in breaking the same; or burn, dress, scald, cleanse, or hoop any Cask or Tub, or burn any Piece of Cork; or, after Eight of the Clock in the Morning dust or beat or shake any Carpet; or, being the Owner or Occupier of a Blacksmith's, Whitesmith's, or Nailor's Shop, situate in or near any of the said Streets, Roads, Lanes, or Passages or public Places within the said Limits, and having a Window opening in or fronting the same, shall not, by good and close Shutters, every Evening after it becomes Twilight, bar and prevent the Light from such Shop shining into or upon the said Streets, Roads, Lanes, Passages, or Places; or if any Person shall, in any such Streets, Roads, Lanes, Passages, or Places, hew, bore, saw, or cut any Timber, Wood, or Stone, or throw, cast, lay, or place any Hay, Straw, Coals, Stones, Slates, Tiles, Lime, Bricks, Mortar, Timber, Boards, Iron, or other heavy Substance, (except Stones, Lime, Bricks, Mortar, Timber, or other Materials used for building or repairing, or Dirt or Rubbish thereby occasioned, and which shall be placed or inclosed so as to prevent any Mischief happening to Passengers,) or any Dust, Dirt, Manure, Filth, Carrion, Blood, or any Sort of Rubbish, or throw any such Matter or Thing into any public or private Well, Pump, Canal, Watercourse, or Reservoir for Water within the said Limits; or shall, after written or verbal Notice to him given by One or more of the Trustees, or by the Clerk, or by any Inhabitant of the said Town of *Workington*, within any such Streets, Roads, Lanes, Highways, Passages, or public Places, not being upon the Day and within the Space from Time to Time set out and appointed for a public Market or public Markets

by the Lord for the Time being of the said Manor of *Workington*, sell or expose for Sale any Goods, Wares, Merchandize, or other Property or Effects whatsoever, without the Leave of any Three or more of the said Trustees first obtained for that Purpose; or shall, within any such Streets, Roads, Lanes, Highways, Passages or public Places, hang up, place, or expose to Sale the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part thereof, or any Goods, Wares, or Merchandize whatsoever, or any Fruit, Vegetables, or Garden-stuff, in or upon any Footway, or hang up or place any Article, Matter, or Thing either for Sale at the Outside of any House or Shop, or of any Door, Window, or Balcony, or fix or tie up any Line, Chain, Rope, or Cord for any such last-mentioned Purposes, so as to project over or upon any Footway, or beyond the Line of the House or Shop at which the same shall be so exposed, or so as to obstruct or incommode the Passage of any Person or Carriage; or shall kill or slaughter, or singe, scald or dress, any Horse, Ass, Swine, Ox, Calf, Sheep, or other Cattle or Beast, either wholly or in part, or in any such Street, Road, Lane, public Passage, or Place, (except in the Case of any overdriven Beast which may have met with any Accident, and which it may be impossible to get to a Slaughter-house, and which the Public Safety or other Circumstances may require to be killed upon the Spot,) or in any Shop or other Place adjoining or exposed to any such Street, Road, Lane, public Passage or Place, or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughter-house, Shamble, Butcher's Shop, Hog-stye, or Dunghill, into any such Street, Road, Lane, public Passage or Place; or kill or slaughter or dress within the said District any unsound Swine, Ox, Cow, Calf, Lamb, or other Beast or Cattle, and which shall be unwholesome Meat, or sell or offer or expose for Sale any unwholesome Meat or Fish; or use any false or deficient Weights or Measures; or being a Licensed Publican or Victualler within the said Limits, shall not erect or construct in some convenient and proper Situation near or about his Premises other than to the Front of any principal Street or Place, a Recess or Convenience (together with proper Drains therefrom) for making Water, so as to prevent any unnecessary or indecent Exposure of the Person; or shall in any of the said Streets, Roads, Lanes, Highways, Passages, or public Places sift, slack, or mix any Lime; or shall fix up any Flower-pot or other Pot at any Window without sufficiently guarding the same so as to prevent its being blown or thrown down; or shall leave open after Sunset the Door, Window, or other Covering giving Light or Air to any Cellar or Office, or other underground Room or Apartment, or of any Area, without having placed a sufficient Light to warn or prevent Persons from falling into such Cellar, Office, or other underground Room or Apartment; or shall not well and effectually guard and secure his Reservoir, Pond, or Dam of Water so as effectually to prevent Accidents to Persons or Cattle, by reason of any such Reservoir, Pond, or Dam being left open or uncovered; or shall set up or throw at any Cock or Fowl in the Manner called Cock-throwing, or bait any Bull, Bear, or other Animal within the said Limits; or draw, drive, or push any Truck, Wheel, Sledge, Wheelbarrow, Bier, Handbarrow, or other Carriage whatsoever, or any Ladder or Building Pole, or any long Piece of Iron or Stone,

upon any Footway or Causeway, or carry any Basket or other Thing thereupon so as to incommode or obstruct the Passage of any Person, except only for the Purpose of crossing such Footway or Causeway, or drag thereon any Timber, Stone, or Metal, or roll thereon any Cask or Tub, (other than for the necessary loading or unloading thereof into or out of any Carriage,) or place thereon any Goods, Wares, or Merchandize, or any Cask, Tub, or Barrel, Box, Pail, Stall, Bench, or Stool, or place any Blind, Shade, Covering, or Awning, or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, so as in any way to cause an Obstruction or Impediment in any such Footway or Causeway; or if any Person shall annoy, insult, or jostle any Passenger or Person travelling, passing, or going on any public Footway or Causeway, or shall insult any Female, or shall use any obscene or indecent Language, or by loitering, standing, or remaining on any such Footway or Causeway, (without some reasonable Cause,) or in any other Manner, obstruct or incommode, hinder, prevent, or impede the free Passage of any such Footway or Causeway; or lay or sift any Ashes, Gravel, or Sand thereon, except in Time of Frost only to prevent Accidents; or wilfully lead or drive thereon any Horse, Ass, Ox, Swine, or other Cattle or Beast of any Kind whatever; or wilfully permit or suffer any Horse, Ass, Ox, Swine, or other Cattle or Beast, which any Person may be riding, driving, or leading through any of the said Streets, Roads, Lanes, public Passages or Places, to go on such Footway or Causeway; or tie or fasten any Horse, Ass, Ox, or other Cattle or Beast to any Door, Wall, Post, or other Thing whatsoever, so that such Ox, Ass, or other Cattle or Beast can go or stand across or upon any Footway or Causeway; or shall indecently expose the Person; or write or describe any obscene or indecent Language or Figure on any House, Wall, Door, or Place, or write upon or otherwise deface or mark any Dwelling House, Wall, or Building, by means of Chalk, Paint, or otherwise howsoever, or fix up any Handbill, or other Paper, or Notice, (other than such Notices as may be directed by Parliament or other lawful Authority,) against any Church or Chapel, or other Place licensed for Public Worship, or against any School or public Building, or any Dwelling House, or against the Walls, Doors, or Inclosures thereof respectively, or of any Garden or Pleasure Ground thereunto respectively belonging, without the Consent of the Occupier thereof, or of any Churchyard or Burial Ground, or play at Ball or Fives or at any other Game upon or against the same, or shall deposit any Filth or commit any other Nuisance upon, in, about, or against the same; or if any Person shall, within the Distance of Four hundred Yards from any Dwelling House within the said Limits, burn any Rag or Bones, or other offensive Substance, for any Purposes of Trade, Manufacture, or Commerce, or place or keep any Nightsoil, or the Filth taken from any Privy, Drain, or Cesspool, or the Refuse or Filth of any Slaughterhouse, or any Soap Lees, Ammoniacal Liquor, or any other noisome or offensive Matter whatsoever, in or upon any open or inclosed Ground within the aforesaid Distance from any such Dwelling House as aforesaid, otherwise than during the Time of the same being removed; or shall set fire to, or wilfully cause, permit, or suffer the Chimney of any House, Workshop, or other Building within the said Limits to

to be on fire; every Person so offending, or the Owner or Proprietor of any such House, Workshop, or Building, Horse, Ass, or Swine, Sheep, Beast, or other Cattle, Carriage, Goods, Articles, Matters, or Things as aforesaid, (in any Case where the Person actually offending cannot be found or discovered,) or the Person causing any such Offence to be committed, shall forfeit and pay any Sum not exceeding Forty Shillings for every such Offence.

Trustees may enter into Contracts.

CVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered, from Time to Time to enter into any Contracts for the Performance of any of the Works by this Act authorized to be done, or for furnishing any Materials, Implements, Labour, or other necessary Matters or Things for the Performance thereof, or for any other of the Purposes of this Act: Provided always, that no such Contract shall be made for a longer Time than Three Years from the making thereof, and before any such Contract shall be entered into Ten Days public Notice at the least shall be given, in order that Persons willing to undertake the same may make Proposals to the said Trustees at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done and the Prices to be paid for the same, and the Time when the said Works are to be completed, together with the Penalties to be incurred in the Case of Non-performance thereof; and such Contracts shall be signed by the said Trustees, or by any Three of them, or by their Clerk, and also by the Person contracting to perform such Works respectively; and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk to the said Trustees.

Composition for Breach of Contract.

CVII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to compound and agree with any Person who shall have entered into any Contract with the said Trustees, and shall not have performed or shall be unable to perform the same, or with the Surety or Sureties of any such Person, for any Penalty contained in any such Contract, or in any Bond or other Security for the Performance thereof, for such Sum of Money or other Recompence as the said Trustees shall think proper.

Trustees exempt from personal Responsibility in Contracts, &c.

CVIII. And be it further enacted, That nothing in this Act, or in any Contract or other Instrument hereby authorized to be entered into or made by the said Trustees, shall extend to charge the Person of any of the Trustees executing such Contract or other Instrument, or the Heirs, Executors, or Administrators, or the Lands, Tenements, Goods, or Chattels of such Trustees, with or for the Performance of all or any of the Covenants, Conditions, or Agreements in any such Contract or other Instrument contained on the Part of such Trustees, but the Amount of all Costs, Charges, Damages, and Expences which shall or may be recovered in any Suit at Law or in Equity against the said Trustees, or any of them, or against their or any of their Heirs, Executors, or Administrators, for or by reason or means of such Contract or other Instrument, or the Covenants, Conditions, or Agreements therein contained, and also all the Costs, Charges, Damages,

Damages, and Expences which the said Trustees shall pay or be put to, or which shall be occasioned by reason of any such Contract, Agreement, or other Instrument, or any Action or Suit to be brought or prosecuted thereupon, shall respectively be paid and discharged by and out of such of the Monies to be raised by virtue of this Act as the said Trustees shall think proper and direct.

Power to levy Rates for the Improvement of the Town.

CIX. And for raising Money for defraying the Expences attending the obtaining and passing of this Act, and for carrying the Purposes thereof into execution, be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered, from Time to Time as they shall think necessary, at some Meeting to be held for that Purpose, to make a just and equal Pound Rate or Assessment, under the Name of "The *Workington* Improvement Rate," to be signed by the said Trustees or any Five or more of them, upon all the Tenants and Occupiers; or in case the same shall be unoccupied, then upon the Owners or Landlords of the several Messuages, Houses, and other Erections and Buildings, of whatever Description, already erected, or which shall hereafter be erected, or be situate within such Part or Parts of the Town of *Workington* as shall be within the District or Districts so appointed to be lighted, watched, and regulated as aforesaid, and of the several Gardens, Grounds, Yards, and other Conveniences thereunto adjoining and belonging, or therewith occupied, and of all Gardens, Lands, Tenements, and Hereditaments within the same Part or Parts of the said Town, according to the annual Value of the same respectively, to be ascertained and settled as herein-after mentioned, provided such Rate or Assessment do not exceed in any One Year the Sum of Three Shillings in the Pound upon such annual Value, without the Consent of the Majority of the Inhabitants of the said Part or Parts of the said Town in Vestry assembled, upon Notice by the said Trustees given expressing that the Intent and Purpose of such Vestry being convened is to consider the Propriety of making an increased Rate.

Arable Land, &c. exempt from Rates.

CX. Provided always, and be it further enacted, That, notwithstanding any thing herein-before contained to the contrary, no Person shall be charged or rated in or by any Rate or Assessment made in pursuance of this Act, for or on account of any Arable, Meadow, or Pasture Land within the Limits of this Act.

Value of Houses, &c. how to be ascertained.

CXI. And be it further enacted, That the annual Value of all such Messuages, Houses, and other Erections and Buildings, Gardens, Grounds, Yards, Lands, Tenements, and Hereditaments so to be respectively rated as herein-before is mentioned, shall and may be settled and ascertained by the said Trustees, if they shall think proper so to ascertain and settle the same, according to the next preceding annual Assessment for the Relief of the Poor within the said Township of *Workington:* Provided always, that if at any Time hereafter, from any Alteration in the Laws relating to the Poor, or from any other Cause whatever, the Rate for the Relief of the Poor within the said Township, in the Opinion of the said Trustees, shall be an unfair or unequal Criterion by which the Rates or Assessments under this

Act should be made, it shall be lawful for the said Trustees from Time to Time to cause a Valuation to be made of all the rateable Property within the said District or Districts so appointed as aforesaid, by some competent Person to be appointed by the said Trustees for that Purpose, and which Appointment they are hereby authorized to make accordingly; and all future Rates or Assessments to be made by the said Trustees for the Purposes of this Act shall be made upon such Valuation, and shall in no Case exceed the Rack Rent of the Property valued, nor shall any such Valuation be used or referred to for any other Purpose or be taken as a Criterion of Value for any other Object than the Purposes and Objects of this Act.

Valuers to make a Declaration.

CXII. And be it further enacted, That every Person so to be nominated and appointed to make such Valuation as aforesaid shall, upon his Nomination and Appointment, or as soon afterwards as convenient, make and subscribe, before some Five or more of the said Trustees present at some Meeting to be held by virtue of this Act, a Declaration, and which Declaration such Trustees are hereby empowered to administer, to make such Valuation fairly, faithfully, and impartially, according to the best of his Skill and Judgment; and an Entry or Minute shall be made in the Book of Proceedings of the said Trustees of the making and subscribing of such Declaration, and of the Date of making the same.

Trustees may inspect Poor Rates.

CXIII. And be it further enacted, That it shall be lawful for the said Trustees, or for any Person by them authorized, from Time to Time to inspect the several Poor Rates for the said Township of *Workington*, and the Assessments by which the same are regulated and made, and to take Copies of or Extracts therefrom respectively, which the Overseer or other Person having the Custody thereof respectively is hereby required to permit without Fee or Reward, and on Refusal thereof he shall forfeit and pay any Sum not exceeding Forty Shillings for every Offence.

Rates to be paid to Collectors.

CXIV. And be it further enacted, That the several Rates or Assessments made under the Authority of this Act shall be assessed, levied, and raised by such yearly, half-yearly, or quarterly or other Payments as the said Trustees shall direct; and the Money so to be raised or assessed shall be paid to, levied, and collected by the Collector or other Person appointed by the said Trustees to levy, collect, or receive the same, and shall, when received, be paid by the Collector or other Person receiving the same unto the Treasurer for the Time being to the said Trustees, and shall be and the same are hereby vested in the said Trustees.

Rates to be recoverable by Distress or Action.

CXV. And be it further enacted, That if any Person duly rated or assessed under the Authority of this Act shall neglect or refuse to pay his Proportion of any of the said Rates or Assessments for the Space of Fourteen Days after personal Demand thereof, or Demand in Writing left at the usual or last Place of Abode of such Person, the same shall be recovered and levied by Distress and Sale of the

Goods and Chattels of such Person, by Warrant under the Hand and Seal of any Justice of the Peace acting for the said County of *Cumberland*, and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned to the Owner of the Goods and Chattels distrained and sold, after deducting all Charges attending such Distress and Sale: Provided always, that nothing herein contained shall prevent the said Trustees from recovering any such Rates or Assessments, where the same amounts to or exceeds the Sum of Five Pounds, by Action of Debt or on the Case in any of Her Majesty's Courts of Record at *Westminster*.

Recovery of Rates from Persons removing.

CXVI. And be it further enacted, That in case any Person shall quit or be about to quit his Premises before he shall have paid the Rates or Assessments in respect thereof, and shall refuse to pay the same when demanded as aforesaid, it shall be lawful for the said Collector or other Person as aforesaid, by Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Cumberland*, which Warrant such Justice is hereby authorized and required to grant, upon Proof of any such Removal, or of reasonable Suspicion of an intended Removal, to distrain his Goods and Chattels wherever they may be, and to sell the same, rendering the Overplus (if any), after having deducted the reasonable Costs, Charges, and Expences attending such Distress and Sale, upon Demand, to the Owner of such Goods and Chattels respectively.

Form of Warrant.

CXVII. And be it further enacted, That the Warrant of Distress for the Nonpayment of any Rate or Assessment to be made under or by virtue of this Act may include One or more Person or Persons, and be in the Words or to the Effect following; (that is to say,)

' *Cumberland* to wit, } To the Collector of the Rates made by
' Town of *Workington*. } the Trustees in the Execution of an Act
' passed for the Improvement of the Town of *Workington*,
' and also to the Constables and other Peace Officers of the
' said Town.

' WHEREAS the undersigned Persons, now or late Inhabitants,
' Landlords, Tenants, or Occupiers of Premises within the Town
' of *Workington* aforesaid, have been duly rated and assessed under
' the Authority of an Act passed in the Year of the Reign
' of Her Majesty Queen *Victoria*, intituled [*here set forth the Title of*
' *this Act*], in, and there is now due from them respectively the
' several Sums of Money against their Names herein-after respec-
' tively set down, which they have respectively refused or neglected
' to pay, as appeareth upon due Proof upon Oath [*or* Affirmation]
' to me, One of Her Majesty's Justices of the Peace for the said
' County; and not having shown any sufficient Cause why such Sums
' of Money should not be paid, These are therefore in Her Majesty's
' Name to require you or any of you forthwith to levy the said several
' Sums herein-before mentioned by Distress and Sale of the respective
' Goods and Chattels of the Persons aforesaid, rendering to them
' respectively the Overplus (if any), the reasonable Charges of such
' Warrants, Distresses, Sale, and keeping being first deducted, and if

' no

'no sufficient Distress can be had or taken then that you certify the 'same to me, to the end that such further Proceedings may be had 'as the Law doth authorize or direct; and I do hereby strictly 'charge and command all and singular the Constables and other Her 'Majesty's Peace Officers for the said Town to be aiding and assist- 'ing in all things relating to the Premises. Given under my Hand 'this Day of One thousand eight 'hundred and .

'*A. B.*
'*C. D.* } Sum due .'

Relief from Rates in Cases of Poverty.

CXVIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees and they are hereby empowered, in Cases where they shall see fit, by reason of Poverty, Sickness, Want of Work or Non-employment, or Inability of any Person rated in any Rate or Assessment under this Act, either wholly or in part to excuse such Person from the Payment of any Rate or Assessment under this Act; and it shall also be lawful for the said Trustees to make reasonable Abatements from the Rates or Assessments made by or under the Authority of this Act in respect of any Workshop, Warehouse, Manufactory, Foundry, Colliery, or Mill, the Workpeople whereof shall be wholly or partially unemployed.

Unoccupied Houses not to be rated.

CXIX. And be it further enacted, That no House, Shop, Warehouse, Factory, Engine House, Colliery, or Property whatsoever within the Limits of this Act shall be charged or chargeable with any such Rate or Assessment during the Time the same shall remain empty or unoccupied or unemployed.

Landlords to be rated in certain Cases.

CXX. And be it further enacted, That any Person, being a Landlord or Tenant, who shall let his House in separate Apartments, shall for the several Purposes of this Act be rated and assessed as the Occupier thereof.

Rates to be apportioned on Persons removing from their Houses.

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

CXXII. And

Amendment of Rates by Trustees.

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

Rates may be inspected, and Copies demanded.

CXXIII. And be it further enacted, That Duplicates of all Rates and Assessments made or assessed by virtue of this Act shall be deposited with the Clerk or Treasurer of the said Trustees, who shall permit any Person included therein, or any Creditor on such Rates or Assessments, at all seasonable Times to inspect the same, or to take Copies thereof, upon Payment of One Shilling; and such Clerk, Treasurer, or other Officer shall, within Ten Days after Demand, deliver a true Copy of such Rates and Assessments, or of such Portion thereof as shall be demanded, to such Person or Creditor as aforesaid, on Payment by such Person or Creditor for making of such Copy after the Rate of Sixpence for every One hundred Words or Figures; and in case such Clerk, Treasurer, or other Officer shall refuse or neglect to deliver such Copy within the Period aforesaid, or at the Rate aforesaid, such Clerk, Treasurer, or other Officer shall forfeit and pay any Sum not exceeding Five Pounds for every such Refusal or Neglect.

Power to mortgage Rates or Assessments.

CXXIV. And the more speedily and effectually to enable the said Trustees to execute the several Purposes of this Act, be it further enacted, That it shall be lawful for the said Trustees, and they are hereby empowered, from Time to Time to borrow and take up at Interest any Sum or Sums of Money on the Credit of the several Rates or Assessments by this Act granted, and of the Buildings and Premises and other Property vested in such Trustees, and by Writing under the Hands and Seals of any Five or more of them to mortgage, grant, or assign the said Rates or Assessments, or any Part thereof, to any Person or Persons who shall advance or lend such Money, or to his Trustee or Trustees, as a Security for the Money so to be borrowed, together with such lawful Interest as the said Trustees and the Parties lending such Money shall agree upon; and the Charges and Expences of such respective Securities shall be from Time to Time defrayed by the said Trustees out of the Money advanced upon such respective Securities, or out of any other Monies in their Hands: Provided always, that no Sum of Money shall be borrowed or taken up at Interest under the Authority of this Act, but at some General or Special Meeting of the said Trustees, of which Meeting and of the Sum of Money proposed to be borrowed or taken up at Interest Fourteen Days Notice at the least shall be given in the Manner herein-before prescribed for Notices of Special Meetings of the said

Trustees; and every such Mortgage shall be in the Words or to the Effect following; (that is to say,)

Form of Mortgage.

'BY virtue of an Act passed in the Year of the Reign of Queen *Victoria*, intituled [*here set forth the Title of this Act*], we, whose Hands and Seals are hereunto subscribed, being of the Trustees acting in the Execution of the said Act, in consideration of the Sum of advanced and paid by *A. B.* of upon the Credit of and for the Purposes of the said Act, do hereby grant, bargain, sell, and assign unto the said *A. B.*, his Executors, Administrators, and Assigns, such Proportion of the Rates and Assessments granted by the said Act as the said Sum of doth or shall bear to the whole Sum borrowed and to be borrowed, and which shall from Time to Time be owing upon the Credit of the said Rates or Assessments, to be had and holden from the Day of the Date of these Presents until the said Sum of , with Interest for the same after the Rate of *per Centum per Annum*, shall be fully repaid and satisfied. In witness whereof we have hereunto set our Hands and Seals the Day of in the Year of our Lord .'

No Preference in payment of Mortgages.

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

Power for Trustees to raise Money by Annuity.

CXXVI. And be it further enacted, That in case the said Trustees shall think it advisable to raise all or any Part of the Money for the Purposes of this Act, by granting Annuities for Lives instead of Assignments as aforesaid, it shall be lawful for the said Trustees, by Writing under the Hands and Seals of any Five or more of them, to grant an Annuity to any Person who shall advance and pay to the said Trustees any Sum of Money for the absolute Purchase of an Annuity, to be paid and payable during the natural Life of any such Contributor, or of such Person as shall be nominated by or on behalf of such Contributor at the Time of the Payment of his Purchase Money; and the Grant of every such Annuity shall be in the Words or to the Effect following; (that is to say,)

Form of Annuity.

'WE, being of the Trustees acting in the Execution of an Act passed in the Year of the Reign of Queen *Victoria* [*here set forth the Title of this Act*], in consideration of the Sum of paid by in pursuance of the said Act, do hereby grant unto the said an Annuity or yearly Sum of to be paid out of the Rates and Assessments to be raised, levied, and collected by virtue of the said Act, which Annuity or yearly Sum of shall be paid to the said or his Assigns during the

‘ the Term of his natural Life [*or, as the Case may be*, to the said
, his Executors, Administrators, or Assigns, during
‘ the natural Life of or during the natural
‘ Lives of and and the Life of the
‘ Survivor], upon the Day of the
‘ Day of the Day of and
‘ the Day of in every Year during his natural
‘ Life [*or, as the Case may be*, during the natural Life of the said
‘ or of the said and and
‘ the Survivor of them], the first Payment thereof to be
‘ made upon the Day of next ensuing the Date
‘ hereof. In witness whereof we the said Trustees have hereunto
‘ set our Hands and Seals, the Day of in the Year
‘ One thousand eight hundred and .’

And every such Grant shall be good and effectual in the Law, without any Enrolment of the Memorial thereof in the High Court of Chancery or elsewhere, except as herein-after mentioned, any Law or Statute to the contrary thereof in anywise notwithstanding; and every Annuity so to be granted as aforesaid shall be and is hereby charged upon and shall be payable and paid by the Treasurer to the said Trustees out of the said Rates or Assessments and other Monies respectively, according to the Grant of such Annuity.

Register Book to be kept of Securities.

CXXVII. And be it further enacted, That a Book shall be provided by the said Trustees, and be kept by their Clerk, in which Book shall be entered Copies of all Mortgages and Grants of Annuities, and other Securities made in pursuance of this Act, which Book shall be open to the Inspection of the several Holders of Mortgages, Annuities, and other Securities made by virtue of this Act, and their respective Executors, Administrators, and Assigns, at all reasonable Times, without Fee or Reward.

Securities may be transferred.

CXXVIII. And be it further enacted, That it shall be lawful for any Person entitled for the Time being to any of the Securities for the Money to be borrowed as aforesaid, and his Executors, Administrators, and Assigns, by a Deed in Writing under their respective Hands and Seals, duly stamped, and in which the Consideration for the same shall be truly stated, to transfer the same respectively to any other Person whomsoever in the Form or to the Effect following; (that is to say,)

Form of Transfer.

‘ I *A. B.* of [*or* I *C. D.* of Executor *or*
‘ Administrator of *A. B.* late of *or otherwise, as the*
‘ *Case may happen to be*], in consideration of the Sum of
‘ to me paid by *E. F.* of do hereby assign and
‘ transfer unto the said *E. F.* his Executors, Administrators, and
‘ Assigns, a certain Security Number bearing Date
‘ the Day of in the Year of our Lord
‘ under the Hands and Seals of
‘ of the Trustees for executing an Act passed in
‘ the Year of the Reign of Her Majesty Queen *Victoria*,
‘ intituled

‘ intituled [*here set forth the Title of this Act*], and the Principal Sum
‘ of [*or* the Annuity of *as the Case*
‘ *may be*,] thereby secured, and all Interest now due or hereafter to
‘ grow due thereon, and all my Right and Interest in and to the
‘ same. In witness whereof I have hereunto set my Hand and Seal
‘ this Day of in the Year of our Lord
‘ .’

Transfer to be registered.

Which Transfer shall, within Twenty Days after the Date thereof, be produced to the Clerk of the Trustees, who shall cause an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and the Sum of Money or Annuity thereby transferred, in the Register Book to be kept for entering Copies of the original Securities, for which Entry the said Clerk shall be paid the Sum of Two Shillings and Sixpence, and no more; and after such Entry made every such Assignment shall entitle the Person to whom the same shall be made, and his Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred.

Money may be borrowed at lower Interest to pay off existing Mortgages.

CXXIX. And be it further enacted, That in case the said Trustees shall at any Time be able to borrow any Sum of Money at a lower Rate of Interest than shall then happen to be payable upon any of the existing Mortgages which may have been granted under the Authority of this Act, it shall be lawful for the said Trustees from Time to Time to charge the said Rates or Assessments in manner aforesaid with any Sum of Money to be borrowed at such lower Rate, and with the Interest thereof, and to pay off and discharge any of the said Mortgages bearing a higher Rate of Interest.

Application of Rates or Assessments.

CXXX. And be it further enacted, That the Monies to arise or be received by or from the Rates or Assessments by this Act authorized to be imposed, and all Monies which may be borrowed on the Security thereof, and all other Monies which may arise or be received by virtue of this Act, shall be and the same are hereby vested in the said Trustees, and shall be applied by the said Trustees in the Manner following; (that is to say,) in the first place, in paying and discharging the Costs, Charges, and Expences which shall have been incurred in applying for or which shall be in any Manner incident to the obtaining and passing of this Act, with Interest for any Money which may have been advanced for that Purpose; in the next place, in paying and discharging the annual Interest of any Principal Money which may be borrowed by way of Mortgage, and in paying and discharging any Annuity which may be granted on the Authority of this Act; in the next place, in paying and discharging all other Costs, Charges, and Expences attending the carrying into execution the several Purposes of this Act; and lastly, in reducing and discharging the several Principal Sums of Money which may be borrowed on the Credit or under the Authority of this Act.

Treasurer not to pay Money with

CXXXI. And be it further enacted, That all Monies whatsoever which shall be raised and collected by Order of the said Trustees under

the Authority of this Act, or which shall become otherwise payable to them under any of the Provisions of this Act, shall from Time to Time be paid into the Hands of the Treasurer to the said Trustees; and no Money shall be disbursed or paid by such Treasurer on behalf or on account of the said Trustees, without an Order in Writing, signed, at a Meeting of the said Trustees to be held in pursuance of this Act, by the Chairman of the said Meeting for the Time being.

out an Order from the Trustees.

CXXXII. And whereas Markets are now held in the said Town, and it is expedient that certain Regulations should be made in respect thereof; be it therefore enacted, That it shall be lawful for the said Trustees, with the Consent of the Lord of the Manor of *Workington* for the Time being, to appoint the Clerk of the said Markets, or some other Person, to attend the same on every Market Day, and either with or without such Consent to remove and displace such Clerk or Person, and with such Consent from Time to Time to appoint another in his Room, and that such Clerk or Person shall be solely under the Direction and Control of the said Trustees.

Power to appoint a Clerk of the Market.

CXXXIII. And be it further enacted, That it shall be lawful for the said Trustees to provide, erect, and appoint a public weighing and measuring House or Place for weighing or measuring such Meat, Goods, Articles, or Things as shall be bought or sold by Weight or Measure in the said Markets or any of them, and to provide and keep good and sufficient Standard Weights, Scales, Steelyards, and Measures; and all Persons selling Meat or other Things by Weight or Measure in the same Markets or any of them shall weigh and measure the same in and by the said Weights or Measures, Scales, or Steelyards as aforesaid, if required by the Buyer thereof to be so weighed or measured; and in case any Person shall refuse to weigh or measure as aforesaid he shall forfeit and pay for every such Offence any Sum not exceeding Forty Shillings.

Power to appoint a weighing Place, and to have Weights, &c. for weighing Articles.

CXXXIV. And be it further enacted, That the Person to be appointed Clerk of the said Markets, or Inspector of Provisions and of Weights and Measures, under this Act, shall and may, and he and they is and are hereby authorized and required to seize and publicly to destroy all unwholesome Meat, Fish, or other Provisions which shall be offered or exposed to Sale in any Market within the said Town, or in the public Streets thereof, either upon Stands or in Carts or otherwise within the Limits of this Act, and also at all reasonable Hours in the Day-time to enter as well into any such Market as aforesaid as into any private Shop or Place of Business of any Retail Dealer within the said Limits, and to inspect and examine all Weights and Measures which shall be then and there found, and to seize and destroy all such Weights and Measures as shall be ascertained to be false or deficient.

Power to seize unwholesome Meat and false Measures.

CXXXV. And be it further enacted, That if any Seller of Meat, Fish, or other Provisions, or any Seller or Dealer in other Goods, Articles, or Things in the said Markets or any of them, shall refuse or

Penalty on Persons neglecting to weigh or measure.

or neglect to weigh or measure, being so required by the Buyer or Buyers thereof, with the said Public Scales, Weights, or Measures as aforesaid, the Person or Persons so refusing or neglecting shall forfeit and pay for every such Refusal or Neglect a Sum not exceeding Ten Shillings, which, together with Costs, shall and may be recovered by Distress and Sale of the Meat, Fish, or other Provisions, Goods, Articles, and Things of the Person or Persons so refusing or neglecting to weigh or measure the same, in like Manner as herein directed concerning the Recovery of other Penalties to be incurred by virtue of this Act.

Power to make Bye Laws and Regulations for Markets.

CXXXVI. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time to make and establish such Bye Laws, Rules, Orders, and Regulations for the holding, good Order, and Government of the said Markets, and of the several Persons resorting thereto, as to them in their Judgment and Discretion shall seem proper and expedient, for the common Benefit of the said Town and the Persons resorting to the Markets thereof; and also from Time to Time to annul, alter, or vary such Bye Laws, Rules, Orders, and Regulations, or any of them, as shall be found expedient, and likewise to fix, impose, and levy such reasonable Penalties, Fines, and Forfeitures, not exceeding the Sum of Forty Shillings for each Non-observance or other Breach of such Bye Laws, Rules, Orders, and Regulations, or any of them, as to them shall appear necessary and expedient; and all such Bye Laws, Rules, Orders, and Regulations, being published and affixed as herein-after mentioned, shall be good and binding upon and observed by all Persons, and shall be sufficient in any Court of Law or Equity to justify any Person who shall act under or in pursuance of the same; and all such Penalties, Fines, and Forfeitures shall be recoverable and payable in the same Manner as herein directed concerning other Penalties to be incurred by virtue of this Act, and all Persons so as aforesaid coming or resorting to the said Markets are hereby required to observe and keep such Rules, Bye Laws, and Regulations, under such Penalties and Forfeitures as aforesaid: Provided nevertheless, that such Bye Laws, Rules, Orders, and Regulations be not inconsistent with the Provisions of this Act or repugnant to the Laws of that Part of the United Kingdom called *England*.

Bye Laws to be confirmed.

CXXXVII. Provided always, and be it further enacted, That no Bye Law to be made under the Authority of this Act shall be valid or binding unless the same shall be allowed by some Judge of one of Her Majesty's Courts of Record at *Westminster*, or by the Justices assembled at some General or Quarter Sessions of the Peace for the County of *Cumberland*, which said Justices are hereby authorized and required, on the Request of the said Trustees, to examine into the Bye Laws which may be tendered to them for that Purpose by the said Trustees, and to allow or disallow the same as to them may seem meet; and the said Bye Laws shall be so framed as to authorize the Justice or Justices before whom any Penalty to be imposed thereby may

may be sought to be recovered to order the Whole or any Part of such Penalty to be paid: Provided also, that Six Weeks Notice at the least, specifying the Time and Place at which such Bye Laws are to be submitted for Approbation as aforesaid, shall be given by the said Trustees, in some One Newspaper usually circulated in the County of *Cumberland*, of their Intention to submit the said Bye Laws to such Judge or Justices, as the Case may be, in order that any Parties interested therein may attend and object thereto.

Mode of Publication of Bye Laws.

CXXXVIII. And be it further enacted, That all such Bye Laws, Rules, Orders, and Regulations as shall be from Time to Time made for the regulating, ordering, and governing of the said Market shall be painted on a Board in legible Characters, and shall be put up or affixed in some conspicuous Place where the said Markets are held, and the same shall from Time to Time be restored or altered when and so often as the same shall be obliterated or defaced, except in case of a wilful or malicious Removal, obliterating, or defacing thereof, or any Alteration shall be made in such Bye Laws, Rules, Orders, and Regulations; and no Penalty or Forfeiture shall be recoverable under the said Bye Laws, Rules, Orders, or Regulations, except during such Time as they shall remain up or affixed as aforesaid, except as aforesaid.

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

CXXXIX. And be it further enacted, That in all Cases where any Compensation or any Damages or Charges are by this Act directed or authorized to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be ascertained and determined by any Justice of the Peace acting for the said County of *Cumberland;* and where by this Act any Damages or Charges are directed to be paid, in addition to any Penalty for any Offence, the Amount of such Damages and Charges, in case of Nonpayment thereof, or of any Dispute respecting the same, shall be settled and determined by the Justice by or before whom any Offender shall be convicted of such Offence; and such Justice is hereby authorized and required, on Nonpayment of the Damages in any of the Cases aforesaid, to levy such Damages and Charges by Distress and Sale of the Offender's Goods and Chattels in manner by this Act directed for the levying of any Penalties or Forfeitures.

In case of Nonpayment of Compensation for Damages, &c. the same to be levied by Distress of the Goods of the Trustees or their Treasurer.

CXL. And be it further enacted, That whenever any Money shall be directed or ordered by any Justice of the Peace, in pursuance of this Act, to be paid, as or by way of Compensation or Satisfaction for any Materials or Costs, or for any Damage, Spoil, or Injury, of any Nature or Kind whatsoever, taken or committed by the said Trustees, or by any Person acting under their Authority, and such Money shall not be paid by the said Trustees to the Party entitled to receive the same within Ten Days after Demand in Writing shall have been made for that Purpose, in pursuance of the Direction or Order made by such Justice (and in which Demand the Order made by such Justice shall be stated), the Amount of such Compensation and Satisfaction,

faction, Costs, or Expences, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Trustees, or of the Treasurer for the Time being to the said Trustees, under a Warrant to be issued for that Purpose by any Justice of the Peace for the County of *Cumberland*, which Warrant such Justice is hereby authorized and required to grant, under his Hand and Seal, on Application made to him for that Purpose by the Party entitled to receive such Money as aforesaid; and in case any Overplus shall remain after Payment of such Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, such Overplus shall be returned, on Demand, to the said Trustees, or to their Treasurer for the Time being, as the Case may be: Provided always, that it shall be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive under the Authority of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or have incurred by virtue of any such Warrant as aforesaid.

Penalty for obstructing the Execution of this Act.

CXLI. And be it further enacted, That if any Person shall obstruct or assault any Collector, Constable, Assistant Constable, Watchman, or Beadle employed under the Authority of this Act, in the Execution or Performance of his Duty, every Person so offending shall forfeit and pay a Penalty or Sum not exceeding Five Pounds for every such Offence.

Trustees may direct Prosecutions for public Nuisances, &c.

CXLII. And be it further enacted, That the said Trustees may and they are hereby empowered to direct any Prosecution against any Person for any public Nuisance whatsoever which shall be committed or suffered within the Limits of the said Town, or for any Resistance to the Execution of this Act or to any Person acting under the same, or for any Offence committed against this Act, or for any Encroachment or Obstruction placed or erected in or upon any of the Streets, Roads, Lanes, Ways, or other public Passages or Places, or upon the Footpaths within the said Limits, and the Costs and Charges of and attending such Prosecutions shall be paid out of such of the Monies to be raised under and by virtue of this Act as the said Trustees shall think proper and direct.

Recovery and Application of Penalties.

CXLIII. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act (the Manner of levying and recovering whereof is not herein otherwise particularly directed) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Two or more Justices of the Peace for the said County of *Cumberland*, on Complaint to them for that Purpose made, and afterwards be levied, as well as the Costs (if any) of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hands and Seals of such Justices; and any Overplus of the Money so raised and recovered, after discharging such Penalty or Forfeiture, and the Costs and Expences

Expences as aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall have been distrained, all which Penalties and Forfeitures, not herein directed to be otherwise applied, shall be paid, One Moiety to the Informer, and the Remainder to the Treasurer of the said Trustees, for the Use and Benefit of the said Trustees, to be applied by such Trustees to such of the Purposes of this Act as the said Trustees shall think proper and direct: Provided always, that if such Penalties or Forfeitures shall be incurred by the said Trustees the same shall be paid, One Moiety to the Informer, and the Remainder to the Overseers of the Poor of the Township or Place within which the Offence shall be committed, to be applied by such Overseers for the Benefit of the Poor of such Township or Place; and in case such Penalties and Forfeitures shall not be forthwith paid it shall be lawful for such Justices and they are hereby required to order the Offenders so convicted to be detained in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justices of the Peace for his Appearance before such Justices, or before some other Justices of the Peace having Jurisdiction, at such Time as shall be appointed for the Return of such Warrant of Distress, (such Time being not more than Seven Days from the taking of such Security,) and which Security any of the said Justices are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Penalties or Forfeitures, and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to such Justices, upon the Confession of the Offender or otherwise, that he hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, then such Justices shall and they are hereby required, by Warrant under their Hands and Seals, to commit such Offender to some Common Gaol or House of Correction for the County or Place within their Jurisdiction, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be paid, together with all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justices, or until such Offender shall otherwise be discharged by due Course of Law.

Justices may proceed by Summons in the Recovery of Penalties.

CXLIV. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Justice of the Peace, it shall be lawful for the Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed in the Recovery of the same although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons without Information

mation in Writing or in Print shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

For securing Offenders whose Names and Residences are unknown.

CXLV. And be it further enacted, That it shall be lawful for any Officer or Agent of the said Trustees, and all such Persons as he shall call to his Assistance, to seize and detain any Person, whose Name and Residence shall be unknown to such Officer or Agent, who shall commit any Offence against this Act, and to convey him before some Justice for the County or Place within which such Offence shall be committed, without any other Warrant or Authority than this Act, and such Justice is hereby empowered and required to proceed immediately to the hearing and determining of the Complaint.

Form of Conviction.

CXLVI. And for the more easy and speedy Conviction of Offenders against this Act, or against any Rule, Order, or Regulation to be made in pursuance or by the Authority hereof, be it further enacted, That a Conviction in the Form or to the Effect following shall be good, without alleging more than the Substance of the Offence; (that is to say,)

'*Cumberland* to wit. } BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me *C. D.*, One of Her Majesty's Justices of the Peace for the County of *Cumberland* [*here describe the Offence, and the Time and Place when and where committed*], contrary to an Act passed in the Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here insert the Title of this Act*]. Given under my Hand and Seal the Day and Year first above written.

'*C. D.* (L. S.)'

General Power of Justices to administer Oaths.

CXLVII. And be it further enacted, That in all Cases in which any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to or to receive the Affirmation of any Person before he shall be examined by or before such Justice.

For compelling Witnesses to attend.

CXLVIII. And be it further enacted, That if any Person who shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter or Fact affecting any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or on the Part of the Party summoned or accused, shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his Costs and Expences, without a reasonable Excuse for his Refusal or Neglect, or appearing shall refuse to be examined upon Oath (or, in the Case of a Quaker, on Affirmation), to give Evidence before such Justice, such Person shall forfeit and pay the Sum of Five Pounds for every such Offence.

CXLIX. And

Persons aggrieved may appeal to the Quarter Sessions.

CXLIX. And be it further enacted, That all Corporations and Persons who may think themselves aggrieved by any Rate or Assessment to be made under the Authority of this Act, or by any Order or Judgment of the said Trustees, and also the said Trustees, and all other Corporations and Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice of the Peace relating to any Matter or Thing in this Act mentioned or contained, and for which no Power of Appeal is by this Act specifically given, may, within Four Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Sessions to be held for the County or Place where the alleged Cause of Appeal shall arise, first giving Ten Days Notice in Writing of such Intention to appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, or to the said Trustees, (as the Case may be,) and forthwith after such Notice entering into Recognizance before some Justice of the Peace conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall in a summary Way either hear and determine the said Complaint at such General or Quarter Sessions, or, if they think proper, may adjourn the Hearing thereof to the following General or Quarter Sessions of the Peace to be held for such County or Place; and the said Justices may, if they see Cause, quash or amend any Rate or Assessment, and may mitigate any Penalty or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of such Rate or Assessment, Order or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they shall think reasonable.

Declaring what shall be good Service of Notice on the Trustees.

CL. And be it further enacted, That in all Cases in which it may be necessary for any Person or Corporation to serve any Summons or Demand, or any Notice, or any Writ or other Proceeding, at Law or in Equity, upon the said Trustees, personal Service thereof respectively on any of the said Trustees, or delivering the same to some Inmate of the last or usual Place of Abode of such Trustee, or personal Service thereof on the Clerk or Treasurer of the said Trustees, or leaving the same at the Office of such Clerk or Treasurer, or delivering the same to some Inmate of the last or usual Place of Abode of such Clerk or Treasurer, or leaving a Copy thereof at the principal Office of the said Trustees, or in case the same respectively shall not be known, then personal Service thereof on any other Agent of or Officer employed by the said Trustees, or delivering the same to some Inmate of the last or usual Place of Abode of such Agent or Officer, shall be deemed sufficient Service of the same respectively on the said Trustees.

Declaring what shall be good

CLI. And be it further enacted, That in all Cases in which it may be necessary for the said Trustees to serve any Summons or Demand, or

Service of Notice by the Trustees.

or any Notice, or any Writ or other Proceeding, at Law or in Equity, upon any Person or Corporation, under the Provisions of this Act, personal Service thereof respectively on such Person, or on some Member or on the Clerk or other Officer of such Corporation, or delivering the same to some Inmate of the last or usual Place of Abode of such Person, or of such Member, Clerk, or other Officer of such Corporation, or at the Office of such Clerk or other Officer, shall be deemed good and sufficient Service of the same respectively on such Person or Corporation (as the Case may be), except in Cases in which any other Mode of Service is by this Act particularly directed: Provided always, that every Summons, Demand, or Notice, or other Document requiring Authentication by the said Trustees, may be signed by the Chairman, Clerk, or Treasurer for the Time being of the said Trustees, and may be in Writing or in Print, or partly in Writing and partly in Print.

Trustees empowered to grant Releases to Witnesses.

CLII. And be it further enacted, That in all Actions, Suits at Law or in Equity, and in all Proceedings under this Act or otherwise, against or by or on behalf of the said Trustees, and in all Arbitrations, References, and other Proceedings in or consequent upon or arising out of any such Action, Suit, or Proceeding, it shall be lawful for any Three or more of the said Trustees to make, sign, seal, execute, and deliver such general or other Releases as may be deemed necessary for the Purpose of exonerating, releasing, and discharging any Person who shall be produced as a Witness in any such Action, Suit, Arbitration, Reference, or other Proceeding as aforesaid, from any Claim or Demand which may be necessary to be released by the said Trustees, so as to qualify such Person to give Evidence as a Witness in any such Action, Suit, Arbitration, Reference, or other Proceeding, and also to do any other Act in any such Action, Suit, Arbitration, Reference, or other Proceeding which any Plaintiff or Defendant may do in any Action, Suit, Arbitration, Reference, or other Proceeding; and every such Release and Act shall be as valid and effectual in all respects, and to all Intents and Purposes whatsoever, as if the same were made by the said Trustees.

Distress not unlawful for Want of Form.

CLIII. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor shall any Party making the same be deemed a Trespasser, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which may be afterwards committed by him, but all Persons aggrieved by such Defect or Irregularity may recover full Satisfaction for the special Damage by an Action upon the Case.

Proceedings not to be quashed for Want of Form.

CLIV. And be it further enacted, That no Proceeding to be had or taken in pursuance of this Act shall be quashed or vacated for Want of Form, or be removed by Certiorari, or by any other Writ or Proceeding whatsoever, into any of Her Majesty's Courts of

Record at *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Plaintiff not to recover after Tender of Amends.

CLV. And be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity or other wrongful Proceeding committed in the Execution of this Act, if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding before such Action brought, and in case no Tender shall have been so made, it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall think fit, whereupon such Proceedings, Order, and Adjudication shall be had and made in and by such Court as in other Cases in which Defendants are allowed to pay Money into Court.

Rules for the Interpretation of this Act.

CLVI. And be it further enacted, That where in this Act any Word shall be used importing the Singular Number or the Masculine Gender only, the same shall be understood to include several Matters as well as one Matter, several Persons as well as one Person, and Females as well as Males; and every Word importing the Plural Number shall extend and be applied to one Person, Matter, or Thing, as well as several Persons, Matters, or Things; and where the Word "Land" shall be used, the same shall be understood to include Tenements and Hereditaments; and the Word "Person" shall extend to any Body Politic, Corporate or Collegiate, Civil or Ecclesiastical, Aggregate or Sole, as well as an Individual; and the Word "Owner" shall be understood to mean the Person receiving or legally authorized or empowered to receive and collect, or receiving, collecting, or claiming to be entitled to receive and collect, the Rent of any House or Building, Land, Tenement, Hereditaments, or Premises, from the actual Occupier thereof, either on his own Account or as Agent of any other Person, or as the Mortgagee thereof; and the Word "Partner" shall be held not to extend to Shareholders in any Joint Stock Undertaking, not to Part Owners of Ships; unless in any of the Cases aforesaid it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

General Saving.

CLVII. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every other Person and Persons, and Body and Bodies Politic, Corporate, and Collegiate, and his, her, and their Heirs, Successors, Executors, and Administrators, all such Rights, Estates, Titles, and Interests, as they respectively had held, enjoyed, or possessed before the passing of this Act, or would or ought to have held, enjoyed, or possessed in case this Act had not been passed, of, in, to, or in respect of the Lands comprised within the Limits of the said Town, and of, in, and to any Dues, Profits, Emoluments, Easements, and Advantages, and all Remedies and Powers for recovering and enforcing Payment or Compensation for the same, except so far as such Rights, Estates, Titles, Interests, Dues, Profits, Emoluments, Easements, and Advantages

vantages are by this Act expressly altered, lessened, prejudiced, defeated, or impeached, but not further or otherwise.

Public Act. CLVIII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

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