



ANNO QUARTO

# GEORGII IV. REGIS.

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## *Cap. xxxv.*

An Act for paving, lighting, watching, cleansing, and improving the Town of *Knarebrough* in the West Riding of the County of *York*, and that Part of the Township of *Scriven-with-Tentergate* which adjoins the said Town, and is called *Tentergate*. [23d May 1823.]

**W**HEREAS the Town of *Knarebrough* in the West Riding of the County of *York*, and such Parts of the Township of *Scriven-with-Tentergate* as adjoin the said Town, and are called *Tentergate*, are large and populous, and are Places of considerable Trade; and the several Streets, Lanes, Entries, and other public Passages and Places within the same are not paved, cleansed, lighted, or sufficiently watched, and are subject to various Nuisances, and other public Inconveniences: And whereas the King's most Excellent Majesty, in Right of His Duchy of *Lancaster*, is seised to Him, His Heirs and Successors, of the Lordship and Honour of *Knarebrough* in the West Riding of the County of *York*, including the several Towns and Townships of *Knarebrough* and *Scriven-with-Tentergate*, and as such is entitled to all Royalties, Seigniories, Pre-eminences, and Privileges thereunto belonging: And whereas it would tend greatly to the Safety, Convenience, and Advantage, not only of the Inhabitants of the said Town and adjoining Parts, but of all other Persons resorting to and travelling through the same, if the said

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Streets,

Streets, Lanes, Entries, and other public Passages and Places were properly paved, cleansed, lighted, watched, and regulated, and if all Nuisances and Annoyances therein were removed, and in future prevented; but such beneficial Purposes cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Vicar of *Knaresbrough* (for the Time being), the Understeward or Bailiff for the Honour or Liberty of *Knaresbrough* (for the Time being), the Churchwardens of *Knaresbrough* (for the Time being), the Churchwarden of *Scriven-with-Tentergate* (for the Time being), in case he shall reside within the Limits of this Act, together with Sir *Thomas Slingsby* Baronet, the Reverend *Thomas Collins* Clerk, *William Collins*, *Peter Earnshaw*, *Richard Terry*, *Samuel Powell*, *John Eteson*, *William Eteson* the elder, *John Ellison*, *Richard Dewes*, *William Robinson* of *High Street*, *Isaac Newton*, *William Thackwray*, *Michael Meek*, *Robert Dearlove*, *John Dymore*, *George Pullan*, *Henry Hopps*, *John Foster*, *Thomas Simpson* of *High Street*, *Robert Butterfield*, *Joseph Mosey Allen*, *Michael Calvert*, *Matthew Oates*, *Rodger Forster*, *Robert Gott*, *Thomas Matson* the younger, *John Turnbull*, *John Taylor*, *Martin Richardson*, and their Successors, to be elected and appointed in manner herein-after mentioned, shall be and they are hereby appointed Commissioners for putting this Act into Execution.

Commis-  
sioners ap-  
pointed.

Limits of the  
Act.

II. And be it further enacted, That the Limits of this Act shall commence at the *High Bridge*, and proceed northerly up the Side of the River *Nidd*, past *Cunningham House*, to a Place called *Water Gates*, from thence to continue north-easterly in a direct Line to Sir *Thomas Slingsby's* Lodge Gates, from thence to proceed easterly in a direct Line to the End of the *Scriven Lane* (where it abuts on the *Knaresbrough* and *Bokoughbridge Road*), from thence continuing down the said Road until it comes to *Halfpenny Lane*, proceeding thence in a southerly Direction along the same Lane, called *Halfpenny Lane*, to *Hansel Pasture Corner*, from thence down *Chain Lane* to the Corner abutting on the *Knaresbrough* and *York Road*, from thence across the said Road and the *Long Flatt*, in a direct Line to *Chapman's Mill Dam*, and from thence proceeding up the River *Nidd* to the *High Bridge*.

III. Provided nevertheless, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, who shall refuse or neglect, for the Space of Six Calendar Months, to act, or shall become Bankrupt, or shall hold any Place of Trust, or shall be concerned or interested in any Contract under the said Commissioners, nor unless he shall reside within the Limits of this Act, nor until he shall have taken the Oath or Affirmation herein-after prescribed (except such Persons as are herein appointed Commissioners by virtue of their Offices); (that is to say),

Oath.

‘ I *A. B.* do swear [or, being one of the People called *Quakers*, do  
‘ solemnly declare and affirm], That I am really and *bonâ fide* in my  
‘ own Right [or, in the Right of my Wife, *as the Case may be*], now in  
‘ the actual Possession or Receipt of the Rents and Profits of Lands or  
‘ Tenements of Inheritance [or for Life, or a Term of Ninety-nine Years  
‘ and upwards, *as the Case may be*], of the clear annual Value of Fifty  
‘ Pounds

‘ Pounds above Reprizes [*or* am Heir Apparent of a Person seised of  
 ‘ Lands or Tenements of Inheritance of the clear annual Value of Two  
 ‘ hundred Pounds above Reprizes, *or* am seised *or* possessed of Real  
 ‘ or Personal Estate, *or* of both together, of the full Value of One  
 ‘ thousand Pounds] above the Payment of all my Debts; and that I will  
 ‘ truly and impartially, according to the best of my Skill and Judgment,  
 ‘ execute and perform all the Powers and Authorities reposed in me as a  
 ‘ Commissioner, by virtue of an Act passed in the Fourth Year of the  
 ‘ Reign of His Majesty King *George* the Fourth, intituled *An Act* [*here*  
 ‘ *set forth the Title of this Act*]. So help me GOD.

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

IV. Provided always, and be it further enacted, That if any Person, except as aforesaid, not being so qualified, or being disqualified by any of the Causes aforesaid, or not having taken and subscribed such Oath or Affirmation, shall act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, with full Costs of Suit, to any Person who shall sue for the same in any of His Majesty’s Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparance, shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty and Costs, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor, than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person acting as such Commissioner, though not duly qualified previously to his being convicted of any such Offence, shall be as valid and effectual, notwithstanding such Conviction, as if such Person had been so qualified: Provided always nevertheless, that it shall be lawful for such of the said Commissioners as shall be Justices of the Peace for the said West Riding, to act as such Justices in the Execution of this Act, notwithstanding their being Commissioners under the Act.

Penalty on  
disqualified  
Persons  
acting.

V. Provided always, and be it further enacted, That in case and so often as the Commissioners herein named, or hereafter to be elected by virtue of this Act, shall, by Death or by any of the Causes of Disqualification before mentioned, be reduced to the Number of Eleven, it shall be lawful for the surviving and remaining Commissioners, and they are hereby required from Time to Time, when and as often as the same shall occur, to convene a Meeting of the Inhabitants resident within the said Limits, by Notice in Writing to be affixed on the Porch or Outer Door of the Parish Church of *Knaresbrough* aforesaid, Fourteen Days preceding the Day of such Meeting (the Death, Refusal, or Disability to act of the Commissioner or Commissioners so dying, or refusing or becoming incapable or disqualified to act as aforesaid, and the intended Election of his or their Successor or Successors, being expressed in the Notice or Summons for such Meeting), for the Purpose of electing and appointing a Commissioner in the Room and Stead of every such Commissioner so dying, refusing, or becoming incapable or disqualified to act, as before mentioned; and every such Commissioner so from Time to Time elected and appointed in manner herein-before directed (being qualified in manner herein-

For supply-  
ing Decrease  
in Commis-  
sioners.

herein-before mentioned) shall be joined with the other Commissioners, and have the like Powers and Authorities vested in him in all respects whatsoever for putting this Act in Execution, as if he had been named a Commissioner in and by the same.

Meetings of  
the Com-  
missioners.

VI. And be it further enacted, That the said Commissioners shall meet at the Sessions House in *Knaresbrough* aforesaid, or at such other Place within the Limits of this Act as they may think fit, on the Third *Monday* next after the passing of this Act, or as soon after as conveniently may be, between Nine of the Clock in the Forenoon and Four of the Clock in the Afternoon, and shall then proceed to carry this Act into Execution; and in case none, or a less Number than Five of the said Commissioners shall attend such Meeting, then such Meeting shall be and be deemed to be adjourned to the next Day, and so *toties quoties* until a sufficient Number of the said Commissioners shall attend at such Meeting to act in the Execution of this Act; and the said Commissioners shall or may at such Meeting, and at their several Meetings to be holden for the Purposes of carrying this Act into Execution, from Time to Time adjourn themselves, and appoint their next Meeting to be held at the same Place, or at such other Place within the Limits of this Act, and at such Time as the said Commissioners shall from Time to Time order and direct, provided that no Adjournment shall be made for a longer Time than Three Calendar Months; and if at any Meeting appointed to be held by virtue of this Act there shall not appear a sufficient Number of Commissioners to act, or appearing, shall not adjourn such Meeting, the Clerk to the said Commissioners shall from Time to Time, as often as such Case shall happen, adjourn such Meeting to some other Day, within Fifteen Days then next following, to be holden at the same Place, and the said Clerk shall cause Notice thereof to be affixed on the Door of the Parish Church of *Knaresbrough* aforesaid, at least Ten Days before the Day to which such Meeting shall be so adjourned: Provided always, that no Business shall be done or proceeded upon by the said Commissioners at any Meeting, except the First Meeting to be held under this Act, before Eleven of the Clock in the Forenoon, nor shall any Meeting be appointed to be held at any later Hour than Four of the Clock in the Afternoon of the Day on which such Meeting may be appointed to be holden; and at all their several Meetings the said Commissioners shall pay and defray all their own Expences, except any Sum not exceeding Ten Shillings a Day for the Use of the Room wherein they shall meet for the Purposes of this Act; and all Orders and Determinations of the said Commissioners in the Execution of this Act shall be made at a Meeting or Meetings to be held in pursuance hereof and not otherwise (except in Cases hereby otherwise provided for), and no Order or Determination shall be made unless the major Part of the Commissioners present at the respective Meetings to be holden in pursuance of this Act shall concur therein; and all Acts, Orders, and Proceedings relating to the Execution of this Act, which are hereby directed to be had, made, done, or exercised by or before the said Commissioners, and all the Powers and Authorities hereby in them vested generally, shall and may be had, made, done, and exercised by the major Part of the Commissioners who shall be present at the respective Meetings to be held by virtue of this Act, the whole Number of Commissioners present at every such Meeting not being less than Five (except in Cases where any other Number is by this Act named for any particular or special Purpose);

pose); and all Acts, Orders, and Proceedings had, made, or done by or before such Five Commissioners shall have the same Force and Effect, and be binding and conclusive on all Persons, and to all Intents and Purposes whatsoever, as fully and effectually as if the same were had, made, done, or executed by or before all the said Commissioners; and at every Meeting of the said Commissioners a Chairman shall in the first Place be appointed, who in case of an equal Number of Votes (including such Chairman's Vote) shall have the casting or decisive Vote; and no Order or Determination of any Meeting of the said Commissioners once made, agreed upon, or entered into, shall be revoked or altered at any subsequent Meeting, unless Notice of the Intention to make such Revocation or Alteration shall have been given at a previous Meeting holden pursuant to this Act, and shall have been entered in the Book of Proceedings of such Meeting, and unless such Notice, signed by any Two or more Commissioners, shall also have been affixed to the Door of the Parish Church of *Knaresbrough* Twenty-one Days at least before such Meeting, nor unless such Revocation or Alteration shall be agreed to be made by Seven Commissioners at the least.

VII. And be it further enacted, That if after any Adjournment of the said Commissioners, it shall on any Emergency be thought necessary that an earlier Day of Meeting should be appointed, it shall be lawful for any Two or more of the said Commissioners, (or for their Clerk, being authorized by an Order in Writing, signed by Two or more of them, although not assembled at a Public Meeting), mentioning the Time, Place, and Purpose of such Meeting, to appoint and give Notice of such earlier Meeting, in the Manner before directed (such Time not being less than Three Days after such Notice); and all Proceedings of the Commissioners at such earlier Meeting, whether relating to the particular Subject on which such Meeting shall be called, or not, shall be as valid as they would have been in case the Commissioners had met in pursuance of an Adjournment; and such earlier Meeting shall and may be adjourned to and be held at such Time and Place as any other Meeting under this Act is authorized to be adjourned to or held at.

Meetings on  
Emergencies.

VIII. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein of the Names of all the Commissioners who shall attend the respective Meetings, and of all Acts, Orders, and Proceedings relative to the Execution of this Act, and the Chairman of each Meeting of the said Commissioners shall always subscribe his Name at the End of the Proceedings of the said Commissioners, at every such Meeting; which said Book or Books, and also the Book or Books hereinafter directed to be kept for registering Mortgages and Assignments of the Rates or Transcripts thereof, shall and may be read in Evidence in all Cases, Suits, and Actions touching any thing done in pursuance or by virtue of this Act.

Proceedings  
to be entered.

IX. And be it further enacted, That the said Commissioners shall and they are hereby required from Time to Time to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, and expended

Accounts to  
be kept of  
Receipts and  
Disburse-  
ments, which  
shall be open  
to Inspection.

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for

for or on account of 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 Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, and every Creditor of the Rates hereby authorized to be made, and of every Person paying any Rate or Assessment hereby authorized, or otherwise affected thereby, without Fee or Reward; and the said Commissioners, Creditors, and other Persons aforesaid, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Commissioners, Creditors, or Persons aforesaid, to inspect the same, or take Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds for each Default, to be levied, recovered, and applied in manner herein-after provided.

Annual Meeting for auditing Accounts, &c.

X. And be it further enacted, That a Meeting of the said Commissioners shall be held on the First *Thursday* in the Month of *July* yearly, at the Place herein-before mentioned, or to be appointed as aforesaid, at which the Accounts of all Monies received and paid from Time to Time by virtue or in execution of this Act, by any Person or Persons whomsoever, shall be produced and stated to, and examined and settled by the said Commissioners.

Officers to be appointed, and give Security, &c.

XI. And be it further enacted, That the said Commissioners shall and may from Time to Time, by Writing under their Hands, elect and appoint a Treasurer or Treasurers, Clerk or Clerks, Assessor or Assessors, Collector or Collectors, Receiver or Receivers of the Monies to be raised and paid under or by virtue of this Act, and also Surveyors, Scavengers, Rakers, Cleansers, Lighters of Lamps, and such other Officers or Persons, as and when they the said Commissioners shall think proper, for carrying this Act into Execution; and the said Commissioners shall and may from Time to Time remove them, or any of them, and in like manner appoint others in the Room of those removed; and out of the Monies to be raised by virtue of this Act, the said Commissioners shall and may pay such Salaries, Wages, or Allowances to the said Officers and other Persons, as they the said Commissioners shall think reasonable; and the said Commissioners shall and they are hereby required to take such Security from every such Treasurer, Collector, and other Officer, as they shall think reasonable; and all such Officers so to be appointed shall, under their Hands, (at such Time and Times and in such Manner as the said Commissioners shall direct), deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and other Persons respectively, by virtue or for the Purposes of this Act, specifying how much thereof hath been paid and disbursed, and for what Purposes, together with the Vouchers and Receipts for such Payments; and shall pay all such Money as shall remain due from them respectively, to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall refuse or wilfully neglect to make and render such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid; or shall refuse or neglect

to deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required, by Notice in Writing to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Information and Satisfaction to the said Commissioners respecting the same; it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, to bring or cause to be brought an Action or Actions in any of His Majesty's Courts of Record at *Westminster*, against the Officer or Person making such Default as aforesaid, for the Recovery of the Monies which shall be in the Hands of such Officer or Person, with full Costs of Suit; or if the Complaint shall be made by the said Commissioners, or by any Person or Persons whom they shall appoint for that Purpose, to any Justice of the Peace for the County, Riding, or Place wherein such Officer or Person so neglecting or refusing shall reside or be, such Justice may, and he is hereby authorized and required, by a Warrant under his Hand and Seal, to cause the Officer or Person so refusing or neglecting, to be brought before him, and upon his appearing, or having been summoned and not appearing (except from some reasonable Cause to be allowed by such Justice), or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness upon Oath, (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Money which shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Person, or be unaccounted for, such Justice may, and he is hereby authorized and required, upon Non-payment 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 and Person, together with the Costs and Charges of making such Complaint, and of such Distress and Sale; and if no Goods or Chattels of such Officer or Person can be found, sufficient to answer and satisfy the said Money, and the Charges as aforesaid, or if it shall appear to such Justice that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relative to the Execution of this Act shall be in the Custody or Power of such Officer or Person, and that he shall refuse or wilfully neglect to deliver up or give Satisfaction respecting the same as aforesaid, then, and in any of the said Cases, such Justice shall commit such Offender to the Common Gaol or House of Correction for the County or Riding where such Offender shall be or reside, there to remain, without Bail or Mainprize, until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the Commissioners for such Money, and shall have paid such Composition in such manner as they shall appoint, (which Composition the said Commissioners are hereby empowered to make and receive), and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Commissioners: Provided always, that no Person who shall be committed by virtue of this Act on account of his not having sufficient Goods or Chattels shall be detained in Prison for any longer Term than Six Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person, Officers or Persons, the Commitment of him or them to Prison shall

shall not be deemed a Discharge for the same, nor exonerate his or their Surety or Sureties; but such Officer or Person, Officers or Persons, and his or their Surety or Sureties, shall remain liable to the Payment thereof, in the same Manner as if such Officer or Person had not been committed to Prison.

Clerk restrained from acting as Treasurer, and vice versa.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Commissioners for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place of Profit or Trust under this Act, other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster* or elsewhere, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

Commissioners may sue or be sued in the Name of their Clerk, &c.

XIII. And be it further enacted, That the said Commissioners may sue and be sued for or concerning any thing which shall be done by virtue or in pursuance of this Act, or for or concerning any Matter or Thing relating or incident to the obtaining and passing of this Act, in the Name of their Clerk for the Time being, or in the Name of any One of the said Commissioners; and no Action or Suit to be so brought or commenced by or against the said Clerk, shall abate or be discontinued by the Death, Removal, or Default of any such Clerk, but shall be continued and carried on in his Name, or in the Name of the Clerk for the Time being, who shall always be deemed Plaintiff or Defendant in such Action or Suit (as the Case may require): Provided always, that any such Clerk or Commissioner, in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act, shall always be reimbursed and paid, out of the Monies to arise by virtue of this Act, all such Costs, Charges, and Expences as he shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein: Provided always, that such Clerk shall not, by reason of his being such Clerk, be deemed an inadmissible Witness in any such Action or Suit, unless it be on his own personal Account.

Power to pave Streets, &c.

XIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners from Time to Time and as often as they shall think fit, to cause, order, and direct all or any of the present or future Sides and Footways of the said Streets, Lanes, Entries, and other public Passages and Places within the said Limits, to be taken up, and the same to be raised, lowered, altered, repaired, flagged, or paved, as to them shall seem proper; and also to make common Sewers, Drains, or Water-courses



courses in any of the Streets, Lanes, Entries, or other public Passages and Places within the said Limits, for the Purpose of carrying or conveying Water from the same; and to cleanse, alter, and amend such Sewers, Drains, or Watercourses, in such Manner as they shall from Time to Time think necessary; and that the Expences of such paving, renewing, draining, and repairing, shall at all Times be payable and paid out of the Rates and Assessments to be made and levied under the Authority of this Act.

XV. And be it further enacted, That all the Occupiers of Yards, Passages, or other Property adjoining or near to such of the said Streets, Lanes, Entries, public Passages, and Places, in which shall be contained Common Sewers or Watercourses, shall from Time to Time, as Occasion shall require, convey the Water therein by Drains or Sewers from thence, at their own Expence, into the Drains, Sewers, or Watercourses of the said Streets, Lanes, Entries, public Passages and Places, under the Penalty of Five Pounds for each Default therein, Ten Days Notice in Writing from the said Commissioners having been first given to such Occupier or Occupiers, or left at his, her, or their Place or Places of Abode, to cause such Water to be conveyed into the public Drains as aforesaid.

Water to be conveyed from private Premises into public Drains.

XVI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners, to cause the several Streets, Lanes, Entries, and other public Passages and Places within the Limits of this Act, or such of them as they shall think proper, to be lighted either by Oil Lamps, or by means of Gas or Inflammable Air, as the said Commissioners shall think fit, and to direct what Part or Parts of the said Town shall be lighted by Oil, and what by means of Gas or Inflammable Air; and it shall and may be lawful for the said Commissioners from Time to Time to contract and agree with any Company or Companies of Proprietors, or other Person or Persons, to light the same by means of Oil or Gas or Inflammable Air, in such Manner and upon such Terms and Conditions, Stipulations and Agreements, as the said Commissioners shall think proper, and to provide and set up all necessary Lamps, Lamp Posts, Lamp Irons, and other Works necessary for the Purposes of this Act; and in case it shall be determined to light all or any of the said Streets, Lanes, Entries, and other public Passages and Places with Gas or Inflammable Air, then it shall be lawful for the said Commissioners to direct the breaking up the Soil or Pavement of any of the Footways or Carriageways of any of the said Streets, Lanes, Entries, and other public Passages and Places, and the digging, sinking, constructing, laying, and fixing Pipes, Stop Cocks, Plugs, Branches, and all other Works and Machinery, by any Company or Companies of Proprietors or other Person or Persons, for the Conveyance of the said Gas or Inflammable Air, for the Purpose of lighting the several Streets, Lanes, Entries, and other public Passages and Places, within the said Limits or any Part or Parts thereof; and from Time to Time to direct such Pipes, Stop Cocks, Plugs, Branches, Works, and Machinery, to be repaired, altered, or renewed: Provided always, that nothing herein contained shall authorize or empower the said Commissioners to carry, lay, or fix, or continue any Pipe or Pipes, or other Thing for the Conveyance of the said Gas or Inflammable Air, through or against any Dwelling House or Houses, or private Buildings, or any private

Commissioners empowered to cause Streets, &c. to be lighted with Oil or Gas.

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Lands,

Lands, or Hereditaments and Premises, without the Consent in Writing of the Owner and Occupier of every such Dwelling House, Hereditament or Building respectively, for that Purpose first had and obtained : Provided also, that if the said Commissioners, or any Person acting under or by their Authority in the Execution of any of the Powers of this Act, shall damage or injure any Water Pipe or Water Pipes, laid down or to be laid down within the Limits of this Act, then and in every such Case the said Commissioners shall and they are hereby required to make and pay full Satisfaction and Compensation for the same, to the Owner or Owners of the Pipe or Pipes so damaged or injured ; and in case of any Neglect or Refusal to make and pay such Satisfaction and Compensation, within Ten Days next after Demand made thereof in Writing from the Clerk of the said Commissioners, the full Amount of the Damages sustained by making good such Water Pipe or Water Pipes, shall and may be recovered by Distress and Sale of the Goods and Chattels of the said Commissioners, to be levied by Warrant under the Hand and Seal of any Justice of the Peace for the said West Riding ; which Warrant such Justice is hereby empowered to grant, on the Application of the Owner or Owners of the Water Pipe or Water Pipes, so damaged or injured as aforesaid.

Commissioners to repair Damage done to Walls, &c.

XVII. Provided always, and be it further enacted, That if any Injury or Damage shall be occasioned to any Rail, Building, or Wall, by the affixing, setting up, taking down, altering, or removing any Lamp, or any Lamp Iron or other Fastenings thereof, the said Commissioners shall immediately cause the said Injury or Damage to be well and sufficiently repaired ; and the Expences attending the same shall be paid out of the Money to be raised by virtue of this Act.

Commissioners may erect Apparatus to make Gas ;

and for that Purpose to rent or purchase Land.

XVIII. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Commissioners (in case they shall deem it expedient) to light the said Streets, Lanes, Entries, and other public Passages and Places, with Gas or Inflammable Air, (without contracting for the same), and for that Purpose to erect or cause to be erected Gasometers, Cisterns, Pillars, and all the other necessary Apparatus to produce, conduct, supply, and receive such Gas or Inflammable Air, in such Manner as they shall think proper ; and for that Purpose to purchase or rent from any Person or Persons any Building or Buildings, Erection or Erections, Land or Lands, within the Limits of this Act, not exceeding Three Statute Acres, with any Person or Persons who shall be willing to let, sell, or dispose of the same, for the Purpose of erecting and making suitable Buildings and Apparatus thereon for the manufacturing of Gas or Inflammable Air as aforesaid.

Commissioners to make and use Gas Works under Advice of some Person skilled in such Works.

XIX. Provided also, and be it further enacted, That for greater Security against Accidents by such Gas Works, the said Commissioners, and all other Persons with whom they may contract, are hereby directed and required to erect, or cause to be erected, all such Gasometers, Cisterns, Pillars, and other the necessary Apparatus, and to lay all such Pipes, Stop Cocks, Plugs, Branches, and Machinery as aforesaid, by the Advice and Direction of some Person or Persons thoroughly skilled and experienced in the Nature of such Works, whose entire Approbation thereof as to Safety and otherwise, shall be had before the same shall be used.

XX. And be it further enacted, That the said Commissioners, and the Person or Persons with whom they shall contract, shall and they are hereby required to have the said Works inspected at least Twice in every Year by One or more experienced Person or Persons, to see that the same are in a fit State, and properly conducted and managed; and in case of any Error, Want of Repair, Insufficiency or other Mismanagement being pointed out, to cause the same to be forthwith corrected, amended, and repaired, according to the Opinion of such Person or Persons.

Works to be inspected Twice in every Year.

XXI. And be it further enacted, That in case the said Commissioners shall deem it expedient to erect such Gas Apparatus, and to light the said Streets, Lanes, Entries, and other public Passages and Places, or any of them, with Gas or Inflammable Air, without contracting for the same as aforesaid, it shall be lawful for the said Commissioners, after sufficiently lighting such said Streets, Lanes, Entries, and other public Passages and Places, to let out or grant to any Person or Persons whomsoever who shall be willing to take the same, any Light or Lights, or Argand, Cockspur, Batwing, or any other Kind of Burner or Burners, and to supply the same with Gas or Inflammable Air, upon such Terms and Conditions, and at such annual Rents for the same, and in such Manner, as they the said Commissioners shall from Time to Time think proper: Provided nevertheless, that all Money to proceed therefrom, or arise thereby, be in the first Instance applied to defray the Expences of the Gas Apparatus and other Things connected therewith; and if there shall be any Overplus, then the same shall be applied generally for the Purposes of this Act.

Commissioners empowered to let out Gas Lights, &c.

XXII. And be it further enacted, That in case any Person or Persons, who shall contract with the said Commissioners, or otherwise agree to take, or shall use or enjoy the Benefit of the said Gas in their private Dwellings, Shops, Inns, Taverns, or other Buildings or Manufactories, shall refuse or neglect, for the Space of Ten Days after Demand, to pay the Sum or Sums then due for the same to the said Commissioners, according to the Terms and Stipulations of the said Commissioners, it shall be lawful for the said Commissioners, or their Clerk or Clerks, or any Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal of any Justice of the Peace for the said West Riding, to levy the said Sum or Sums of Money in respect whereof such Neglect or Refusal shall happen, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) to such Person or Persons so refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted.

Recovery of Rent.

XXIII. And be it further enacted, That the Branch or Service Pipes which shall be put down for lighting the said Streets, Lanes, Entries, and other public Passages and Places, shall be kept fully charged with Gas; and the Stop Cocks 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.

Service Pipes to be kept fully charged with Gas.

XXIV. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, along,

Gas Pipes to be laid Three Feet from

Water Pipes  
in a particu-  
lar Manner.

along, across, or round any Street, Lane, Entry, or other Passage or Place within the Limits of this Act, shall be so laid at the greatest practicable Distance; and whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Three Feet at least from the nearest Part of any Water Pipe already laid down, or hereafter to be laid down, for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Lanes, Entries, or other Passages or Places within the Limits of this Act, except in Cases where it shall be unavoidably necessary to lay the Gas Pipes across any of the said Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes, at the greatest practicable Distance therefrom, and shall form therewith a right Angle; and in such Cases the said Gas Pipes so crossing the said Water Pipes shall be at least Six Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Three Feet at least; and that in laying down the said Gas Pipes, the said Commissioners, Contractors, or other Person supplying Gas, shall in no case join Two or more Gas Pipes together, previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the jointing with the other Pipes to be added thereto, with proper and sufficient Materials; and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, Airtight, and in all and every respect prevent the said Gas from escaping therefrom, and from any Part thereof, upon Pain of forfeiting for every Offence the Sum of Five Pounds.

For prevent-  
ing the  
Escape of  
Gas.

XXV. 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 in pursuance of this Act, the acting Commissioners or the Company or Companies of Proprietors or other Person or Persons contracting to light or lighting with Gas the said Streets, Lanes, Entries, and other public Passages and Places, shall immediately after Notice given to them or him, by Parol or in Writing, of any such Escape of Gas, from any Inhabitant or Inhabitants within the said Limits, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case the said Commissioners or the Company or Companies of Proprietors, or other Person or Persons so contracting to light or lighting with Gas, shall not, within Twenty-four Hours next after such Notice given, effectually stop and prevent any future Escape, and wholly and satisfactorily remove the Cause of Complaint, that then and in every such Case the said acting Commissioners or the Company or Companies of Proprietors, or other Person or Persons as aforesaid, shall for every such Offence forfeit and pay the Sum of Five Pounds for each Day after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid; which Penalty or Penalties shall from Time to Time be recoverable in a summary Way on the Oath of One or more credible Witness or Witnesses, by Information to be laid before some one or more Justice or Justices of the Peace for the said Riding, and shall and may be recovered and levied with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer of the said Commissioners, or of the Goods and Chattels of the said Company or Companies of Proprietors, or of the other

other Person or Persons so contracting to light, or lighting as aforesaid.

XXVI. And be it further enacted, That if any Person or Persons shall wilfully or maliciously remove, take away, destroy, damage, or injure any or any Part of any Pipe, Plug, or other Apparatus, Matter or Thing belonging to the said Commissioners, or shall wilfully or maliciously waste, or beyond his, her, or their Contract consume any of the Inflammable Air or Gas supplied by the said Commissioners, every Person so offending in any of the respective Premises, and being thereof lawfully convicted on the Oath or Affirmation of One credible Witness, before One or more Justice or Justices of the Peace for the said West Riding, or other Justice or Justices having Jurisdiction, as the Case may require, shall forfeit and pay to the said Commissioners any Sum not exceeding Five Pounds, and Three Times the Amount of the Damage done or occasioned by such Conduct, the same to be ascertained by such Justice or Justices; and such Penalty and Damage, together with reasonable Costs, shall be levied by Distress and Sale of the Goods and Chattels of such Offender, returning the Overplus (if any), on Demand, to the Owner of such Goods and Chattels; or such Offender shall and may be committed to the Common Gaol or House of Correction of the said Riding or County, as the Case may require, there to remain for any Time not exceeding Six Calendar Months.

Penalty on  
damaging  
Pipes, &c.

XXVII. And be it further enacted, That it shall not be lawful for the said Commissioners, or any other Person or Persons whomsoever, to carry or convey, or cause to be carried or conveyed, any Washings or Liquids, or any Lime or other Ingredients, Matter, or Thing whatsoever, which shall arise or be made in manufacturing or preparing any Gas or Inflammable Air whatsoever, or in the Prosecution of any of the Gas Works, into the River *Nidd*, or into any Pond, Ditch, Brook, or Canal, any Sewer, Conduit, or other Place whatsoever, by which it may ultimately be carried or conveyed into the said River, or into any other Stream or Brook, or into any Pond, Ditch, Brook, Canal, Sewer, or Conduit.

Ingredients  
used in manu-  
facturing Gas,  
not to be  
conveyed to  
the River  
*Nidd*.

XXVIII. Provided always, and be it further enacted, That if the said Commissioners or any Company or Companies of Proprietors, or other Person or Persons contracting to light or lighting with Gas the said Streets, Lanes, Entries, and other public Passages and Places, shall at any Time drain or carry, or cause or suffer to be drained or conveyed, or to run or flow any Washings or other Waste Liquids, Substances, or Thing whatsoever, which shall arise or be made in the Prosecution of the said Gas Works, into the River *Nidd*, or into any River, Brook, or running Stream, Reservoir, Aqueduct, Feeder, Pond, or Spring Head; or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any such River, Brook, or running Stream, Reservoir, Aqueduct, Waterway, Feeder, Pond, or Spring Head, whereby the said Water or any Part thereof shall or may be soiled, fouled, or corrupted, then and in every such Case the said acting Commissioners, or such Company or Companies of Proprietors, or other Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record

Penalty for  
conveying  
Washings  
into any  
Sewer,  
Stream, &c.

[*Local.*]

80

at

at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, or more than One Imparlance shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable, unless the same be sued for within Twelve Calendar Months after the Time when such Annoyance, Act, and Thing shall have ceased; provided also, that in addition to the said Penalty of Two hundred Pounds (and whether such Penalty shall or shall not be recovered), in case any of the said Washings or other Waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid into the said River *Nidd*, or into any River, Brook, or running Stream, or any Reservoir, Aqueduct, Waterway, Feeder, Pond, or Spring Head, or any such Annoyance, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whatsoever to the said Commissioners, or any of them, or to the Company or Companies of Proprietors or any of them, or other Person or Persons as aforesaid, and the said Commissioners, Company or Companies of Proprietors, or other Person or Persons shall not, within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, Waste Liquids, or noisome or offensive Liquids, Substances, or Thing, from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, Company or Companies of Proprietors, or other Person or Persons, shall forfeit and pay the Sum of Twenty Pounds for each Day such Washings, Waste Liquids, or noisome or offensive Liquids or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or such other Annoyance, Act, or Thing shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied, and shall be paid to the Informer, or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage, by any such Act done or committed.

This Act not to prevent Commissioners being proceeded against for a Nuisance, &c.

XXIX. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent any Person or Persons from proceeding, by Indictment or otherwise, against the said Commissioners, or their Officers, Servants, or Workmen, in respect of public or private Nuisances by them committed, through the Means which shall be adopted in obtaining, making, preparing or using the said Gas or Inflammable Air.

Penalty on wilfully breaking Lamps.

XXX. And be it further enacted, That if any Person shall wilfully break, take away, throw down, displace, or otherwise destroy or damage any Lamp which shall be erected by Order of the said Commissioners, or by any other Person or Persons, at his or their own Expence, for the Purpose of lighting any of the said Streets, Lanes, Entries, and other public Passages and Places, or any Post, Iron, Cover, or Furniture thereof, or shall wilfully extinguish the Light or Lights of or in any such Lamp or Lamps, it shall and may be lawful to and for any Justice of the Peace for the said Riding, and he is hereby required, upon Complaint to him

him made by One or more credible Witness or Witnesses, of any such Offence having been committed, to summon before him, or any other Justice of the Peace for the said Riding, the Party or Parties complained of for doing such Damage; and in case of his, her, or their making Default to appear to such Summons (Oath being made that the Party or Parties complained against had been served with such Summons, or that the same had been left at his, her, or their usual Place of Abode, if known) to issue a Warrant for apprehending the Party or Parties accused, (or it shall and may be lawful to and for any Person or Persons who shall see such Offence committed, to apprehend, and also for any Person or Persons to assist in apprehending the Offender or Offenders, and by Authority of this Act, and without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace for the said Riding), and such Justice shall and he is hereby required to proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party or Parties accused shall be convicted of such Offence, either on his, her, or their Confession, or upon such Evidence as aforesaid, then and in every such Case he, she, or they shall for every such Offence respectively forfeit and pay any Sum not exceeding Five Pounds, and shall besides make a full Satisfaction (to be ascertained by such Justice) to the said Commissioners, or to the Party injured for the Damage so done; and in case such Offender or Offenders shall not upon Conviction forthwith pay such Penalty and Satisfaction as aforesaid, such Justice is hereby authorized and required to commit such Offender or Offenders to the Common Gaol or House of Correction of the said Riding, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unless such Penalty and Satisfaction shall be sooner paid.

XXXI. And be it further enacted, That if any Person shall carelessly, negligently, or accidentally break, throw down, or otherwise destroy or damage any Lamp, or the Post, Iron, Cover, or Furniture thereof respectively, and shall not, upon Demand, make Satisfaction for the Damage done, then and in every such Case it shall be lawful for any Justice of the Peace for the said Riding, and he is hereby required, upon Complaint thereof made, to summon before him the Party or Parties so complained of; and upon his, her, or their appearing, or making Default to appear (Oath being made that the Party complained against had been served with such Summons, or that the same had been left at his, her, or their usual Dwelling or Place of Abode, if known), such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either by Confession of the Party, or the Oath of any credible Witness, shall award and order such Satisfaction to be made by the Party or Parties complained against, for the Damage so done to the said Commissioners, or the Owner or Owners of such Lamp or Lamps, as to such Justice shall appear just and reasonable; and in case the Sum so awarded shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby required, to cause the same to be levied and recovered in such and the same Manner as any Fine or Penalty is by this Act directed to be levied and recovered.

Penalty on negligently breaking Lamps.

XXXII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required, from Time to Time to

cause Streets to be watched, Watchmen appointed, &c.

cause the said Streets, Lanes, Entries, and other public Passages and Places, or such of them as they shall think fit, to be safely and properly watched, and for that Purpose to appoint such Number of ablebodied Men as they shall judge proper, to be employed as Watchmen and as a Patrol, under such Regulations, and subject to such Orders as the said Commissioners shall make and give from Time to Time in that Behalf, and to provide proper Watch-houses, Watch-boxes, or Places for the Reception of such Watchmen and Patrol, and for the safe Custody of such Persons as may be apprehended by such Watchmen or Patrol while on Duty; and to pay such Watchmen or Patrol while on Duty reasonable Wages or Allowances; and also to appoint one or more fit Person or Persons in the Stead of any Watchman or Watchmen, Patrolman or Patrolmen who shall die, or who shall be discharged from his or their Office by the said Commissioners; and also to impose from Time to Time any Fine not exceeding Forty Shillings on any Watchman or Patrolman for every Neglect or Misbehaviour (such Fine to be deducted out of the Wages of such Watchman or Patrolman); and from Time to Time to make such Orders and Regulations as they the said Commissioners shall deem expedient, for the better Government of the Watchmen or Patrolmen to be so appointed; and to repeal such Orders and Regulations, or any of them, and to substitute others, and to give and allow, out of the Monies to be raised by virtue of this Act, such Rewards or Allowances as they shall think fit to any Watchmen or Patrolmen, or others, who may be disabled or hurt or wounded in the Execution of his or their Office or Duty.

Duty of  
Watchmen.

XXXIII. And be it further enacted, That it shall and may be lawful to and for such Watchmen or Patrolmen, or any of them, and they are hereby required, in their respective Stations, to apprehend and secure, in some proper Place or Places of Security to be for that Purpose appointed, all Malefactors, Rogues, Vagabonds, idle and disorderly Persons, Disturbers of the public Peace, Prostitutes, and all suspected Persons who shall be found wandering or misbehaving themselves during the Hours of keeping Watch within the Limits of this Act; and to conduct all such Persons, so soon as conveniently may be, before some Justice of the Peace for the said Riding, to be examined and dealt with according to Law.

Watchmen  
vested with  
the Powers of  
Constables.

XXXIV. And be it further enacted, That all Watchmen and Patrolmen shall be sworn in as Constables before any Justice or Justices of the Peace of the said West Riding, and 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 and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with or have and enjoy by Law.

Penalty on  
Persons  
harbouring  
Watchmen.

XXXV. And be it further enacted, That if any Victualler, Alehouse-keeper, or other Person selling spirituous or other Liquors, shall entertain or harbour in his or her House or Outhouse any Watchmen or Night Patrol, during any of the Hours or Times appointed for the Attendance on Duty of such Watchman or Night Patrol, by virtue of this Act, then every such Victualler, or other Person or Persons so offending, shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.



XXXVI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, and they are hereby required, to cause all the Streets, Lanes, Entries, and other public Passages and Places within the Limits of this Act, or such of them as they shall think fit, to be properly cleansed and kept clean; and also to cause the said Streets, Lanes, Entries, and other public Passages and Places, or such of them as they shall think proper, to be watered from Time to Time; and for those Purposes to employ any Person or Persons, and to purchase or hire any Cart or Carts, or other Carriage or Carriages, and also any Horse or Horses; and to cause the Dirt, Dust, Soil, Dung, Manure, and Filth found in any such Streets, Lanes, Entries, and other public Passages and Places, to be taken and carried away.

Commissioners to direct Streets to be cleansed.

XXXVII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to enter into any Contract or Contracts for paving, flagging, lighting, cleansing, and watering the several Streets, Lanes, Entries, and other public Passages and Places within the said Limits, or for furnishing Materials, or any other Matters or Things necessary for the Purposes of this Act; but before any such Contract or Contracts shall be entered into, Fourteen Days Notice at the least shall be given on the Porch or outer Door of the Parish Church of *Knaresbrough* aforesaid, expressing the Purpose or Purposes of such Contract or Contracts, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose to the said Commissioners; and they the said Commissioners are hereby required to take Security from every such Contractor for the due Performance of his or her Contract: Provided always, that every such Contract shall specify the several Works to be done, and the Prices to be received or paid for the same, and the Time or Times when the said Works are to be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by the said Commissioners, or any Five or more of them, and also by the Person or Persons contracting to perform such Works respectively; which Contract or Contracts shall be entered in a Book or Books to be kept for that Purpose by the Clerk to the said Commissioners: Provided always, that the said Commissioners or their respective Estates shall not be liable, in their Individual or Personal Capacity, to any Loss or Prejudice, by reason of their signing any such Contract; provided also, that it shall be lawful to and for the said Commissioners, from Time to Time and at all Times hereafter, to compound and agree with any Person or Persons, for or on account of any Breach or Non-performance of such Contract or Contracts, at and for such Sum or Sums of Money, or upon such Terms and Conditions as they the said Commissioners shall think proper.

Commissioners may enter into Contracts.

XXXVIII. And be it further enacted, That it shall be lawful for the respective Occupiers of Houses or other Buildings or Tenements, with the Appurtenances, within the said Limits, and they are hereby required, to cause to be well and sufficiently swept and cleansed the Footways and Foot Pavements, before, behind, and at the Sides of their respective Houses or other Buildings, (as the Situation thereof shall require) every *Saturday* in every Week; and shall also cause the Dirt and Soil to arise from such sweeping and cleansing to be collected and taken away.

Inhabitants to sweep Pavements opposite their Houses.

[*Local.*]

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XXXIX. And

No Person  
to take away  
Dirt but  
Contractors.

XXXIX. And be it further enacted, That if any Person, or Persons other than such Occupiers, or the Person or Persons employed by or contracting with the said Commissioners for cleansing the said Streets, Lanes, Entries, and other public Passages and Places, or the Person or Persons employed by or acting under the Direction of the Person or Persons so contracting, shall take or carry away, or cause to be taken and carried away, any Dust, Dung, Manure, Dirt, Ashes, or other Filth, out of any of the Streets, Lanes, Entries, and other public Passages and Places, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; Provided always, that the Ashes, Cinders, Dust, Dirt, Manure, Filth, Soil, Dung, or Rubbish belonging to any such Occupiers of Houses or other Buildings, shall not be laid down or placed in any of the said Streets, Lanes, Entries, or other public Passages and Places, for any longer Time than shall be necessary for the loading and carrying away the same, under the Penalty of Ten Shillings for every Default.

Persons re-  
serving  
Ashes, &c.  
for their own  
Use, not to  
suffer same  
to remain in  
Streets, &c.

XL. And be it further enacted, That in case any Person or Persons reserving any Ashes, Cinders, Dung, Dirt, Manure, Filth, Soil or Rubbish, for his, her, or their own Use, or otherwise, shall wilfully or negligently permit or suffer the same, after being removed from his, her, or their Premises, to lay in any of the said Streets, Lanes, Entries and other public Passages and Places, for any longer Time than shall be necessary for the Purpose of loading and carrying away the same, such Person or Persons shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings; and it shall and may be lawful for the Person or Persons to be appointed by or contracting with the said Commissioners for cleansing the said Streets, Lanes, Entries, and other public Passages and Places, and they are hereby authorized and directed, to take and convert such Ashes, Cinders, Dust, Dirt, Manure, Filth, Soil, Dung, and Rubbish, to his or their own Use and Uses, and to sell and dispose of the same, without rendering any Satisfaction for the same.

Commission-  
ers may hire  
Room and  
Office, and  
Storehouse.

XLI. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to hire any Room or Building as they shall think fit, in any convenient Part or Parts within the Limits of this Act, for the Purpose of making use thereof, as and for an Office or Offices for keeping their Accounts, holding their Meetings, and transacting the Business relating to this Act, and as a Storehouse or Storehouses for keeping their Implements and Materials, and for other the Purposes of this Act; and to pay out of the Money to arise by virtue of this Act, such Yearly Rent or Rents as they the said Commissioners shall from Time to Time agree upon; and also to accept and take a Lease of such Room, Building or Buildings, to themselves or any of them, or any Person or Persons in trust for them, for any Term or Number of Years, at and under such Yearly Rent or Rents as they shall from Time to Time think fit, and to pay such Rent or Rents out of the Monies aforesaid.

Materials  
vested in  
Commis-  
sioners.

XLII. And be it further enacted, That all the Dirt, Dust, Dung, Ashes, and Filth, to be swept, gathered, and collected in or from the said Streets, Ways, Lanes, Entries, and other public Passages and Places within the Limits of this Act or any of them; and also all Lamps, Lamp Irons,  
Lamp

Lamp Posts, and other Materials thereunto belonging, Watch-boxes and Watch-houses, and other Houses or Buildings, and all other Matters, Implements, Materials, and Things which shall be purchased or provided for the Purposes of this Act, shall belong to and be the Property of, and are hereby vested in the Commissioners for executing this Act; and the said Commissioners shall and may cause to be brought, maintained, and preferred, any Action or Actions, Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal, take, or carry away, detain, spoil, injure, or destroy the several Articles, Matters, and Things hereby vested in them the said Commissioners as aforesaid, or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively it shall be deemed and taken to be sufficient to state generally that the Article or Articles, Matter or Matters, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of "the Commissioners for paving, lighting, watching, cleansing, and improving the Town of *Knaresbrough*, in the West Riding of the County of *York*, and that Part of the Township of *Scriven-with-Tentergate* which adjoins the said Town, and is called *Tentergate*," without particularly stating or specifying the Name or Names of all or any of the said Commissioners; and the said Commissioners shall have Power and Authority from Time to Time to sell and dispose of, for the Purposes of this Act, all or any of the said Articles, Matters, and Things as shall at any Time hereafter not be wanted for the Purposes of this Act, or any Part or Parts of the same respectively, to such Person or Persons, and in such Manner as the said Commissioners shall think proper, and shall apply the Money to arise thereby towards the Purposes of this Act; and if any Person shall maliciously or wilfully break up, injure, destroy, or otherwise damage any of the Articles, Matters, or Things hereby vested in the said Commissioners, or to be affixed, placed, or laid by their Direction or Authority, or in compliance with any Contract or Agreement to be made or entered into by or between the said Commissioners and any Person or Persons whomsoever, or any of the Works to be done in pursuance of this Act, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

XLIII. And for raising Money for defraying the Expences attending the obtaining of this Act, and carrying into Execution the several Purposes thereof, be it further enacted, That the said Commissioners shall and they are hereby authorized, empowered, and required, when and so often as they shall think necessary, to make One or more Rate or Rates, Assessment or Assessments in every Year, to be signed by the said Commissioners, upon the Tenants or Occupiers of all Dwelling Houses, Shops, Workhouses, Workshops, Mills, Warehouses, Coach Houses, Stables, and other Buildings, Cellars and Vaults within the Limits aforesaid; and upon the several Gardens or Yards thereto respectively belonging, according to the Annual Value of the same respectively, as estimated from Time to Time in the respective Rates for the Relief of the Poor; such Rate or Rates, Assessment or Assessments not to exceed in any One Year the Sum of One Shilling and Sixpence in the Pound, subject to an Appeal to the Justices of the Peace at any General or Quarter Sessions to be holden for the said West Riding; and the Money or Monies so rated

Rates, how fixed.

or

or assessed on the said Tenants or Occupiers, shall be paid by them respectively to the Collector or Collectors, or other Person or Persons appointed by the said Commissioners to collect the same; and if any Tenant or Occupier of any such Premises shall neglect or refuse to pay his or her Proportion or Proportions of any of the said Rates or Assessments respectively, to the said Collector or Collectors, or other Person or Persons appointed by the said Commissioners to collect the same, for the Space of Fourteen Days after Demand made thereof, at the Dwelling House or usual Place of Abode of such Tenant or Occupier, the same shall be levied and recovered on and from all and every such Tenant or Tenants, Occupier or Occupiers so neglecting or refusing, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of any One or more Justice or Justices of the Peace acting for the said Riding, such Defaulter having been first duly summoned by such Justice or Justices to appear before him or them, at a Time and Place to be mentioned in such Summons, to shew cause for such Neglect or Refusal; and the Overplus (if any) of the Monies to be raised by such Distress and Sale shall be returned on Demand to the Owner or Owners of the Goods and Chattels so distrained and sold, together with what shall remain unsold, after deducting all Costs, Charges, and Expences previous to and attending such Distress and Sale, such Costs, Charges, and Expences to be ascertained and directed by the said Justice or Justices; and in Default of such Distress, it shall be lawful for any such Justice or Justices to commit such Person to the Common Gaol or House of Correction for the West Riding of the County of *York*, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, or until Payment of such Sum or Sums of Money as shall have been found to be due and in arrear upon all or any such Assessment or Assessments as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, such Costs, Charges, and Expences to be ascertained and directed by the said Justice or Justices.

Rates to be paid by Landlords in certain Cases.

XLIV. Provided always, and be it enacted, That the Sum charged by each Assessment on every Dwelling House not therein valued at a higher Rate than Fifty Shillings *per Annum*, shall at all Times be paid by the Landlord, and not the Tenant.

Exemption from Rates.

XLV. Provided likewise, and be it further enacted, That none of the Rates or Assessments which shall be made by virtue of this Act shall be laid upon or in respect of any Garden used or occupied by Gardeners for the Purposes of their Trade, nor the Tolls of the Fairs or Markets, Gaoler's House, Court Houses, Court Office, Prisons, Sessions House, or public or charity Schools.

Recovery of Rates from Persons quitting the Premises rated.

XLVI. And be it further enacted, That in case any Person or Persons who shall be rated or assessed by virtue of this Act, shall quit his, her, or their House or Houses, Shop or Shops, Warehouse or Warehouses, Coach House or Coach Houses, Stable or Stables, Cellar or Cellars, or other Building, Garden, Land, Tenement, or Hereditaments whereon any Rate or Assessment shall be made by virtue of this Act, before he, she, or they shall have paid such Rate, and shall afterwards refuse or neglect to pay the same when demanded of such Person or Persons, or  
at

at his, her, or their Place or Places of Abode, by the Collector of such Rates, or other Person authorized by the said Commissioners, then and in every such Case it shall and may be lawful for any One or more of His Majesty's Justices of the Peace for the said Riding, and he and they is and are hereby required, to grant a Warrant or Warrants of Distress under his or their Hand and Seal or Hands and Seals (on Oath being made before him or them by the said Collector or Person as aforesaid), of such Person or Persons having been so rated, and of his, her, or their having quitted the Premises as aforesaid, and of the said Rate or Assessment having been demanded of or from or at the then Place of Abode of such Person or Persons, (which Oath such Justice or Justices is and are hereby authorized and empowered to administer), authorizing and directing the Constable or Constables of the Parish, Township, or Place, or other Person or Persons to be specially directed by such Warrant, to distrain the Goods and Chattels of the Person or Persons so refusing or neglecting to pay, and to sell the same, rendering the Overplus (if any), after having retained the Rate or Assessment, and all Arrears thereof, and all the Costs and Charges of such Warrant, Distress and Sale, to the Owner or Owners of such Goods and Chattels respectively; and in Default of such Distress, it shall be lawful for such Justice or Justices, to cause such Defaulter to be apprehended and brought before him, and to commit such Defaulter to the Common Gaol or House of Correction for the said Riding, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, or until Payment of such Sums of Money as shall have been found to be due and in arrear upon any such Assessment or Assessments as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, such Costs, Charges, and Expences to be ascertained and directed by such Justice or Justices.

XLVII. And be it further enacted, That in all Cases where any Person or Persons shall remove from or quit the Possession of any House, Building, Land, Ground, or other Tenement or Hereditaments, the Tenant or Occupier whereof shall be rated or assessed, or be liable to be rated or assessed by virtue of this Act, every such Person or Persons so removing from or quitting the same shall be liable to pay such Rate or Assessment, in Proportion to the Time that such Person or Persons occupied the same respectively, and in like Manner as if such Person or Persons had not removed from or quitted the Possession of the same; and in all Cases where any Person or Persons shall come into or occupy any House, Building, Ground, or other Tenement or Hereditaments, rated or assessed or liable to be rated or assessed as aforesaid, out of or from which any other Person or Persons shall have removed, or which at the Time of making any such Rate or Assessment, was empty and unoccupied, the Person or Persons coming in or occupying the same shall be liable to pay such Rate or Assessment, although his, her, or their Name or Names may not be inserted in such Rate or Assessment, in Proportion to the Time that such Person or Persons shall occupy the same respectively, and in like Manner as if such Person or Persons had been originally rated or assessed by Name in such Rate or Rates, Assessment or Assessments; which said Proportions, in case of Dispute, shall be settled and ascertained by the said Commissioners.

Persons removing to pay in Proportion.

Landlord to pay for furnished Lodgings.

XLVIII. And be it further enacted, That every Person, being Landlord or Tenant, who shall let his or her House in separate Apartments, or ready-furnished, to any Lodger or Lodgers, or for any less Term than One Year, shall and may be rated and assessed to the Rate or Rates by this Act directed to be raised, levied, and recovered, in such and the like Manner as if he or she were the actual Occupier thereof.

Commissioners may borrow Money.

XLIX. And for the more speedy and effectual raising of Money for the Purposes of this Act, be it further enacted, That it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby empowered, from Time to Time to borrow and take up at Interest any Sum or Sums of Money not exceeding in the whole the Sum of Five thousand Pounds, upon the Credit of the Rates or Assessments to be laid and collected by virtue of this Act; and by Writing under their Hands and Seals to mortgage or assign over the said Rates or Assessments, or any Part thereof, to the Person or Persons who shall advance or lend such Money, or his, her, or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment may be according to the Form following; (that is to say),

Form of Mortgage.

BY virtue of an Act passed in the Fourth Year of the Reign of His Majesty King George the Fourth, intituled [*set forth the Title of this Act*], we \_\_\_\_\_ of the Commissioners appointed by or by virtue of the said Act, in consideration of the Sum of \_\_\_\_\_ paid to us by *A. B.* [*insert the Name, Place of Abode, and Addition of the Lender*] for the Purposes of the said Act, do grant and assign unto the said *A. B.*, his Executors, Administrators, and Assigns, [*or, to his Trustee or Trustees, as the Case may require*] such Proportion of the Rates or Assessments arising by virtue of the said Act, as the said Sum of \_\_\_\_\_ doth or shall bear to the whole Sum which is or shall be borrowed upon the Credit of the said Rates or Assessments, to be had and holden from this Day until the said Sum of \_\_\_\_\_, with Interest henceforth for the same, at the Rate of \_\_\_\_\_ *per Centum per Annum*, to be paid Half-yearly, shall be fully repaid and satisfied. In witness whereof, we have hereunto set our Hands and Seals, this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord \_\_\_\_\_.

Money may be raised on Annuities.

And every such Mortgage or Assignment shall be good, valid, and effectual in the Law, provided that the whole Sum to be charged on the Credit of the said Rates or Assessments shall not at any Time exceed the Sum of Five thousand Pounds: Provided always, that in case the said Commissioners, or any Five or more of them, shall think it advisable to raise all or any Part of the said Sum by the granting of Annuities for the Life or Lives of any Person or Persons, then it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, by any Writing or Writings under their Hands and Seals, to grant any Annuity or Annuities to any Person or Persons who shall contribute, advance, and pay into the Hands of the Treasurer to the said Commissioners any Sum or Sums of Money for the absolute Purchase of any such Annuity or Annuities, to be paid and payable during the natural Life of every such Contributor, or the natural Life of every such Person as shall be nominated by or on behalf of such Contributor, at the Time of the Payment of his or her Contribution or Purchase Money; and the Grant of every

every such Annuity may be according to the Form following; (that is to say),

‘ BY virtue of an Act passed in the Fourth Year of the Reign of King  
 ‘ George the Fourth, intituled [*here set forth the Title of this Act*],  
 ‘ we, \_\_\_\_\_ being \_\_\_\_\_ of the Commissioners appointed  
 ‘ by virtue of the said Act, in consideration of the Sum of  
 ‘ paid to us by *A. B.* [*insert the Name, Place of Abode, and Addition of*  
 ‘ *the Lender*], for the Purposes of the said Act, do hereby grant unto  
 ‘ the said *A. B.*, his Executors, Administrators, and Assigns, One Annuity  
 ‘ or yearly Sum of \_\_\_\_\_ out of the Rates or Assessments  
 ‘ arising by virtue of the said Act, which Annuity or yearly Sum of  
 ‘ \_\_\_\_\_ shall be paid to the said *A. B.*, his Executors, Admini-  
 ‘ strators, and Assigns, at the House or Office of the Clerk to the said  
 ‘ Commissioners quarterly, upon the \_\_\_\_\_ Day of \_\_\_\_\_,  
 ‘ the \_\_\_\_\_ Day of \_\_\_\_\_, the \_\_\_\_\_ Day of \_\_\_\_\_,  
 ‘ and the \_\_\_\_\_ Day of \_\_\_\_\_, in every Year during the  
 ‘ natural Life of \_\_\_\_\_; the first Payment thereof to be made  
 ‘ upon the \_\_\_\_\_ Day of \_\_\_\_\_ next ensuing the Date hereof.  
 ‘ In witness whereof, we have hereunto set our Hands and Seals, this  
 ‘ Day of \_\_\_\_\_, in the Year of our Lord \_\_\_\_\_

Form of  
Grant of An-  
nuity.

And every such Grant shall be a good, valid, and effectual Security in Law for the Payment of such Annuity; which said several Annuities so to be purchased shall be made payable and be paid quarterly during the natural Lives of such Contributors respectively, or the natural Life or Lives of such other Person or Persons as shall be nominated by such respective Contributors, and a proportionate Part of such Annuity shall be paid from the last Quarter Day Payment, to the Day of the Death of the Annuitant, or his or her *Cestuique vie*; and the said Commissioners shall pay the said Annuities freed and discharged from every Tax and Deduction whatsoever.

Annuities  
charged upon  
Rates, &c.

L. And for preventing any improvident Grant of Annuities under this Act, be it further enacted, That no Annuities shall be granted by virtue of this Act, for any single Life, at any higher Rate than the following; (that is to say), when the Age of the Annuitant, or the Person for whose Life the Annuity shall be granted, shall not exceed Thirty-five Years, the Annuity to be granted shall at most be Eight Pounds Three Shillings for each One hundred Pounds of the Consideration Money paid for the Purchase thereof; where the Age of such Person shall exceed Thirty-five, but not exceed Forty Years, the Annuity to be granted shall at most be Eight Pounds Ten Shillings for each One hundred Pounds of such Consideration Money; where the Age of such Person shall exceed Forty, but not exceed Forty-five Years, the Annuity shall at most be Nine Pounds for each One hundred Pounds of the Consideration Money; where the Age of such Person shall exceed Forty-five, but not exceed Fifty Years, the Annuity shall at most be Nine Pounds Twelve Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall exceed Fifty, but not exceed Fifty-five Years, the Annuity shall at most be Ten Pounds Eight Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall exceed Fifty-five, but not exceed Sixty Years, the Annuity shall at most be Eleven Pounds Eight Shillings for each One hundred Pounds

Rates of An-  
nuities on  
single Lives  
limited.

Pounds of the Consideration Money; where the Age of such Person shall exceed Sixty, but not exceed Sixty-five Years, the Annuity shall at most be Twelve Pounds Seventeen Shillings for each One hundred Pounds of the Consideration Money; where the Age of such Person shall exceed Sixty-five, but not exceed Seventy Years, the Annuity shall at most be Fifteen Pounds One Shilling for each One hundred Pounds of the Consideration Money; and where the Age of such Person shall exceed Seventy, but not exceed Seventy-five Years, the Annuity shall at most be Eighteen Pounds Ten Shillings for each One hundred Pounds of the Consideration Money.

Power to borrow Money at lower Interest, to discharge Securities at higher.

LI. And be it further enacted, That in case the said Commissioners can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Interest than the Mortgages, Assignments, or Securities which shall be then in force shall bear, it shall be lawful for the said Commissioners from Time to Time to charge the said Rates or Assessments in manner aforesaid, with such Sum or Sums of Money as they shall think fit or proper, and the Interest thereof at such lower Rate aforesaid, and to pay off and discharge the Mortgages, Assignments, and Securities bearing a higher Rate of Interest.

Mode of transferring Securities.

LII. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money borrowed, or for the Annuities granted as aforesaid, by Writing under their Hands to transfer the same respectively to any Person or Persons, according to the Form following, or any other Form of Words to the like Purport or Effect, as the Case may be; (*videlicet*),

‘ I A. B. [*insert the Name, Place of Abode, and Addition of the Person assigning*] do hereby assign the within Mortgage [*or Grant of the within mentioned Annuity*], and all my Right and Title in and to the Principal Money and Interest [*or Annuity*], and all Arrears now due thereon and thereby secured, unto C. D. [*insert the Name, Place of Abode, and Addition of the intended Assignee*], his Executors, Administrators, and Assigns. Dated this                      Day of                      in the Year  
‘ of our Lord

Entries to be made of Securities.

And Entries or Memorials of all such Mortgages or Assignments and Grants of Annuities be made in pursuance of this Act, and of all Transfers thereof, expressing in Words at Length the Name, Additions and Places of Abode, and other Descriptions of all such Persons as shall from Time to Time be entitled to the Principal Money and Interest, or the Annuities thereby respectively secured, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Commissioners, to which Book any Person interested shall at all Times have Access, and shall at all Times have free Liberty to inspect the same, without Fee or Reward; and for the Entry of every such Transfer or Assignment, the said Clerk shall be paid Two Shillings and Sixpence and no more; and every such Transfer and Assignment, after such Entry thereof as aforesaid, shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, or Assigns, to the Benefit of the Security or Grant thereby transferred; and all Persons to whom such Mortgages, Assignments, or Grants of Annuities shall be made, or who shall be entitled to the Monies or Annuities thereby secured, shall be, in  
Proportion



proportion to the Sums therein respectively mentioned, Creditors on the said Rates or Assessments equally one with another, without any Preference in respect to the Priority of advancing such Money, or the Dates of any such Mortgages, Assignments, or Grants respectively.

LIII. And be it further enacted, That all the Money to arise by the said Rates, Assessments, and other Monies hereby granted, or to be levied or recovered by virtue of this Act, and which may be borrowed on the Credit thereof, shall be paid to the Treasurer to the said Commissioners, or to such other Person or Persons as they shall appoint, and shall be applied and disposed of, in the first Place, in paying and defraying the Charges and Expences which shall be incident to and attending the obtaining and passing of this Act; and in the next Place, in paying and discharging the Interest of the Monies which shall be borrowed, and the Annuities which shall be granted under this Act; and then from Time to Time in defraying the Charges and Expences of paving, cleansing, lighting, watching, and otherwise improving the Streets, Lanes, Entries, and other public Passages and Places of and in the said Town of *Knaresbrough*, and that Part of the said Township of *Scriven-with-Tentergate* which adjoins the said Town; and in paying and defraying all Expences which the said Commissioners and other Officers shall necessarily sustain and be put unto in carrying this Act into Execution, or in prosecuting or defending any Prosecutions, Actions, or Suits, in any Manner relative to the Execution of this Act, or of any thing to be done under or by virtue of the same, and for such other Uses and Purposes as are herein expressed; and the Residue of all such Monies shall be paid and applied in reducing, paying off, and discharging all such Principal Sums as shall be borrowed as aforesaid.

Application of Money raised by Commissioners.

LIV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized, empowered, and required from Time to Time, as they shall think proper, to cause all Encroachments, Obstructions, Nuisances, and Annoyances in the Streets, Lanes, Entries, and other public Passages and Places within the Limits of this Act to be abated and removed, in such Manner as they the said Commissioners shall think proper; and from and after the passing of this Act it shall not be lawful for any Person to erect or place any Penthouse, Shed, or Sign Post, so as to be an Obstruction in any of the said Streets, Lanes, Entries, or other public Passages and Places, upon Pain of forfeiting a Sum not exceeding Five Pounds for every such Offence; such Penalty to be levied and recovered in like Manner as any Penalty is by this Act directed to be recovered.

Commissioners may abate and prevent Nuisances.

LV. And be it further enacted, That from and after the passing of this Act, all Spouts and Pipes for conveying Water from the Roofs of Houses or other Buildings into the said Streets, Lanes, Entries, or other public Passages and Places, shall be made or placed so as to convey such Water from such Roofs, close to the Face or Side of such Houses or Buildings, down to the Ground or Pavement, under a Penalty of Twenty Shillings for every Day the same shall remain placed contrary to the Directions of this Act, after Notice in Writing for the Purpose from the said Commissioners shall have been left One full Week at such House or Building for the Occupier thereof, such Penalty to be paid by such Occupier; and

Regulating Cellar Doors or Flaps.

[*Local.*]

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where

where any Opening is now or may hereafter be made in the paving or flagging of any of the said Streets, Lanes, Entries, or other public Passages and Places, as an Entrance into, or for the Purpose of carrying Coals or other Articles into, any Vault or Cellar, whether such Vault or Cellar be inhabited or uninhabited, or for the Purpose of carrying Light into any Room or Cellar, or for any other Purpose, the Door, Lid or Lids, Flap or Flaps, Covering or Grating, to such Opening, shall be made (at the Expence of the Occupier of the Cellar, Kitchen, Building, or other Premises to which such Opening shall communicate) of Iron, or such other Materials, and of such Dimensions, and in such Manner and Form as the said Commissioners shall direct and approve of; and every such Door, Lid, Flap, Grating, or Covering, shall from Time to Time be repaired, varied, and altered, at the like Expence of the Person or Persons for whose Use and Benefit the same shall be possessed and enjoyed, and in such Manner and Form as the said Commissioners shall direct or appoint; and in case any Person or Persons shall cause any such Grating or Covering to be made, repaired, varied or altered, or shall neglect or refuse to make, repair, vary or alter such Grating or Covering, contrary to such Direction or Appointment as aforesaid, or shall cause or permit any such Cellar Door, Cellar Lid, Flap, or Cover within the said Limits to be left open, at any Time between Sun-setting and Sun-rising, on any Pretence whatsoever, without the same being well and sufficiently lighted and guarded, so as to prevent Accidents from happening, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, and also any further Sum not exceeding Forty Shillings for every Week the said Offence shall be continued.

Penalty on  
obstructing  
Causeways,  
&c.

LVI. And be it further enacted, That if any Person or Persons shall, upon any of the Footways or Foot Pavements in any of the Streets, Lanes, Entries, and other public Passages and Places within the said Limits, run, draw, drive, or carry thereon any Wheel-sledge, Wheelbarrow, Handbarrow, Bier, or Carriage whatsoever, or roll any Cask or Tub other than for the necessary loading and unloading thereof, upon, from, or out of any Carriage Road or Footway, further than the Extent of the Premises in the Occupation of the Person from or to whose House or Building such Cask or Tub shall be rolled; or if any Person shall wilfully drive any Cart or Carriage whatsoever, or shall ride, lead, or drive any Horse or other Beast, or any Cattle whatsoever, on any of the said Footways and Foot Pavements; or set up, affix, or use any Stall, Standing Block, or Working Place thereon, or so near thereto as to obstruct the passing thereon; or put or place any Cask, Tub, Pail, Bucket, Stool, Bench, Stall, or any other Matter or Thing, and suffer it to remain so as in any Manner to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or shall in any Street, Lane, Entry, or other public Passage or Place within the Limits of this Act, hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber; or make or repair any Coach, Chaise, Waggon, Sledge, or other Carriage, (except such as may want immediate Repair from any sudden Accident on the Spot, or which cannot be conveniently removed for that Purpose, such unavoidable Repair to be done and completed with all convenient Speed); or if any Person shall hang out or cause to be hung out, any Linen or Cloth, or any Article of Wearing Apparel, or other Article, for the Purpose of Sale,

or of airing the same, upon or from any Door or Window within any Street, Lane, Entry, or other public Passage or Place within the Limits of this Act, or fix or tie up any Line, Rope, or Cord, for any such Purpose; or if any Person shall, in or upon any such Street, Lane, Entry, or other public Passage, shoe, bleed, farry, or kill any Horse or other Beast or Cattle, (except in case of Accident); or if any Person shall, within any such Street, Lane, Entry, or other public Passage or Place, show or expose any Stallion, or expose to Sale any Horse or other Beast, (the Market Days and the Days allowed for the holding of Fairs only excepted), or turn loose any Horse, Mule, Ass, Pig, or other Beast; or if any Person shall make or assist in making of any Bonfire, or shall wantonly let off or fire any Gun, Pistol, Blunderbuss, or other Fire-arms, or shall wantonly let off any Serpent or Rocket, or throw any Cracker, Squib, or other Fireworks, or play at Football, or any other Game or Games; or shall wilfully break, or aid, abet or assist in wilfully breaking any Glass Pane or Window, Panes or Windows, in or belonging to any Dwelling House or other Building; or if any Person shall kill or slaughter, or shall scald, singe, dress, or cut up any Animal, either wholly or in part, in any of such Streets, Lanes, Entries, or other public Passages and Places; or cause or permit any Blood to run from any Slaughter-house, Butcher's Shop or Shambles, into the same or any of them; or shall cause any Privy or Necessary House within the Limits of this Act to be emptied (except between the Hours of Twelve at Night and Four in the Morning); or shall at any Time throw out of any Door or Window, upon any such Footway, or into any such Streets, Lanes, Entries, or other public Passages or Places, any Filth; or shall lay or deposit, or shall cause or permit to be laid or deposited the Contents of any such Privy or Necessary House, or any Part thereof, in any Street, Lane, Entry, or other public Passage and Place, or upon any Footway within the Limits of this Act; or shall for the Purpose of obtaining or collecting Manure, or for any other Purpose, stop up or impede the Passage of any Common Sewer, Ditch, or Watercourse; or shall empty, convey or discharge any Filth or Rubbish into any common Sewer or public Drain; or if any Person or Persons shall permit or suffer his, her, or their Mastiff, Bull Dog, or any other dangerous Animal to go at large without being safely and sufficiently muzzled; or if the Driver of any Waggon, Cart, or other Carriage, shall in any of the said Streets, Lanes, Entries, or other public Passages or Places, ride on the Shafts, or in or upon any Part of such Waggon, Cart, or other Carriage, without Reins, or on any of the Horses or Cattle drawing the same; or if any Person riding any Horse or Beast, or driving any Sort of Carriage, shall ride or drive the same furiously, so as to endanger the Life or Limb of any Passenger; or if any Person or Persons shall wilfully hinder, obstruct, or prevent the free Passage of any of the said Streets, Lanes, Entries, Ways, Footways, or other public Passages and Places; or if any Person meeting another Coach, Chaise, Waggon, Cart, or other Carriage, shall not keep his or her Carriage on the Left or Near Side of the said Road, or if any Person or Persons having the Care of or driving any Waggon, Cart, Sledge, or other Carriage (not being a Cart or Caravan driven by a Person with Reins and sitting therein), shall not readily and promptly turn out of the Road on meeting Horses or Carriages, so as to leave proper and sufficient Quarter for such Horses and Carriages, or shall commit or permit any other Kind of Obstruction or Annoyance in or upon any  
Street,

Street, Lane, Entry, or other public Passage or Place within the Limits of this Act, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any Officer appointed by virtue of this Act, or for any Constable, to take away and remove any of the before-mentioned Obstructions, in case the Party occasioning the same shall not remove the same within a reasonable Time after being required so to do by any Person or Persons whomsoever; and it shall and may be lawful to and for any Constable or other Peace Officer, or any One of the said Commissioners, or any Officer or other Person acting by or under their Authority by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them, before some Justice or Justices of the Peace for the said Riding, in order to his, her, or their Conviction of such Offence: Provided also, that nothing herein contained shall extend or be construed to extend, to prevent or hinder any Person or Persons from placing any Stall, Booth, Stool, Bench or Form for the Sale of Goods or Wares, or from exposing to Sale any Meat, Poultry, Vegetables, Fruit, or any other Matter or Thing in any Street, Lane, Entry, or other public Passage or Place, within the Limits of this Act, so as the same does not prevent the free Passage of Persons passing through or along the said Streets, Lanes, Entries, or other public Passages or Places.

Proviso in  
favour of  
Builders.

LVII. Provided nevertheless, and be it further enacted, That no Person shall be subject to any Penalty by virtue of this Act, for or on account of any Building Materials, Rubbish, or Dirt, being in or upon any of the said Streets, Lanes, Entries, or other public Passages and Places, before or near the House or Building of such Person, occasioned by the building or pulling down, rebuilding or repairing such House or Building, so as there be convenient Room left for Carriages to pass, and a sufficient Way kept clean for Foot Passengers, and so as the Owner or Occupier of such House or Building do cause such Materials, Rubbish, and Dirt to be removed out of the said Streets, Lanes, Entries, or other public Passages and Places, within a reasonable Time after such building, pulling down, or repairing shall be finished, or upon Notice to be given to him or her, signed by the Clerk to the said Commissioners, and so that during the Time the same shall be lying in such Street, Lane, Entry, or other public Passage and Place, such Owner or Occupier shall guard and fence off the same, either by a temporary Railing or otherwise, and also set up and maintain a sufficient Light or Lights during the whole of the Night-time, to the Satisfaction of the said Commissioners, to prevent Accidents and Mischief happening therefrom: Provided also, that in case any Person so placing such Materials, Rubbish, or Dirt in any of the said Streets, Lanes, Entries, or other public Passages or Places, shall not, during the whole of the Night, effectually guard and fence off the same, and also set up and maintain a sufficient Number of Lights so as to prevent Accidents or Mischief happening therefrom, every Person making Default in any of the Cases aforesaid, shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds.

LVIII. And

LVIII. And be it further enacted, That it shall be lawful for the said Commissioners, from Time to Time at any of their said Meetings, to make such Rules, Orders, Regulations, and Bye-laws (not inconsistent with or repugnant to any of the Directions or Provisions contained in this Act, or any Law or Statute of that Part of the United Kingdom of *Great Britain and Ireland* called *England*), for the Regulation of their own Proceedings, or for the good Conduct and Government of the Officers, Servants, and other Persons employed by the said Commissioners in the Execution of this Act, and from Time to Time to alter vary, revoke, or make void any of their Rules, Orders, Regulations and Bye-laws, at their Discretion, and to fix and appoint such reasonable Fines and Penalties for the Breach or Non-performance of any such Rule, Order, Regulation, and Bye-law, or any Part thereof, as to them shall seem expedient, so that no such Fine or Penalty shall exceed the Sum of Forty Shillings for any one Offence; all which Rules, Orders, Regulations and Bye-laws so as aforesaid from Time to Time made, shall be valid and effectual to all Intents and Purposes whatsoever, and shall be observed and obeyed in all things by the said Commissioners, and all Persons acting under their Orders and Authority; provided that Copies of the several Rules, Orders, Regulations, and Bye-laws by this Act authorized to be made, shall be fairly written out or printed, and signed by the Clerk to the said Commissioners, and shall be placed or affixed in some conspicuous Place within the Limits aforesaid, as the said Commissioners shall direct; provided also, that all such Rules, Orders, Regulations and Bye-laws shall be subject to Appeal in Manner herein-after mentioned.

Commissioners may make Bye-laws.

LIX. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses before any Justice or Justices of the Peace, touching any Matter contained in any Information or Complaint for any Offence against this Act, either on behalf of the Prosecutor, or on behalf of the Person or Persons accused, and shall refuse or neglect to appear from Time to Time, at the Time and Place to be for that Purpose appointed, after having been paid or tendered a reasonable Sum for his, her, or their Costs and Expences, without a reasonable Excuse for his, her, or their Refusal or Neglect of appearing, or appearing, shall refuse to be examined upon Oath, or in case of a Quaker or Quakers, on solemn Affirmation (which Oath or Affirmation such Justice or Justices is and are hereby authorized and required to administer), and to give Evidence before such Justice or Justices of the Peace, then and in every such Case every such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds, to be recovered as is herein-before directed as to other Penalties imposed by the Authority of this Act.

Penalty on Non-attendance of Witnesses.

LX. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or by virtue of any Rule, Order, or Bye-law made in pursuance thereof (the Manner of levying and recovering whereof is not hereby particularly directed), may, in case of Non-payment thereof, be recovered in a summary Way, by the Order and Adjudication of One or more Justice or Justices of the Peace of the said West Riding of the County of *York*, on Complaint to him or them for that Purpose exhibited; and afterwards be levied, as well as the Costs of

Recovery and Application of Forfeitures.

[Local.]

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such

such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such One or more Justice or Justices, who is and are hereby authorized and required to summon and examine any Witness or Witnesses upon Oath, of and concerning such Offences, Matters, and Things, and hear and determine the same; and the Overplus (if any) of the Money raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owner or Owners of the Goods and Chattels so seized and distrained; all which Penalties, not herein directed to be otherwise applied, shall be paid to the Treasurer of the said Commissioners for the Time being, to be applied for the general Purposes of this Act; and it shall and may be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before the said Justice or Justices, on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take, by way of Recognizance or otherwise; but if, upon the Return of such Warrant or Warrants, it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, and such Costs as aforesaid, and the same shall not be forthwith paid, then it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal, or their Hands and Seals, to commit such Offender or Offenders to any Common Gaol or House of Correction in the said Riding, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

For securing  
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fenders.

LXI. And whereas Offences may be committed against this Act by Persons unknown to the Commissioners, Collectors, or other Officers appointed to put the same in Execution, be it therefore further enacted, That it shall be lawful for any of the said Commissioners, or their Clerk or Clerks, Collectors, or other Officers respectively, and such other Person or Persons as he or they shall call to his or their Assistance, without any Warrant or other Authority than this Act, to seize and detain any such unknown Person or Persons as shall commit any such Offence or Offences, and to take him, her, or them before any Justice of the Peace for the County, Borough, or Place where such Offence shall be committed, or such Offender or Offenders shall be seized and apprehended, and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders, according to the Provisions of this Act.

LXII. And

LXII. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up according to the Form following; that is to say,

Yorkshire, (to wit.)	} ‘	BE it remembered, That on the	Day of	Form of Con- viction.
		in the Year of our Lord		
		is convicted before me	of His	
		‘ Majesty’s Justices of the Peace for the County of	of	
		‘ having [ <i>here specify the Offence or Omission, and the Time and Place when</i>		
		‘ <i>and where committed, as the Case may be</i> ] and I [ <i>or we, as the Case may be</i> ]		
		‘ do adjudge, that the said	hath forfeited for his [ <i>or her</i> ]	
		‘ said Offence, the Sum of	. Given under my Hand and	
		‘ Seal [ <i>or our Hands and Seals, as the Case may be</i> ], the Day and Year		
		‘ first above written.’		

LXIII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, *ab initio*, on account of any Irregularity that shall be afterwards done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularities may recover Satisfaction for the Special Damage in an Action on the Case.

LXIV. Provided always, and be it further enacted, That any Body or Bodies Corporate or Collegiate, or any other Person or Persons whomsoever, thinking himself, herself, or themselves aggrieved by any Rate or Assessment, or by any Order or Judgment of the said Commissioners, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may within Three Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices at any General or Quarter Sessions of the Peace to be holden for the said West Riding; the Person or Persons appealing having first given at least Fourteen clear Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the Clerk to the said Commissioners, as the Case may be, and forthwith after such Notice entering into a Recognizance before some Justice or Justices of the Peace, with sufficient Sureties conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justice or Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall, in a summary Way, hear and determine such Complaint, at such General or Quarter Sessions of the Peace; or if he or they think proper, may adjourn the Hearing thereof to the next General or Quarter Sessions of the Peace to be held for the County, Riding, or Place in which the Cause of Complaint shall have arisen; and shall and may also award such Satisfaction to be made to the Party injured, or such Costs to either of the Parties, as they shall judge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties, to all Intents and Purposes whatsoever.

LXV. Pro-

Justices may relieve on Appeal from Rates of Commissioners without quashing the Whole;

LXV. Provided always, and be it further enacted, That in any Appeal from the said Rates or Assessments, or any of them, to be made by the said Commissioners for the Purposes of this Act, the Justices at the General or Quarter Sessions to be holden for the said West Riding, or at any Adjournment thereof, shall and may amend the same in such Manner as may be necessary for the giving Relief, without quashing or altering such Rates or Assessments with respect to other Persons mentioned therein; but if upon Appeal against the whole Rate or Assessment, it shall be found necessary to set aside the same, then and in every such Case it shall and may be lawful to and for such Justices to order a new Rate or Assessment to be made in manner herein directed.

Inhabitants may be Witnesses.

LXVI. And be it further enacted, That no Person shall in any Action, Prosecution, or other Proceedings whatsoever, relating to or concerning the Execution of this Act, be deemed an incompetent Witness on account of his or her being charged with or liable to pay any Rate or Assessment to be raised, levied, and collected by virtue of this Act.

Plaintiff not to recover after Tender of Amends.

LXVII. And be it further enacted, That no Plaintiff shall recover in any Action to be commenced against any Person for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants Twenty-eight Days before such Action shall be commenced, of such intended Action, signed by the Attorney of the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants before such Action brought; and in case no such Tender be made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall think proper, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitations of Actions.

LXVIII. And be it further enacted, That no Action or Suit shall be brought against any Person or Persons for any thing done in pursuance of this Act, or in relation to the Matters herein contained, after Three Calendar Months from the Fact committed; and every such Action or Suit shall be brought and tried in the County, Riding, or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit, shall or may, at his or their Election, plead specially or the General Issue, and give this Act and the Special Matter in Evidence at any Trial, and that the same was done in pursuance and under the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall have been brought before the Expiration of Twenty-eight Days next after such Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same, or shall be brought in any other County, Riding, or Place than as aforesaid, then and in any of the said Cases, the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or

General Issue.



their Action or Suit, after the Defendant or Defendants shall have appeared, or upon any Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same as any other Defendant or Defendants have or hath in other Cases by Law. Treble Costs.

LXIX. Provided always, and be it further enacted, That when and as often as any Sum of Money shall be directed or ordered by any Justice or Justices of the Peace, to be paid in pursuance of the Directions of this Act, as or by way of Compensation or Satisfaction for any Materials, Costs, Damages, Spoil, or Injury of any Nature or Kind whatsoever done or committed by the said Commissioners, or any Person acting by or under their Authority, and such Sum or Sums of Money shall not be paid by the said Commissioners to the Party or Parties entitled to receive the same, within Five Days after Demand in Writing shall have been made, stating the Order of such Justice or Justices from the Clerk to the said Commissioners or their Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, then and in such Case the Amount of such Compensation or Satisfaction shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Commissioners by virtue of this Act, or of the Goods and Chattels of their Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices of the Peace, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal, or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money, as or by way of Compensation or Satisfaction for any such Materials, Costs, Damages, Spoil, or Injury as aforesaid; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in Dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned on Demand to the said Commissioners, or their Treasurer, for the Time being; as the Case may be. In case of Nonpayment of Compensation for Damage, &c. done by the Commissioners, the same to be levied by Distress.

LXX. And be it further enacted, That in all Cases where Cognizance is given to any Justice or Justices of the Peace by this Act, it shall and may be lawful to and for such Justice and Justices of the Peace to administer an Oath to any Person for his or their more certain Information in the Matter then depending; and if any Person or Persons shall upon his or their Examination on Oath, before any Justice or Justices, wilfully and corruptly give false Evidence, such Person or Persons so offending, and being thereof duly convicted, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law in force and effect Persons convicted of wilful and corrupt Perjury are subject and liable to. Justices empowered to administer Oath.

LXXI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person or Persons from proceeding by Indictment or otherwise against any of the Officers, Servants, or Workmen of the said Commissioners, or of any Company of Proprietors or other Persons contracting to light Commissioners, &c. liable to be indicted for Nuisance.

[Local.]

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or lighting with Gas as aforesaid, in respect of any Works or the Means which shall be employed by them or any of them in making the said Gas and using the same, or furnishing such Light as aforesaid, as a public or private Nuisance, or from bringing any Action or Actions against the said Commissioners, Company or Companies of Proprietors, or Person or Persons as aforesaid, or any of their Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Saving  
Rights to  
His Majesty.

LXXII. Saving always to the King's most Excellent Majesty, His Heirs and Successors, as well in right of His Crown, as in right of His Duchy of *Lancaster*, and to all and every other Person and Persons, Bodies Politic and Corporate, his, her, and their Heirs and Successors, Executors, and Administrators, all such Rights and Interests as they and every of them had, held, and enjoyed before the passing of this Act, or could or ought to have had, held, or enjoyed, in case the same had not been made, other than and except such Rights and Interests as are herein-before mentioned or intended to be taken away, extinguished, or lessened, changed, varied, or modified.

No Proceed-  
ing to be  
removed by  
Certiorari.

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

Public Act.

LXXIV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and others, without being specially pleaded.

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