



ANNO QUARTO

GEORGIIV. REGIS.

Cap. xc.

An Act for paving, lighting, cleansing, watching, and improving the Township of *Halifax*, and for supplying the same with Water.

[17th June 1823.]

WHEREAS an Act was passed in the Second Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for supplying the Town of Halifax with Water* : And whereas another Act was passed in the Eighth Year of the Reign of His said late Majesty, intituled *An Act to amend and render more effectual an Act made in the Second Year of the Reign of His present Majesty, for supplying the Town of Halifax with Water ; and for better paving, cleansing, and lighting the Streets and other Places there ; and for removing all Nuisances, Incroachments, and Obstructions within the said Town, and preventing the like for the future* : And whereas since the Time of passing the said Acts the said Town of *Halifax* has considerably increased in Extent, and is still increasing ; and Doubts have arisen whether the Powers and Provisions of the said Acts may be lawfully executed beyond the then Extent of the Town : And whereas it would be advantageous to the Inhabitants of the Township of *Halifax* aforesaid, and to the Public, if the Powers and Provisions of the said Acts were extended to the said Township ; and also if the narrow and incommodious Parts of the Streets, Lanes, and Passages were widened and improved, and if proper Regulations were made and established for the Government, Police, and Nightly Watch of the said Township : And whereas the said Town has hitherto been supplied with Water from certain Springs in the said Township, situate near or at *Well*

[*Local.*]

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Head

Head and Birk's Wood, and a certain other Spring situate in or at *Dodgson Clough* in the Township of *Ovenden*, by means of Pipes and Aqueducts communicating with Two Reservoirs in the said Township of *Halifax*; and it would be advantageous to the said Township if new Reservoirs were made, and if Pipes were laid to communicate therewith from the Springs aforesaid: And whereas it would facilitate the Execution of the Purposes aforesaid, if the several necessary Powers and Provisions were comprised in One Act, and if the said former Acts were repealed: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the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 from and after the passing of this Act the said recited Acts shall be and the same are hereby declared to be repealed.

Recited Acts
repealed;

but the Ar-
rears of Rates
remaining
due thereon
shall remain
liable.

II. Provided always nevertheless, and be it further enacted, That all and every Persons and Person from or by whom any Rates or Rents, or any Arrears of Rates or Rents, laid or assessed, or payable by virtue of the said recited Acts, or either of them, shall be due or unpaid at the Time of passing this Act, shall remain and be liable to the Payment thereof in all respects as such Persons and Person were or was liable before the passing of this Act, or would have been liable if the said recited Acts had not been repealed, and were still in force; and all such Rates and Rents, and Arrears of Rates and Rents, shall be paid to and received by the Trustees for executing this Act, or their Collector or Collectors to be appointed as herein mentioned, and shall and may be recoverable and recovered in the same Manner and by the same Ways and Means, as if such Rates and Rents, or Arrears of Rates and Rents, had been laid or assessed, or become due under or by virtue of this Act, and as the Rates and Rents by this Act granted may be recovered and levied by virtue of this Act; and that each and every Treasurer, Collector, or other Person in whose Hands, Custody, or Controul, any Money received or collected under or by virtue of the said recited Acts shall be at the Time of passing this Act, shall be and remain liable to pay, deliver up, and account for the same to the Trustees for executing this Act, as if the said recited Acts had not been repealed, or as if such Money had come to their or any of their Hands by virtue of this Act; and that all Contracts, Stipulations, or Agreements entered into by the Trustees acting by or under the said recited Acts or either of them, with any Person or Persons whomsoever, shall, notwithstanding the Repeal of the said Acts, subsist and continue for such Term or Terms, and in such Manner, as according to the Tenor thereof respectively the same would have subsisted and continued in case the said recited Acts had not been repealed; and this Act, and also the Rates, Rents, or Assessments, hereby respectively granted or authorized to be received, shall be and are hereby respectively made subject and liable to the Payment as well of all Monies which have been borrowed and are now due and owing on the Credit or on Account of the respective Rates or Rents granted or authorized to be received by or by virtue of the said Acts, or either of them, together with all Interest due and to grow due thereon respectively, as also of all Monies which may be borrowed on the Credit or on the Account of the respective Rates, Rents, or Assessments hereby granted or authorized to be received, together with all Interest to become due in respect thereof, as fully and effectually,

effectually, to all Intents and Purposes whatsoever, as if such Monies respectively had been wholly borrowed and become due and owing on the Credit or on Account of the Rates, Rents, or Assessments hereby granted or authorized to be received.

III. And be it further enacted, That every Male Inhabitant of the said Township of *Halifax*, of the Age of Twenty-one Years or upwards, being either in his own Right or in the Right of his Wife in the actual Possession or Enjoyment or Receipt of the Rents and Profits of any House or Houses, Warehouse or Warehouses, or other Building or Buildings, or of any Lands within the said Township, of the clear Yearly Rent or Value of Forty Pounds at the least, or being the Occupier of any House or Houses, Warehouse or Warehouses, or other Building or Buildings, within the said Township, of the clear Yearly Rent and Value of Forty Pounds at the least, shall be and they are hereby constituted, appointed, and declared to be Trustees for executing this Act.

Trustees, and
their Qualifi-
cation.

IV. Provided always, and be it further enacted, That no Person whatsoever shall be capable of acting as a Trustee in the Execution of this Act during the Time he shall hold or enjoy any Office or Place of Profit under this Act, or in any Case wherein he shall be in anywise personally or beneficially interested (except as a Creditor on the Rates, Rents, or Assessments), or who shall be concerned or interested in any Contract or Contracts under this Act, or who shall sell any Ale, Wine, Cider or Spirituous Liquors by Retail, or who is or shall be a Victualler; or who shall cease to be in the actual Possession or Enjoyment or Receipt of the Rents and Profits of any House or Houses, Warehouse or Warehouses, or other Building or Buildings, or of any Lands within the said Township, or to be the Occupier of any House or Houses, Warehouse or Warehouses, or other Building or Buildings within the said Township, of the Yearly Rent and Value aforesaid respectively, or to be resident within the same Township (during the Periods respectively of such their Disqualification), nor (except in administering the Oath or Affirmation herein-after mentioned) until such Person shall have taken and subscribed an Oath, or being a Quaker, until he shall have made and subscribed an Affirmation, in the Form or Words following, and which Oath or Affirmation the said Trustees or any One of them, at any of their Meetings to be held in pursuance of this Act, are and is hereby authorized and empowered to administer; and an Entry or Memorandum shall be made, in the Book of Proceedings of the Trustees, of the taking or making and subscribing of such Oath or Affirmation, and of the Date of administering the same.

Trustees to
be sworn.

‘ I do swear, [*or being one of the People called*
‘ *Quakers*, do solemnly affirm,] That I am an Inhabitant of the Town-
‘ ship of *Halifax*, and am of the Age of Twenty-one Years or upwards;
‘ and that I truly am, in my own Right, [*or in the Right of my Wife*],
‘ in the actual Possession or Enjoyment or Receipt of the Rents and Profits
‘ of some House or Houses, Warehouse or Warehouses, or other Build-
‘ ing or Buildings, or Lands within the said Township, of the clear Yearly
‘ Rent or Value of Forty Pounds [*or in the actual Occupation of some*
‘ House or Houses, Warehouse or Warehouses, or other Building or Build-
‘ ings

'ings within the said Township, of the clear Yearly Rent and Value of
'Forty Pounds]; and that I will truly and impartially, according to the
'best of my Skill and Judgment, execute and perform all and every the
'Powers and Authorities reposed in me by virtue of an Act passed in the
'Fourth Year of the Reign of His Majesty King *George* the Fourth, inti-
'tuled *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.']

After Six
Months from
First Meet-
ing, no Trus-
tee to act un-
til after Three
Months from
Time of Qua-
lification.

Penalty on
acting if not
qualified.

The Acts of
Trustees
valid till
Conviction.

Regulating
Meetings of
Trustees, and
Adjourn-
ments.

First Meet-
ing.

V. And be it further enacted, That no Person shall, after the Expiration of Six Calendar Months from and after the Time of holding the First Meeting of the said Trustees by virtue of this Act, act as a Trustee in the Execution of this Act until after the Expiration of Three Calendar Months from the Time of his taking the Oath or making the Affirmation of Qualification as aforesaid; and if any Person not being qualified as aforesaid, or being disqualified by any of the Causes herein-before mentioned, or not having taken and subscribed an Oath as aforesaid, or being a Quaker, not having made and subscribed an Affirmation as aforesaid, shall presume to act as a Trustee in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection or Wager of Law, or more than one Impar lance, shall be allowed, and wherein the Proof of the Qualification shall lie on the Person prosecuted; and it shall be sufficient on the Part of the Prosecutor to prove that the Person so prosecuted had acted as such Trustee as aforesaid: Provided always, that all Acts and Proceedings of any Person or Persons acting as a Trustee or Trustees had or done or to be had or done in the Execution of the said recited Acts and this Act, or any of them, though not duly qualified, if so had or done previous to his or their being convicted of any such Offence, shall be as valid and effectual as if such Person or Persons had been duly qualified as aforesaid.

VI. And be it further enacted, That the Trustees for executing this Act shall hold Four General Meetings in every Year for carrying this Act into Execution, and such Quarterly General Meetings shall be held on the First *Wednesday* in the Month of *January*, the First *Wednesday* in the Month of *April*, the First *Wednesday* in the Month of *July*, and the First *Wednesday* in the Month of *October*, at the Hour of Three of the Clock in the Afternoon, at the Office of the said Trustees in the Township of *Halifax* aforesaid, unless some other Hour, Day, or Month, or some other Place in the said Township, shall at any Time or Times hereafter be appointed by the Trustees assembled at any Quarterly General Meeting to be held in pursuance of this Act, which they are hereby empowered to do; and the said Trustees shall and may hold their First Meeting on such of the said Days as shall first happen after the passing of this Act, at the Hour and Place aforesaid, and shall and may then and there proceed in the Execution of this Act; and the Trustees present at such First Meeting, or present at any other Meeting or Meetings to be held in pursuance of this Act, shall or may from Time to Time adjourn the same respectively to such Time and Place within the said Township as they shall think fit for putting this Act into Execution; and in case a competent Number of Trustees to act in the Execution of this Act shall not attend at the Time and Place appointed for

for any such Meeting, then the Trustees or Trustee attending at such Time and Place, or if no Trustee shall attend, then the Clerk shall, and they and he are and is hereby respectively authorized to adjourn the Meeting to the Place where the same was appointed to have been held, and to such Time as they or he shall think fit, not being more than Twenty-one Days, nor sooner than Seven Days from the Day of such last intended Meeting; and in case at any Time no Adjournment of any Meeting or intended Meeting shall be made as aforesaid, then it shall and may be lawful for the Clerk to the said Trustees, or for any Three or more of such Trustees, although not assembled at a Meeting, to call a Meeting of the Trustees by public Notice to be given in Manner directed by this Act, appointing the Trustees to meet at such Time and Place within the said Township as the said Clerk, or the Trustees respectively giving such Notice, shall think proper; not exceeding Twenty-one Days, nor sooner than Seven Days from the Date of publishing such Notice; and all the Powers and Authorities of this Act, and all Acts, Orders, Rules, Resolutions, Proceedings, Matters and Things, by this Act directed or authorized to be made or done by the said Trustees, shall and may be executed, made, or done by or before the major Part of such Number of the Trustees as shall be assembled at some Meeting to be held in pursuance of this Act, the whole Number present not being less than Seven, and all Acts, Orders, Rules, Resolutions, Proceedings, Matters and Things so executed, made, or done, shall be of as full force and effect as if executed, made, or done by or before all the Trustees for executing this Act (except such Acts, Orders, and Proceedings as are by this Act particularly directed or authorized to be executed or done by any other Number of Trustees or in any other Manner); and at each and every Meeting which shall be held for putting this Act into Execution one of the Trustees present at such Meeting shall or may be appointed Chairman; and in all Cases where there shall be an Equality of Votes upon any Question (including the Chairman's Vote), such Chairman shall have the decisive or casting Vote; and all Orders, Rules, Resolutions or Proceedings, had, made, or done at any Meeting held in pursuance of this Act or the said recited Acts, may be revoked, suspended, or altered, if occasion shall require, provided that no such Order, Rule, Resolution, or Proceeding shall be revoked, suspended, or altered, unless at some subsequent General Meeting, or at some Special Meeting to be called by public Notice for that Purpose by any Three or more of the said Trustees, who are hereby empowered (although not assembled at a Meeting) to call such Special Meeting, nor unless Seven Days previous public Notice at the least, specifying the Time and Place of such General or Special Meeting, and specifying the particular Order, Rule, Resolution, or Proceeding proposed or intended to be revoked, suspended, or altered, shall have been given in manner directed by this Act, and no other Business shall be transacted at any such Special Meeting than what shall have been specified in such Notice; and at all their Meetings the said Trustees shall respectively pay and defray their own Expences.

Fixing the
Quorum.

VII. And be it further enacted, That in all Cases where any Notice is by this Act directed or required to be publicly given, such Notices shall be published and given in Writing or Printing, and affixed to or upon some conspicuous Part of the Buildings in the new Market Place, and the principal Doors of the several Churches of *Halifax* aforesaid; and all Notices so published shall be good and available in Law for the Purposes of this Act.

Notices how
to be given.

[*Local.*]

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VIII. And

For appoint-
ing Officers.

Trustees to
take Security
from Officers
for the due
Execution of
their Offices;
who are to
deliver pro-
per Accounts,
&c.

Trustees may
bring Actions
against Of-
ficers making
Default, &c.

Officers not
paying Ba-
lances to suf-
fer Distress
and Sale.

VIII. And be it further enacted, That the said Trustees shall and they are hereby authorized and required, by Writing under their Hands, to elect and appoint a Treasurer and Clerk, Collector or Collectors, Receiver or Receivers of the Monies to be raised and paid under or by virtue of this Act, and also all such Surveyors, Pavors, Scavengers, Rakers, Cleansers, Water-keepers, Lighters of Lamps, Firemen, Keepers of Fire-engines, and such other Officer or Officers, Deputies, or Assistants, for the Execution of the several Purposes of this Act, as they shall from Time to Time think proper; and the said Trustees shall from Time to Time remove, suspend, or displace all or any of such Officers or other Persons, as they shall see Occasion, and appoint others in the Room or Place of such of them as shall be so removed, suspended, or displaced, or shall die or resign their Offices; and also from Time to Time, by and out of the Monies respectively to be raised or received by virtue of this Act, to pay such Wages or Salaries, and make Allowances to such Officers and to all other Persons by them the said Trustees employed in the Execution of this Act, as they shall think reasonable or proper; and the said Trustees shall and they are hereby required to take sufficient Security from every such Treasurer, Clerk, Collector, or other Officer so to be appointed as aforesaid, for the due Execution of their respective Offices or Duties, and every such Officer and Person so to be appointed as aforesaid, shall at such Time and Times, and in such Manner as the said Trustees shall direct, deliver to such Trustees, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing, signed by him, of all Monies, Matters, and Things received and committed to his Charge by virtue and for the Purposes of this Act, and how much of such Monies hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments, and also the Books, Papers, and Writings in his Custody or Power relating to the Proceedings to be had under this Act, and shall pay all such Monies as shall appear upon Balance of his Accounts to be due, to the Treasurer to be appointed as aforesaid, or to such Person or Persons at such Time and Place as the said Trustees shall appoint; and in Default of any of the several Matters aforesaid for the Space of Eight Days after being thereunto required by the said Trustees, by Notice in Writing to be given to or left at the last or usual Place of Abode of such Officer or Person, it shall be lawful for the said Trustees, 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 Officers, Person or Persons making such Default as aforesaid, for the Recovery of the Monies which shall be in the Hands of such Officer or Officers, Person or Persons respectively, with full Costs of Suit; or if the Complaint shall be made by the said Trustees, or by any Person or Persons to, be by the said Trustees appointed to make Complaint of any such Default as aforesaid, to any Justice of the Peace for the Riding, County, or Place where the Party making Default shall be or reside, such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the said Officer or Officers, Person or Persons so making or having made Default, to be brought before him, and upon his or their appearing (or not appearing, except for some reasonable Excuse), to hear and determine the Matter of such Complaint in a summary Way; and if upon the Confession of the Party, or by the Testimony of One or more credible Witness or Wit-
nesses,

nesses, upon Oath or Affirmation, it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Officers, Person or Persons, or unaccounted for, then such Justice may, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively, together with the Costs and Charges of making the said Complaint, and of such Distress and Sale; and if no Goods or Chattels of such Officer or Officers, Person or Persons can be found sufficient to answer and satisfy the said Money and the Charges as aforesaid, or in case of Refusal to account as aforesaid, or that it shall appear to such Justice, by the Confession of the Party so offending or making Default as aforesaid, or by the Testimony of any One or more credible Witness or Witnesses upon Oath or Affirmation as aforesaid, that any Books, Papers, or Writings relating to the Execution of this Act, or the Proceedings to be had under the same, shall be in the Custody or Power of any such Officer or Person, and he shall refuse to deliver up the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit every such Offender to the House of Correction for the County, Riding, or Place where such Offender shall be or reside, at the Discretion of such Justice, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the said Trustees, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Trustees are hereby empowered to make) or until such Person shall have delivered up such Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof: Provided always, that no Person who shall be committed as aforesaid for want of sufficient Distress shall remain or be kept in Prison for any longer Space of Time 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 not be deemed a Discharge for the same, nor exonerate his or their Surety or Sureties, but such Officer or Officers, Person 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 Officers, Person or Persons had not been committed to Prison.

Officers refusing to deliver up Books, &c. may be committed to Prison.

IX. Provided always, and be it further enacted, That each and every Clerk, Receiver, Collector, Surveyor, and other Officer (other than the Treasurer) appointed under and by virtue of the former Acts, or either of them; shall hold and enjoy such their several and respective Offices and Employments until removed therefrom by the Trustees for executing this Act; and each and every such Clerk, Receiver, Collector, Surveyor, and other Officer shall have the like Power and Authority for the Purposes of this Act, and for carrying the same into Execution, and shall be subject to the like Pains and Penalties, and to the like Power of Removal, and to the like Rules and Regulations in all respects whatsoever, as if he had been appointed by virtue of this Act.

Old Officers to continue until new ones elected.

X. Provided always, and be it further enacted, That if any Clerk or Clerks, Treasurer or Treasurers, or other Officer or Officers employed by the said Trustees for the Purposes of this Act, shall exact, demand,

Penalty on Officers taking any Fee or Reward.

demand, take, or accept any Fee, Emolument, or Reward whatsoever (other than such Salary or Allowance as shall be appointed and allowed by the said Trustees, or as is specified and allowed in and by this Act) for or on account of any thing done by virtue of this Act, or for forbearing to do any thing ordered or directed by the said Trustees, or on any other Account whatsoever, relative to his or their Employment or Duty, or shall be concerned or interested in any Bargain or Contract made by the said Trustees for the Purposes of this Act, every such Person so offending shall be incapable afterwards of serving or being employed under the said Trustees, and shall forfeit and pay the Sum of Five Pounds for every such Offence.

Clerk and
Treasurer not
to be the same
Person.

XI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to continue or appoint the Person or Persons who hath or have been, or who may be appointed to act as Clerk or Clerks in the Execution of this Act, or the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or any Person or Persons in the Service or Employ of any such Clerk or Clerks, to be the Treasurer or Treasurers for the Purposes of this Act, or to continue or appoint the Person or Persons who hath or have been or who may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, to be the Clerk or Clerks of the said Trustees; and if any Person or Persons shall act in both the Capacities of Clerk and Treasurer, Clerks and Treasurers for the Purposes aforesaid, or if any Person or Persons, being the Partner or Partners of any such Clerk or Clerks, or the Clerk or Clerks or any Person or Persons in the Service or Employ of any such Clerk or Clerks, shall act as Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, shall act as Clerk or Clerks in the Execution of this Act, or if any such Treasurer or Treasurers shall hold any Place or Office of Profit or Trust under the said Trustees, other than that of Treasurer or Treasurers, every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparance shall be allowed.

In case an
Officer dies
Executor to
account.

XII. And be it further enacted, That in case of the Death of any Officer before he shall have paid and fully satisfied all the Monies which he shall have received by virtue of his Office, or for the Purposes of this Act, then and in every such Case the Executors or Administrators of such Officer so dying shall pay and satisfy the same out of the Estate and Effects of such Officer unto the said Trustees, or any Person appointed by them in that Behalf; and also shall deliver up all Books, Papers, Writings, and other Things concerning his Office, or relating to the Execution of this Act, which shall have come to the Hands of such Executors or Administrators, who shall and may plead such Payment in any Action or Suit which may be brought against them on account of the said Estate and Effects, and give the same in Evidence; and in case of the Non-payment of such Monies, or the Non-delivery of such Books, Papers, Writings, and Things, for the Space of Twenty-one Days after
Demand

Demand made thereof in Writing, by or on the Behalf of the said Trustees, it shall be lawful for the said Trustees to commence and prosecute an Action or Actions in any of His Majesty's Courts of Record at *Westminster*, against such Executors or Administrators, for the Recovery of the said Monies, or for the Recovery of Damages for the Detention of such Books, Papers, Writings, and Things; in which Action or Actions full Costs of Suit shall be recoverable by the said Trustees; or otherwise, in case of Non-delivery of such Books, Papers, Writings, and Things for the Space of Twenty-one Days after Demand made as aforesaid, then upon Complaint made by the said Trustees, or any One or more of them, or by any Person or Persons whom they shall appoint for that Purpose, of any such Neglect or Refusal as aforesaid, to any Justice of the Peace for the County, Riding, City, Town Corporate, or Place wherein such Person so neglecting or refusing to deliver up such Books, Papers, Writings, and Things as aforesaid, shall reside or be, such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Person so refusing or neglecting, to be brought before him, and upon his appearing, or having been summoned and not appearing, 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 or Witnesses upon Oath (which Oath such Justice is hereby authorized to administer), it shall appear to such Justice that any Books, Papers, Writings, or Things relating to the Execution of this Act shall be in the Custody or Power of such Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same, then and in any such Case such Justice shall commit such Offender to the House of Correction for the County, Riding, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall have given up such Books, Papers, Writings, and Things, or have given Satisfaction in respect thereof to the said Trustees or to such Justice.

XIII. And be it further enacted, That the said Trustees shall cause proper Books to be provided and kept, and fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of all such Trustees as shall be present at their several Meetings, and as shall be appointed a Committee or Committees for the Purposes of this Act; and all Entries in such Books shall be signed by the Chairman at each Meeting, and all Entries so signed shall be deemed Originals, and the said Books shall be admitted in Evidence in all Courts, and by all Judges, Justices, and others; and such Books shall be kept by the Clerk or Clerks to the said Trustees, and shall at all seasonable Times be open to the Inspection of the Trustees, and of any other Person or Persons charged to the Rents or Rates granted and made payable by this Act, and of the Creditors on the said Rents or Rates, without Fee or Reward.

Proceedings,
&c. to be entered in a
Book.

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

Books of Accounts to be kept by Clerks.

[*Local.*]

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expended

expended in pursuance of the Powers and Provisions of this Act by or for or on account of the said Trustees, and of the several Articles, Matters, and Things for which such Sums of Money shall have been paid, laid out, and expended, which Books shall at all seasonable Times be open to the Inspection of the Trustees, and any Annuitant or Annuitants, Creditor or Creditors on the Rents or Rates hereby granted, and any Person or Persons who shall be rated to the same, without Fee or Reward; and the said Trustees, Annuitants, and Creditors, and such Persons rated as aforesaid, or any of them, shall and may take Copies of or Extracts from the said last-mentioned Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk or Clerks shall refuse to permit or shall not permit the said Trustees or such Annuitants or Creditors, or such Persons so rated as aforesaid, or any of them, to inspect the same Book or Books, or to take such Copies or Extracts as aforesaid, he and they shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds.

Rate Books,
&c. to be
kept by
Clerks.

XV. And be it further enacted, That the said Trustees shall, and they are hereby required, from Time to Time, and at all Times hereafter, to order and direct a Book or Books to be provided and kept by their Clerk or Clerks for the Time being, in which Book or Books such Clerk or Clerks shall enter or cause to be entered true and regular Accounts of all Rents, Rates, or Assessments to be laid or made by virtue of this Act, and the Name or Names of the Annuitant or Annuitants, Mortgagee or Mortgagees, and what Sum or Sums he, she, or they paid for such Annuity or Annuities, or advanced upon such Mortgage or Mortgages as aforesaid respectively, and what he, she, or they is or are to receive for the same Annuity or Annuities, and the Interest of the said Mortgage or Mortgages, which Books shall at all seasonable Times be open to the Inspection of the Trustees, and any Annuitant or Annuitants, Creditor or Creditors, on the Rates or Rents hereby granted or authorized to be received, and any Person or Persons who shall be rated to the same, without Fee or Reward, and the said Trustees, Annuitants, and Creditors, and such Persons rated as aforesaid, or any of them, shall and may take Copies of or Extracts from the said last-mentioned Book or Books, or any Part or Parts thereof respectively, without paying any thing for the same; and in case the said Clerk or Clerks shall refuse to permit or shall not permit the said Trustees, or such Annuitants or Creditors, or such Persons so rated as aforesaid, or any of them, to inspect the same Book or Books, or to take such Copies or Extracts as aforesaid, he and they shall forfeit and pay for every such Offence any Sum not exceeding the Sum of Five Pounds.

Accounts to
be audited
Annually.

XVI. And be it further enacted, That at the Meeting which shall be so held in the Month of *January* in every Year, or some Adjournment thereof, the Accounts of all Monies received and paid in pursuance of this Act, by or for or on the account of this Act, shall be produced, stated, examined, audited, and settled.

Trustees may
sue and be
sued in the
Name of

XVII. And be it further enacted, That the said Trustees may sue and be sued for or concerning any thing which shall be done by virtue or in pursuance of this Act, in the Name or Names of their Clerk or Clerks

for the Time being, or in the Name or Names of any One or more of the said Trustees; and no Action or Suit so to be brought or commenced by or against the said Trustees shall abate or be discontinued by the Death, Removal, or Default of any such Clerk or Clerks, or Trustee or Trustees, but shall be continued and carried on in the Name or Names of the Clerk or Clerks for the Time being, or of the Trustee or Trustees in whose Name or Names the same shall have been brought; and the Clerk or Clerks for the Time being, or such Trustee or Trustees, shall always be Plaintiff or Plaintiffs, or Defendant or Defendants, in such Action or Suit, as the Case may be: Provided always, that all Costs, Charges, Damages, and Expences to be incurred or sustained by the said Trustees, or their Clerk or Clerks for the Time being, in prosecuting or defending any Action, Suit, or Proceedings, touching the Execution of this Act, shall be defrayed out of the Money to be collected and raised respectively under the Provisions of this Act; provided also, that such Trustee or Trustees, or Clerk or Clerks, shall not on that account be deemed an inadmissible Witness or Witnesses in any such Action, Suit, or Proceedings, except only in such Action, Suit, or Proceedings as shall be on his or their own personal Account.

their Clerk or Clerks, or One or more of the said Trustees.

XVIII. Provided always, and be it further enacted, That all and every the Trustees appointed or to be appointed by virtue of this Act, shall from Time to Time, and at all Times hereafter be fully indemnified, from and out of the respective Funds or Monies to be respectively raised under and by virtue of this Act, of and from all Costs, Charges, Damages, and Expences which they or any of them, or their Treasurer, or Clerk or Clerks as aforesaid, shall or may pay, sustain, or be put unto for or by reason of any Action, Suit, or Proceedings which may be had, sued, commenced or prosecuted against them, or any or either of them, for any Matter or Thing which may be by them respectively legally done in and about the Execution of the respective Purposes of this Act, and the Trusts reposed in them under the same.

Indemnity to Trustees when acting legally.

XIX. And be it further enacted, That it shall be lawful for any Ten or more of the said Trustees, from Time to Time, at any of their 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 to any Law or Statute of that Part of the United Kingdom of *Great Britain and Ireland* called *England*), for the good Government and Conduct of the said Trustees, and of the Officers, Servants, and other Persons employed in the Execution of this Act, and from Time to Time to alter, vary, revoke, or make void any of such 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 Rules, Orders, Regulations, and Bye-laws, or any Part thereof, as to them shall seem expedient, so that no such Fine or Penalty shall exceed the Sum of Five Pounds 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 Trustees, 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

Trustees may make Bye-laws.

Clerk

Clerk or Clerks to the said Trustees, and shall be placed or affixed in such conspicuous Place within the said Township as the said Trustees shall direct.

Vesting the
Waterworks,
Pavement,
&c. in the
Trustees.

XX. And be it further enacted, That all the Springs, Watercourses, and other Supplies of Water, and all Wells, Cisterns, Reservoirs, Tunnels, Pipes, Cocks, and other Waterworks, Matters and Things heretofore used for supplying the Town of *Halifax* with Water, and hereafter to be purchased or provided by or by the Order of the said Trustees, for the Purpose of supplying the said Township with Water, and all the present and future Pavements, Flagstones, Curbstones, Stone, Gravel, and all the other Materials of the several present and future public Streets, Lanes, Roads, Passages, and other public Places in the said Township of *Halifax*, and all the present and future public Drains, Ditches, Sewers, Tunnels, Gutters, Grates, and Sinks in the said Township, and also all the present and future Lamps, Lamp Irons, Lamp Posts, Pillars, Pilasters, Pipes, and other Articles, Materials, Matters and Things, erected, set up, fixed or provided for the Purposes of the said former Acts, or to be erected, set up, fixed, purchased or provided for the Purposes of this Act, shall belong to and be the Right and Property of and the same are hereby vested in the said Trustees; and the said Trustees shall and may cause to be brought any Action or Actions, or direct the preferring of any Bill or Bills of Indictment (as the Case may require) against any Person or Persons who may turn, divert, disturb, interrupt, or obstruct any of the said Springs, Watercourses, or Supplies of Water, or steal, take, or carry away, or detain, spoil, injure, damage or destroy the several Articles, Matters, and Things hereby vested in them the said Trustees 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 sufficient to state generally that the Article or Articles, 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 Trustees for improving the Township of *Halifax*, and for supplying the same with Water," without particularly mentioning or specifying the Name or Names of all or any of such Trustees; and the said Trustees shall have full Power and Authority from Time to Time to sell and dispose of all or any of the said Articles, Matters, and Things, or any Part or Parts of the same respectively, for the Purposes of this Act, to such Person or Persons, at such Time or Times, and in such Manner as they the said Trustees shall think proper.

Persons liable to Statute Duty to be discharged therefrom.

XXI. And be it further enacted, That from and after the passing of this Act all and every Persons and Person shall be and they are hereby exonerated, released, and for ever discharged from the Performance of Statute Duty for the Repairs of the public Highways within the said Township, and from the Payment of any Composition for the same in lieu thereof, and from all Liability by Law to be called upon for the Repair of such Highways: Provided always, that the Surveyor or Surveyors to be continued or appointed under or by virtue of this Act shall be, and he or they is or are hereby invested with and made subject and liable to all and every the Rights, Liberties, Powers, Authorities, Duties, Penalties and Obligations, in respect of the Streets, Lanes, Roads, Ways, and other public Places within the said Township, which by Law

now

now are or hereafter shall or may be granted to, or conferred or imposed upon the Surveyors of the public Highways within that Part of *Great Britain* called *England*; and all Monies, Costs, and Charges which any such Surveyor or Surveyors shall pay or be subjected to in the Execution of the Duties of his or their Office or Offices, shall be paid by the said Trustees or their Treasurer out of the Improvement Rates to be by them or him received by virtue of this Act; and all Indictments, and other Processes of Law, which may be brought for or on account of the Repair or Non-repair of the Streets, Roads, and Ways within the said Township, shall be brought against the said Trustees, or any one or more of them, and the same shall be as good, valid, and effectual as if brought against the whole of such Trustees.

XXII. And be it further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized, empowered, and required, from Time to Time, when and so often and in such Manner as they shall think proper and necessary, to cause the present and the future Streets, Lanes, Roads, Passages and other public Places, as well Carriage as Footways, within the said Township, and each and every of them, and each and every or any Part or Parts thereof respectively, to be paved, flagged, or otherwise repaired and amended, and the same, and the Pavements, Flagging, and other Materials thereof to be taken up and re-laid, and the Ground or Soil thereof to be raised, lowered, or altered from Time to Time, and in such Manner and with such Materials as they the said Trustees shall think fit; and to erect or set up or cause to be erected or set up any Posts, Rails, Pales, or Fences, in or near any Place or Places which they the said Trustees shall think proper, for the better Security of Passengers, Cattle or Carriages, or of the said Pavements or Curbstones, from Damage by Waggons, Carts, or other Carriages: Provided always, that nothing in this Act contained shall extend, or be construed to extend, to release, exonerate, or discharge the Trustees or Commissioners of the several Turnpike Roads and Bridges within the said Township, or the Tolls respectively arising therefrom, from the Custom or Liability to which they have been or may be exposed of repairing or maintaining, or contributing to the Repair or Maintenance of so much of the same Roads and Bridges as lies within the said Township.

Trustees to
pave the
Streets, &c.

XXIII. And be it further enacted, That when any of the new Streets, Roads, and Ways within the said Township, already laid out and made, or which shall hereafter be laid out and made, shall be well and sufficiently paved, stoned, or otherwise put in good Order and Repair; and when public Drains shall be made and completed therein, to the Satisfaction of the said Trustees, it shall and may be lawful for the said Trustees from Time to Time, on Application of the Owner or Owners, and Occupier or Occupiers of the several Messuages, Buildings, Lands, and Tenements respectively adjoining each of such Streets, Roads, or Ways, or a Majority in Number of such Owners and Occupiers respectively, and they are hereby empowered, by any Writing under their Hands, or the Hands of any Seven or more of them, to declare the same to be public Streets, Roads, and Ways; and from and after such Declaration made, and after Publication thereof by Notice to be given in Manner by this Act directed, such new Streets, Roads, and Ways, and every of them, shall be deemed and taken to be public Streets, Roads, and Ways to all

New Streets
may be de-
clared public,
and paved,
&c.

Intents and Purposes, and they shall be repaired and kept in repair by the said Trustees, under the Powers and Provisions of this Act.

Private Ways
to be paved,
&c. after
being used
by the Public
Three Years.

XXIV. And be it further enacted, That in every Case where any Streets, Roads, or Ways, which now are or hereafter shall or may be set out on private Property within the said Township, shall have been open to and used by the Public for the Space of Three successive Years, it shall be lawful for the said Trustees, and they are hereby empowered, to cause to be paved, set, or otherwise made and completed, such Streets, Roads, or Ways respectively, and to cause to be cut or made in, through, over, under, or adjoining the same, such Tunnels, Gutters, Sinks, Drains, Ditches, Sewers or Watercourses, as to them shall seem necessary; and from and after such last-mentioned Streets, Roads, or Ways shall have been so paved or set, or otherwise made and completed, and such Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses so cut or made and completed as aforesaid, the same Streets, Roads, and Ways respectively shall be deemed and taken to be public Streets, Roads and Ways, to all Intents and Purposes, and shall thenceforth be repaired and kept in repair by the said Trustees, under the Powers and Provisions of this Act.

The Costs
and Charges
thereof to be
paid by the
Owners.

XXV. Provided always, and be it further enacted, That the Costs, Charges and Expences of the Works so to be done or executed by or by Order of the said Trustees, (such Costs, Charges, and Expences being first ascertained by any Justice or Justices of the Peace for the said West Riding, and by him or them settled and apportioned according to the relative Rent or Value of the respective Messuages, Buildings, Lands or Tenements in such respective Streets, Roads, or Ways), shall be reimbursed to such Trustees by the Owner or Owners, or Occupier or Occupiers of the Messuages, Buildings, Lands or Tenements adjoining the said Streets, Roads, or Ways; and in case of Non-payment of such Costs, Charges and Expences, within Fourteen Days after the same shall have been demanded by or on behalf of the said Trustees, the same shall be levied by Distress and Sale of the Goods and Chattels of such Owner or Owners, or Occupier or Occupiers, by Warrant under the Hand and Seal, or Hands and Seals of any Justice or Justices of the Peace for the said West Riding, together with the Expences of such Distress and Sale, returning the Overplus (if any) to such Owner or Owners, or Occupier or Occupiers; provided nevertheless, that it shall and may be lawful for the Occupier and Occupiers of any such Messuages, Buildings, Lands or Tenements, being a Tenant or Tenants at Rack Rent, who, being thereunto required, shall pay the Costs, Charges, and Expences of doing or executing such Works aforesaid, or whose Goods and Chattels shall be distrained and sold for Payment thereof as aforesaid, to deduct and retain such Costs, Charges, and Expences out of his, her, or their Rent or Rents, and the Landlord or Proprietor of every such Messuage, Building, Land or Tenement so held at Rack Rent, is hereby required to allow the same accordingly; and in case such Costs, Charges, and Expences shall exceed the Amount of such Rent, then such Excess shall be forthwith repaid to such Occupier or Occupiers, by such Owner or Owners, and in case of Refusal or Neglect for the Space of Seven Days after Demand to pay the same, then the same shall or may be levied by Distress and Sale of the Goods and Chattels of such Owner or Owners, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace

Peace for the said West Riding, together with the Expences of such Distress and Sale.

XXVI. And be it further enacted, That from and after the passing of this Act, it shall not be lawful for any Person or Persons to take up, remove or alter, or to cause to be taken up, removed or altered, any Part of the Pavements, Flags, or other Materials of the Carriageways or Footways in the public Streets, Lanes, Roads, Passages, or other public Places within the said Township, or any of them, without the previous Consent or Authority of the said Trustees in Writing, signed by the Clerk or Clerks to the said Trustees, and made or given at some Meeting held in pursuance of and according to the Directions of this Act, and every Person offending herein shall forfeit and pay for every such Offence the Sum of Five Pounds; provided nevertheless, that nothing in this Act contained shall be construed or extend to abridge or annul the Powers, Privileges, and Authorities given to and vested in "The *Halifax* Gas Light and Coke Company," in and by an Act passed in the Third Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for lighting with Gas the Town and Township of Halifax, and the Neighbourhood thereof, within the Parish of Halifax, in the West Riding of the County of York.* 3 G. 4. c. xxx.

Pavement
not to be
taken up
without
Consent of
Trustees,

XXVII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time to cause to be cut, made, or laid in, through, over, or under any of the present or future public Streets, Lanes, Roads, Passages and Places of the said Township, any new Tunnels, Gutters, Grates, Sinks, Drains, Ditches, Sewers, Pipes, Aqueducts or Watercourses; and also from Time to Time to cause any of the present or any future Tunnels, Gutters, Grates, Sinks, Drains, Ditches, Sewers, Pipes, Aqueducts and Watercourses, or any Part or Parts thereof respectively, to be stopped up, opened, scoured, cleansed, widened, straightened or deepened, or the Form or Line thereof to be turned, altered, varied or changed within any of such public Streets, Lanes, Roads, Passages or Places, or under any Houses, Buildings, or Premises therein or thereto adjoining, in such Manner as they the said Trustees shall think fit, consistently with the Provisions of this Act.

Trustees may
make public
Drains, &c.

XXVIII. And be it further enacted, That it shall be lawful for the said Trustees or their Surveyor or Surveyors for the Time being, and the Person or Persons appointed by them, and they are hereby respectively authorized and empowered, from Time to Time to open, scour, cleanse, widen, straighten, make deeper, turn, alter, vary, or stop any of the present or future private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses running into, over, under, through, adjoining, or upon any of the Streets, Lanes, Roads, Passages, or other public Places within the said Township; or to make or cause to be made any new private Tunnels, Gutters, Sinks, Drains, Ditches, Sewers, or Watercourses in, through, under, over, or adjoining to any such Streets, Lanes, Roads, Passages or other public Places within the said Township, for the Purpose of conveying, draining, and taking away any Sink, Float or other refuse Water, and preventing the same from running over the Surface of the said Streets, Lanes, Roads, Passages and other public Places, in case the Owner or Owners, or Occupier or Occupiers of the Messuages, Buildings, Lands, or Tenements adjoining the same, shall neglect or refuse so to do for

After Notice
Surveyors to
cleanse and
make private
Drains, &c.

for Ten Days next after Notice in Writing, signed by the said Trustees or any Three or more of them, and delivered to or left at the last or usual Place or Places of Abode of such Owners or Occupiers requiring them so to do; and the Costs, Charges, and Expences of the Works so to be done or made, by or by Order of the said Trustees as aforesaid, shall be settled, apportioned, ascertained, reimbursed, levied and sustained, by such Persons and in such Manner as is herein-before provided in respect to the Works directed to be done by the said Trustees, when any Streets, Roads, or Ways on private Property are made or declared public as herein-before mentioned.

Provision for
lighting the
Streets.

XXIX. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time and at all Times after the passing of this Act, to cause the Streets, Lanes, Roads, Passages, and other public Places within the said Township, or any of them, to be well and sufficiently lighted with Oil, or with Gas or otherwise, at such Seasons and Times as the said Trustees shall judge proper; and for such Purpose the said Trustees are hereby empowered, if they shall think it necessary, to cause Mains or Pipes for the Conveyance of Gas to be laid and carried along, through and under the Streets, Lanes, Roads, Passages and other public Places within the said Township, or any of them, and to cause such and so many Lamps, Lamp Irons, Lamp Posts, Pillars, Pilasters and Pipes, as they shall judge necessary, to be provided and to be affixed or set up into, upon, or against the Walls or Palisades of all or any of the present or any future Houses or Buildings, or any Walls or Fences within the said Township, or in or upon any of the Carriageways or Footways within the said Township, in such Situations, and at such Distances, and in such Manner as the said Trustees shall think proper; and in case the said Trustees shall at any Time deem it proper and expedient, of their own proper Authority, to light the said Township with Gas, it shall be lawful for them to purchase any Land or Ground, not exceeding Two Statute Acres, of or from any Person or Persons, or Body or Bodies Politic, Corporate or Collegiate, who shall be willing and desirous to sell such Land or Ground, and to erect the necessary Buildings, Apparatus and Machinery for that Purpose, and to effect all other Matters or Things necessary thereto or for the Purposes thereof.

Refuse, on
making the
Gas, not to
drain into
Rivers,
Wells, &c.

XXX. Provided always, and be it further enacted, That if the said Trustees, or any Person or Persons, Body or Bodies Politic or Corporate, who shall light or contract for lighting with Gas the Streets, Lanes, Roads, Passages, and other public Places in the said Township, shall at any Time empty, drain, or convey, or cause or suffer to be emptied, drained, or conveyed, or to run or flow any Washings or other Waste Liquids, Substances, or Things whatsoever, which shall arise or be produced in the Prosecution of the Works of lighting with Gas the said Streets, Lanes, Roads, Passages, and other public Places, or any of them, or in the Process of obtaining the said Gas, into any Well, Spring, or River, or into any running Stream or Brook, or into any Sewer, Drain, Ditch, Passage, or Channel, by means whereof any such Washings or other Waste Liquids, Substances, or Things as aforesaid shall be emptied, drained, conducted, or conveyed into any River, Stream, or Brook, or into any Well, Spring, or Reservoir, Aqueduct, Water-way, Feeder, or Pond, or do or cause to be done any other Annoyance, Act, or Thing
to

to the Water contained in any such River, Stream, Brook, Well, Spring, Reservoir, Aqueduct, Water-way, Feeder, or Pond, whereby the said Water, or any Part thereof, shall or may be soiled, fouled, or corrupted, then and in each and every such Case the said Trustees, or the Person or Persons, Body or Bodies Politic or Corporate, who shall light or contract for lighting with Gas the said Streets, Lanes, Roads, Passages, and other public Places, or any of them, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds, and such Forfeiture or Penalty shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparance, shall be allowed; and the whole of such Penalty or Forfeiture shall be paid to the Person or Persons who shall sue for the same: Provided always, that no such Forfeiture, Penalty, or Costs shall be recoverable unless the Suit or Action be commenced within Twelve Calendar Months from the Time such Annoyance, Nuisance, Injury, or Damage, Act, or Thing shall have ceased and determined; provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, whether such Penalty shall have been sued for or recovered or not, in case any of the said Washings or other waste or noisome or offensive Liquids, Substances, or Things, shall be emptied, drained, conducted, or conveyed, or caused or suffered to run or flow, in manner aforesaid, into any River, Stream, or Brook, or into any Well, Spring, Reservoir, Aqueduct, Water-way, Feeder, or Pond, or into any Drain, Sewer, or Ditch communicating therewith, or in case 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 whomsoever to the said Trustees, or their Clerk or Surveyor, or to the Person or Persons, Body or Bodies Politic or Corporate, who shall light or contract for lighting with Gas the said Streets, Lanes, Roads, Passages, and other public Places, or any of them, and the said Trustees or Person or Persons, Body or Bodies Politic or Corporate as aforesaid, shall not within Twenty-four Hours next after such Notice shall have been given, proceed to stop, hinder, or prevent, and shall not within Two Days next after such Notice shall have been given, effectually stop, hinder, or prevent all and every such Washings, waste or noisome or offensive Liquids, Substances, or Things from being emptied, drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the Trustees, or Person or Persons, Body or Bodies Politic or Corporate, who shall light or contract for lighting with Gas the said Streets, Lanes, Roads, Passages, and other public Places, or any of them, shall (over and above and in addition to the aforesaid Penalty of Two hundred Pounds) forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste or noisome or offensive Liquids, Substances, or Things, shall be so emptied, 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; which said last-mentioned Penalty shall and may be recovered and levied before any Justice or Justices of the Peace, as any other Penalty may be levied and recovered, 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

[*Local.*]

have

have sustained any Annoyance, Injury, or Damage by any Act so done or committed.

Penalty on
Gas escaping.

XXXI. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by virtue of this Act, the said Trustees or their Surveyor, or Person or Persons, Body or Bodies Politic or Corporate, who shall light or contract for lighting the Streets, Lanes, Roads, Passages, or other public Places within the said Township, or any of them, with Gas, shall, at their own Expence, immediately after Notice thereof by Parole or in Writing given to any such Person or Persons, or to the Clerk or other Officer of any such Trustees, or Body or Bodies Politic or Corporate, cause the most speedy and effectual Measures to be taken to stop and prevent such Gas from escaping; and in case such Trustees or Person or Persons, Body or Bodies Politic or Corporate, shall not, within Twenty-four Hours next after such Notice by Parole or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case such Trustees, or respective Person or Persons, Body or Bodies Politic or Corporate, shall for every such Offence forfeit and pay the Sum of Five Pounds for each and every Day after the Expiration of Twenty-four Hours from the Time of giving or serving such Notice, during which the Gas shall be suffered to escape as aforesaid; and such Penalty shall from Time to Time be recoverable in a summary Way, on the Oath of One or more credible Witness or Witnesses, before some One or more Justice or Justices of the Peace for the said West Riding, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the Treasurer to the said Trustees, unless such Treasurer shall pay such Penalty out of any Money in his Hands belonging to the said Trustees, which he is hereby authorized to do, or of the Goods and Chattels of such other Person or Persons, Body or Bodies Politic or Corporate, so lighting or contracting to light with Gas the said Streets, Lanes, Roads, Passages, and public Places, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted in like Manner, and subject to the like Provisions as are herein directed touching other Penalties to be recovered from the said Trustees, or from the Person or Persons, Body or Bodies Politic or Corporate, who shall light or contract to light with Gas the said Streets, Lanes, Roads, Passages, and public Places.

Gas Pipes
not to be laid
within cer-
tain Dis-
tances from
Water Pipes.

XXXII. 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, across, or round any Street, Square, Highway, Road, Bridge, Way, Lane, Market Place, Passage, or other Place in the said Township, shall be so laid at the greatest practicable Distance; and whenever the Width of the Carriage-way in such Street or Place will allow thereof, at the Distance of Three Feet at the least from the nearest Part of any Water Pipe already laid down or hereafter to be laid down by or by the Order of any Body Politic or Corporate, Trustees or Commissioners for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Squares, Highways, Roads, Bridges, Ways, Lanes, Market Places, Passages, and other Places in the said Township (unless in Cases where it shall be unavoidably necessary to lay the

the Gas Pipes across any of the Water Pipes of any such Body Politic or Corporate, Trustees or Commissioners, in which Cases the said Gas Pipes shall be laid over and above such Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a right Angle; and that in such Cases the said Gas Pipes so crossing any such 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 any such Water Pipes than Three Feet at least); and that in laying down the said Gas Pipes, the said Trustees, or the Person or Persons, Body or Bodies Politic or Corporate, contracting to light the said Township with 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 connecting therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively, Air-tight, 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.

XXXIII. And be it further enacted, That whenever the Water hereby vested in the said Trustees for the Supply of the said Township shall be contaminated or affected by the Gas to be made or used under the Powers or Provisions of this Act, the Body or Bodies Politic or Corporate, or any Person or Persons making or supplying the same, shall forfeit and pay for every such Offence a Sum not exceeding Twenty Pounds; and in case any such Water shall be contaminated or affected by Gas in any way whatsoever, that then and in every such Case and Cases the Body or Bodies Politic or Corporate, or Person or Persons making or supplying such Gas, shall within Twenty-four Hours next after Notice thereof in Writing, signed by any Person or Persons whosoever, to be left at the usual Office or Place of transacting Business, or Place of Residence of such Body or Bodies Politic or Corporate, or Person or Persons, cause the most proper and effectual Measures to be taken effectually to stop and prevent Gas from escaping from their Works, Mains, or Pipes, or contaminating or affecting such Water; and in case such Body or Bodies Politic or Corporate, or Person or Persons, shall not within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination, whereof Notice shall be given as aforesaid, that then and in every such Case the Body or Bodies Politic or Corporate, or Person or Persons making or supplying such Gas, shall forfeit and pay, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which such Water shall be and remain contaminated, tainted, or affected by such Gas.

Persons, &c. contracting to light with Gas to prevent Escape, and Contamination, &c. of Water.

XXXIV. And whereas it may be or become a Question upon such Complaint as aforesaid, whether the said Water be contaminated or affected as aforesaid; be it therefore enacted, That in every such Case it shall and may be lawful to and for the said Trustees to dig to and about, and search

For ascertaining if the Water is contaminated.

and

and examine the Mains, Pipes, Conduits, and Apparatus of such Gas, or cause the same to be done, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by such Gas, and if it shall appear that the said Water has been contaminated by any Escape of such Gas, the Costs and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets which shall be taken up or disturbed, shall be borne and paid by the Body or Bodies Politic or Corporate, or Person or Persons making or supplying such Gas, which Costs and Expences shall be ascertained and determined, if necessary, by any Justice or Justices of the Peace for the said West Riding, and be recovered in like Manner as any Penalty may be recovered by virtue of this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of such Mains, Pipes, or Conduits, then and in such Case the said Trustees shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Body or Bodies Politic or Corporate, or Person or Persons aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus, in and by such Search and Examination, the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

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

XXXV. Provided always, and be it further enacted, That the Powers and Provisions in this Act contained shall not extend, or be construed to extend, to protect the said Trustees, or any Person or Persons, or any of the Servants or Officers or Workmen of the said Trustees, or of any Body or Bodies Politic or Corporate, who shall light or contract for lighting the said Streets, Lanes, Roads, Passages, or other public Places, or any of them, with Gas, from any Indictment or Prosecution for a public or private Nuisance, in respect of any Works, or the Means which shall be employed by them in making the said Gas, and using the same, or furnishing any such Gas Light, nor from any Action or Actions for any Injury or Damage sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury or Damage shall proceed from the Preparation or the Use of the same Gas, or the Method of lighting, or the Carelessness or want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Streets may be cleansed and watered.

XXXVI. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to cause all or any of the Streets, Lanes, Roads, Passages, and other public Places within the said Township, to be cleansed and watered at such Seasons and Times as the said Trustees shall direct.

Footways to be swept.

XXXVII. And be it further enacted, That the respective Occupiers of Houses or other Buildings, with the Yards, Gardens, Pleasure Grounds, and other Appurtenances next adjoining the Streets, Lanes, Roads, and other public Passages and Places within the said Township, the Churchwardens and Chapelwardens of every Church or Chapel, or any One or more of them; the Owner or Owners, and Proprietor or Proprietors of every dead Wall or other Fence and vacant Piece of Ground (not used

as Arable, Meadow, or Pasture Land only); or any One or more of them, the Proprietor and Proprietors, Trustee and Trustees, Treasurer and Minister of every Meeting House or other Place of Public Worship, or any One or more of them, and the Person or Persons who for the Time being shall be the ostensible Director or Directors, Manager or Managers of every Hospital, Prison, School, and other public Building respectively, situate or being in the several Streets, Lanes, Roads, and other public Passages and Places within the said Township, shall and they are hereby required to cause to be well and sufficiently swept, scraped, and cleansed the Footways and Foot Pavements, the whole Length of the Front of their respective Houses, Buildings, Churches and Churchyards, Chapels and Chapelyards, dead Walls, vacant Pieces of Ground, Meeting Houses, Hospitals, Prisons, Schools, and other public Buildings, Tenements, Yards, Gardens, Pleasure Grounds, or other Hereditaments (except as aforesaid), and to the full Extent of the said Footways and Foot Pavements, before, behind, and on the Side or Sides of the same respectively, previous to the Hour of Ten of the Clock in the Morning, on every *Tuesday* and *Friday* in every Week, and on such other Days and at such other Times as the said Trustees shall from Time to Time order or require the same; and shall also cause the Dirt and Soil; Snow and Ice, to arise from such sweeping and cleansing, to be collected and put together (so as not to obstruct either the Carriage or Footway), in order that the same may be removed by the public Scavenger, or other Person to be employed for that Purpose; and every such Occupier or Person offending in any of such Cases, shall forfeit and pay any Sum not exceeding Ten Shillings for every such Neglect.

XXXVIII. Provided also, and be it further enacted, That it shall be lawful for the said Trustees from Time to Time, as they shall think proper, to compound with any of the Inhabitants of any Street, Lane, Road, or other public Passage or Place within the said Township, by the Year or otherwise, for such Sum or Sums of Money as such Trustees shall think proper, for the sweeping and cleansing to be done by such Inhabitants respectively by virtue of this Act, provided such Composition Money be always paid in Advance.

Power to compound with the Inhabitants for cleansing, &c.

XXXIX. And be it further enacted, That the said Trustees shall and may, and they are hereby authorized and empowered, from Time to Time, when and as they shall think it expedient, to cause the Streets, Lanes, Roads, Passages, and other public Places within the said Township, or such of them as they shall think fit, to be safely and properly watched; and for that Purpose to appoint a Serjeant or Constable of the Night, and such Number of able-bodied Men as they shall judge proper to be employed as Watchmen and as a Patrol; and such Serjeant or Constable, Watchmen and Patrol, from Time to Time to remove, suspend, and displace, and to appoint others in their Stead; and to provide proper Watchhouses, Watchboxes, Places, Materials, Apparatus, Arms, Matters, and Things for the Reception, Support, Protection, and Accommodation of such Serjeant or Constable, Watchmen and Patrol, and for the safe Custody of such Persons as may be apprehended by them respectively while on Duty; and to pay to such Serjeant or Constable, Watchmen or Patrol, while on Duty, reasonable Wages or Allowances; and also to impose from Time to Time any Fine, not exceeding Twenty Shillings, on

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

any Serjeant or Constable of the Night, Watchman or Patrol, for every Neglect or Misbehaviour, and to deduct the same out of his Wages, or otherwise to recover, levy, and apply such Fine in such Manner as any other Fine or Penalty is by this Act authorized and directed to be recovered, levied, and applied; and from Time to Time to make such Orders and Regulations as they the said Trustees shall deem expedient for the better Government of the Serjeant or Constable of the Night, Watchmen or Patrol 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 Serjeant or Constable of the Night, Watchman or Patrol, or others, who may be disabled or hurt or wounded in the Execution of his or their Office or Duty.

Duty of
Watchmen.

XL. And be it further enacted, That it shall be lawful for such Serjeant or Constable of the Night, Watchmen or Patrol, or any of them, and they are hereby required, in their respective Stations, to exert themselves in the Prevention of Fires, and also of Murders, Burglaries, Robberies, and other outrageous Disorders and Breaches of the Peace; and to apprehend and secure in some proper Place or Places of Security, to be for that Purpose appointed, all Felons, Malefactors, Rogues, Vagrants, Vagabonds, idle and disorderly Persons, Disturbers of the public Peace, Prostitutes, and Night-walkers, and all Persons who shall be found wandering or misbehaving themselves during the Hours of keeping Watch within the said Township, and to conduct all such Persons, as soon as conveniently may be, before some Justice of the Peace for the said West Riding, to be examined and dealt with according to Law.

Watchmen,
&c. to be
sworn, and
vested with
the Powers of
Constables.

XLI. And be it further enacted, That all such Serjeants or Constables of the Night, Watchmen and Patrol, and their respective Substitutes or Deputies, and all Deputy or Assistant Constables to be appointed as herein-after mentioned, shall be sworn in as Constables before any Justice or Justices of the Peace for 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.

Watchmen,
&c. guilty of
Misconduct
liable to be
prosecuted
and punished.

XLII. And be it further enacted, That in case any Serjeant or Constable of the Night, or any of the Watchmen or Patrol to be appointed by virtue of this Act, shall be guilty of any Neglect or Misconduct in the Execution of his Duty, it shall be lawful for any Two Justices of the Peace for the said West Riding, upon Complaint against any such Serjeant or Constable, Watchman or Patrol, of any such Neglect or Misconduct, to commit any such Serjeant or Constable, Watchman or Patrol, to the House of Correction for the said West Riding, for any Time not exceeding Three Calendar Months.

Penalty on
Persons
harbouring
Watchmen,
&c.

XLIII. And be it further enacted, That if any Victualler, Alehouse-keeper, or other Person selling Ale or Spirituous or other Liquors, shall entertain or harbour in his or her House, Outhouse, or other Premises,
any

any Serjeant or Constable of the Night, Watchman or Patrol, during any of the Hours or Times appointed for the Attendance on Duty of such Serjeant or Constable, Watchman or Patrol, by virtue of this Act, then every such Victualler or other Person so offending shall, for every such Offence, forfeit and pay a Sum not exceeding Forty Shillings.

XLIV. And be it further enacted, That it shall be lawful for any Three or other Number of the said Trustees, although not assembled at a Meeting (who shall be appointed a Committee or Committees for the Purpose by the Trustees assembled at any Meeting or Meetings to be held in pursuance of this Act) to suspend, remove, appoint and order the Serjeant or Constable of the Night, Watchmen and Patrol, or any of them, as Occasion may from Time to Time require, between the Times of holding the Meetings of the said Trustees, and to regulate and manage the Duties and Offices of such Serjeant or Constable, Watchmen and Patrol; and it shall be lawful for any such Committee of Trustees to provide for the occasional Absence of any such Serjeant or Constable, Watchman or Patrol, and to allow any such Serjeant or Constable, Watchman or Patrol, to provide or procure any approved Substitute for any limited Time, as such Committee of Trustees (subject as aforesaid) shall from Time to Time think proper; and every such Substitute shall be subject to the same Provisions and Regulations as if he had been appointed a Serjeant or Constable of the Night, Watchman or Patrol, at a Meeting of the Trustees for executing this Act, and shall have the same Protection in the Exercise of his Duty.

Power of
Committee
for regulating
Watchmen,
&c.

XLV. And be it further enacted, That it shall be lawful for the Constables of the said Township for the Time being, and they are hereby authorized and empowered, from Time to Time, when and as often as they shall think it expedient or Occasion shall require, by Writing under their Hands to appoint One or more suitable and proper Person or Persons to be the Deputy or Assistant Constable or Constables within and for the said Township, for so long a Time and in such Manner, and with such Salary or Salaries, as the said Trustees shall from Time to Time authorize and direct, such Salaries to be paid out of the Improvement Rates hereinafter mentioned; and that it shall be lawful for such Constables from Time to Time to dismiss, suspend, or remove any such Deputy or Assistant Constable or Constables, and appoint another or others in like Manner in his or their Stead.

Constables
may appoint
Deputies.

XLVI. And be it further enacted, That the said Trustees shall or may cause to be painted, engraved, or otherwise described and placed on a conspicuous Part or Parts of any one or more House or Houses, Building or Buildings, at or near each End, Corner, or Entrance of every Street, Lane, Road, Passage, or other public Place within the said Township, the Name by which such Street, Lane, Road, Passage or other public Place now is or shall be called or known; and shall and may also cause every House and Building in the several Streets, Lanes, Roads, Passages, and other public Places in the said Township, to be marked and numbered with Figures, either on the Door thereof, or otherwise, and in such Manner as they shall think most proper for distinguishing the same, and from Time to Time vary the same Numbers and Figures as Occasion may require; and if any Person or Persons shall wilfully destroy, obliterate, deface, remove, or

Names of
Streets and
Numbers of
Houses to be
put up.

without

without the Consent of the said Trustees first obtained, alter any such Name, Number, or Figures, or any Part thereof, or cause or procure the same to be so done, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

Numbers to
be renewed.

XLVII. And be it further enacted, That when any such Numbers or Figures painted or placed on any House or other Building within the said Township, or on the Door thereof, shall by Accident, Decay, or otherwise be defaced or rubbed out, the Occupier or Occupiers of such House or Building shall, upon Notice in Writing being given in that Behalf, signed by the Clerk or Clerks to the said Trustees, cause the same Numbers or Figures to be painted or placed on such House or other Building, or on the Door thereof, within Ten Days after such Notice; and in case of Neglect or Refusal to comply with such Order every such Occupier shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Doors and
Gates to open
inwards.

XLVIII. And be it further enacted, That the several Occupiers of Houses, Buildings, Yards, Gardens, and Lands within the said Township, and every of them, are hereby respectively authorized and required, at their own Costs and Charges, within Seven Days next after receiving Notice in Writing from the said Trustees in that Behalf, signed by any Three or more of the said Trustees, or by their Clerk for the Time being, to cause all such of the Doors and Gates leading into the several Houses, Buildings, Yards, Gardens, and Lands in their respective Occupations (and not being Cellar Doors or Trap-doors), which now do or shall hereafter open outwards upon or over any Footpath in any of the Streets, Lanes, Roads, Passages, and other public Places, and all Gates or Bars which do or shall open outwards upon or over any Highway or public Road, within the said Township, to be altered so as that the same Doors or Gates shall thenceforward open inwards and into their respective Premises, or so as to cause no Obstruction to the public Passage; and if any such Occupier of any of the aforesaid Premises shall neglect or refuse to make the Alteration required by the said Trustees in any such Door or Gate, within the Period specified in such Notice, such Occupier making Default therein shall forfeit and pay the Sum of Ten Shillings a Day for every Day during which any such Gate or Door shall be suffered to remain opening outwards as aforesaid after the Expiration of the Time specified in such Notice: Provided nevertheless, that when the Occupier of any such House, Building, Yard, Garden, or Land, being a Tenant at Rack Rent, shall cause any such Door or Gate to be duly altered in pursuance of such Notice as aforesaid, it shall be lawful for him or her to deduct and retain, out of his or her Rent, the necessary Charges of altering the same, and the Proprietor or Landlord of every such House, Building, Yard, Garden, or Land, so held at Rack Rent, is hereby required to allow the same accordingly, except only in cases where such Door or Gate opening outwards, and so altered, shall have been originally put up by or under the Authority of the Person or Persons occupying the Premises at the Time the Alteration is made, in which case such Occupier shall bear the Expence of altering the same; and provided also, that it shall be lawful for the said Trustees to allow to such Occupier or such Proprietor all or any Part of the Expence of making any such Alteration, if the said Trustees shall think it reasonable so to do.

XLIX. And

XLIX. And be it further enacted, That during such Time as any House, Wall, or other Building, in any of the said Streets, Ways, or public Places, shall at any Time hereafter be taking down, altering, repairing, amending, erecting or building, the Ground or Site thereof, and any Area, Vault, or Hole thereto belonging or adjoining, and all Materials, Timber, Bricks, Stones, Things, or Rubbish thereby occasioned or brought to be used, shall be kept fenced in and inclosed at the Expence of the Owners or Occupiers thereof respectively, in such Manner as the Trustees shall think proper or necessary and shall appoint, in order to keep the Footways and Carriageways before, behind, on the Sides of or belonging to the same, as open and free from Impediment as the Nature of the Case will admit of, and effectually to guard and protect all Persons passing by or near the same, or any Part thereof, from Danger or Accident; and all such Fences and Inclosures shall be put up and placed as aforesaid before any such House, Wall, or Building shall be begun to be taken down, altered, repaired, amended, erected, or built, or any Materials, Timber, Bricks, Stones, or Things shall be brought for any such Purpose; and all the Fences and Inclosures hereby directed to be made for all or any of the Purposes aforesaid, shall be continued standing and kept in good Condition during such Time as the said Trustees shall order and direct; and no Lime shall be sifted, screened, or slacked, or Lime or Sand deposited, or Mortar made or deposited in any of the said Streets, Lanes, Roads, Passages, and public Places, unless the same shall be inclosed in some such Fence or Inclosure as aforesaid; and if the Owner or Occupier of any such Ground, Place, House, Wall, or Building as aforesaid, shall refuse or neglect to erect and set up any such Fences or Inclosures as aforesaid, or shall not continue the same standing and kept in good Condition as aforesaid, or shall sift, screen, or slake any Lime, or deposit any Sand, or make or deposit any Mortar, otherwise than as aforesaid, or cause or permit the same respectively to be done, then and in either or any of the said Cases, every such Owner or Occupier shall, for every Day such Offence shall be continued, forfeit and pay any Sum not exceeding Twenty Shillings; and moreover, in case of such Refusal or Neglect, it shall be lawful for the said Trustees to cause such Ground, Place, House, Wall, or Building to be well and sufficiently fenced in and inclosed as aforesaid, or the Fence and Inclosure then erected and set up to be well and sufficiently repaired, as the Case shall require, and such Fence or Inclosure to be so continued standing as aforesaid; and the Person or Persons so refusing or neglecting, or otherwise offending as aforesaid, shall, over and above the said Penalty, pay all the Charges and Expences of making such Fences and Inclosures, or repairing the same, upon Demand made by the said Trustees or by their Clerk; and upon Refusal or Neglect for the Space of Fourteen Days after such Demand, then the same Charges and Expences, having been first ascertained by some Justice or Justices of the Peace for the said West Riding, shall or may be recovered, levied, and applied, together with the Costs of such Recovery, in such Manner as any Penalty or Forfeiture is by this Act directed or authorized to be recovered, levied, and applied.

The Ground of Houses taken or taking down or building, to be inclosed.

Penalty on Persons neglecting or refusing to fence.

L. And be it further enacted, That if at any Time hereafter any Stones, Timber, Mortar, Rubbish, Materials, or other Things shall be laid or placed in, or any Hole or Opening shall be made in, adjoining, or near any of the Streets, Lanes, Roads, Passages or public Places already made or built, or which shall hereafter be made or built within the said Town-

Lights to be fixed against Heaps of Timber, &c. in the Night-time, to prevent Accidents.

ship, for any Purpose whatsoever, not prohibited by or not contrary to the Intent and Meaning of this Act, the Owner of such Stones, Materials, or other Things, or Person or Persons causing such Hole or Opening as aforesaid to be made, shall at his, her, or their Expence cause a sufficient Light to be fixed in or near the same respectively, for securing Passengers and Cattle from Accident, every Night from Sun-set to Sun-rise during the Time such Stones or other Materials, Hole or Opening shall remain; and also, if the said Trustees shall think proper and direct, shall at his, her, or their own Expence cause such Stones, Materials, or other Things, Holes or Openings respectively, as the Case may be, to be fenced and inclosed in such Manner as the said Trustees shall think proper, and continue the same so fenced and inclosed until the Stones, Materials, or other Things, or Hole or Opening, as the Case may be, shall be removed, and in Default thereof shall forfeit and pay any Sum not exceeding Ten Shillings for every Day or Night such Neglect or Default shall happen; and the said Trustees, on such Default being made, are hereby empowered to cause such Light to be affixed, and to fence and inclose such Stones, Materials, and Things, Holes and Openings, and continue the same so fenced and inclosed, and charge such Owners or other Person or Persons as aforesaid with the Expences thereof respectively, and to recover such Expences, on Refusal to pay the same to the said Trustees, the same having been first ascertained by some Justice or Justices of the Peace for the said West Riding; and the Expences attending such Recovery, in the same Manner as any Penalty or Forfeiture is by this Act directed or authorized to be recovered.

Slaughter-houses, &c. to be removed, if deemed a Nuisance.

L.I. And be it further enacted, That in case any Slaughter-house, Swinestye, Privy, Dunghill, Midden, or Sewer, or any Dung, Carrion, Offal, Blood, Soil, Urine, or Filth, or any noisy, noisome, or offensive Trade or Business in or near any of the said Streets, Lanes, Roads, Passages, or public Places, shall (upon Complaint made to the said Trustees by any of the Inhabitants or Persons residing therein or near thereto), be by such Trustees deemed a Nuisance to any such Inhabitant or Person, it shall be lawful for the said Trustees, by Notice in Writing under the Hands of any Seven or more of them, or under the Hand of their Clerk for the Time being, to order any such Nuisance or Annoyance to be removed; and in case the same shall not be removed within Three Days after such Notice given to the Person or Persons who ought to remove the same, or for or on whose Behalf the same is carried on, or left at his, her, or their last or usual Place of Abode, such Person or Persons shall forfeit and pay any Sum not exceeding Twenty Shillings for every Day the same shall continue unremoved after the Expiration of the Time mentioned in such Notice.

Steam Engine Furnaces to consume their own Smoke.

L.II. And be it further enacted, That from and after the Thirty-first Day of *December* next, all Furnaces employed or to be employed in the working of Engines by Steam within the said Township shall be so constructed as to consume their own Smoke; and if any Person or Persons shall, after the said Thirty-first Day of *December*, use any Furnace for the Purpose aforesaid, within the said Township, which shall not be so constructed as aforesaid, or shall negligently use any Furnace for the Purpose aforesaid so constructed so as not effectually to consume the Smoke thereof, and prevent the same occasioning any Nuisance whatsoever, every such Person or Persons so offending, or the Owner or Occu-

pier of every such Furnace, shall forfeit and pay the Sum of Twenty Shillings for and in respect of every Week during which such Furnace shall be so used or during which any Nuisance thereby occasioned shall continue and be unabated.

LIII. And be it further enacted, That if any Person or Persons shall hereafter empty or cause to be emptied any Slaughterhouse, Swine-stye, or Privy, within the said Township, or remove or cause to be removed any Night-soil, Carrion, Offal, Blood, or Filth, or carry or cause to be carried any of such offensive Substances through any of the Streets, Lanes, Roads, Passages, or public Places within the said Township at any Time of the Year between *Lady-day* and *Michaelmas*, except after the Hour of Ten of the Clock in the Evening and before the Hour of Eight of the Clock in the Morning, or at any Time of the Year between *Michaelmas* and *Lady-day*, except after the Hour of Eight of the Clock in the Evening and before the Hour of Nine of the Clock in the Morning, or shall suffer the same, or any Ashes, Manure or Litter, to remain either in any Cart or other such Carriage, or otherwise, in any of such Streets, Lanes, Roads, Passages, or Places, longer than shall be necessary for removing the same, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds: Provided always nevertheless, that nothing herein contained shall be construed to extend to prevent the carrying or causing to be carried of any Ashes unmixed with any offensive Matter, or of any Manure or Litter produced from the Keep of Horses or Cows only, through such Streets, Lanes, Roads, public Passages or Places, at any Hour or at any Time or Times whatever.

Offensive Substances to be removed between certain Hours.

LIV. And be it further enacted, That if any Person or Persons shall in any of the present or future Streets, Lanes, Roads, Passages, or other public Places in the said Township, expose for Sale or sell any Horse, Ass, Pig, Sheep, Bull, Cow, or other Beast or Cattle, or expose or show any Stallion, or fodder any Cattle (except during any public Market or Fair, and then in such Place or Places only as shall from Time to Time be appointed by the said Trustees, and not upon any Footway or Causeway), or shoe, bleed, or farry any Horse or Beast (except in Cases of Accident), or clean or dress any Horse or other Beast, or turn loose or suffer to be at large any Horse, Ass, Mule, Sheep, Bull, Cow, Swine, Goat, or other Beast, or any Bulldog, Mastiff, or other ferocious Dog of any other Species, not being closely muzzled, or permit or suffer any Dog whatsoever to go at large, after any public Notice given by the Town Crier or Bellman, by Order of the Constable or Constables of the said Township, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness; or being or acting as the Driver of shall ride on the Shafts of any Waggon, Dray, Cart, Sledge, or other Carriage, or on any other Part of such Waggon, Dray, Cart, Sledge, or other Carriage, or Part of a Carriage, or on any of the Horses, Asses, Mules, or Cattle drawing the same, without holding the Reins, or be at such a Distance from the same as not to possess the complete Direction over the Horses, Asses, Mules, or Cattle drawing the same; or when driving any empty or unloaded Waggon, Dray, Cart, Sledge, or other such like Carriage, shall refuse or neglect

For preventing Annoyances and Nuisances.

neglect to turn the same aside, and make way for any Coach, Chaise, or loaded Carriage of any Description; or when driving any Waggon, Dray, Cart, Sledge, or other Carriage, or Wheels, shall not turn the same out of the Road and keep his Waggon, Dray, Cart, Sledge, or other Carriage, or Wheels, on the Left or Near Side of the Road, on meeting Horses and Carriages, so as to leave proper and sufficient Quarter for such Horses and Carriages; or when riding any Horse or Beast, or driving any Carriage of any Sort or Kind, shall prevent any other Person from passing him, or ride or drive the same furiously, or so as to endanger the Life or Limb of any Person, or drive the same against and injure or damage any Curbstone or Foot Pavement or Causeway; or suffer any Waggon, Cart, Dray, or other such Carriage with or without Horses, to stand and obstruct the public Passage, except for loading or unloading thereof, and then not longer than necessary; or suffer the same, during such Time of loading or unloading to be placed or remain so as to interrupt the public Passage more than necessary; or suffer to stand or remain any Cart, Waggon, or other Carriage with Hay or Straw therein for Sale, or any Cart, Waggon, Coach, or other Carriage intended to be let out or worked for Hire; or suffer any Stage Coach, Diligence, or other Carriage, to remain longer than may be necessary for the taking up or setting down of any Passenger or Passengers, or for such Passenger or Passengers taking Refreshment, or for loading or unloading their Baggage; or draw or haul any Tree or Piece of Timber, Block or Blocks of Wood or Stone, Metal, or other heavy Materials, or Wheel of any Cart or Carriage separated therefrom (except in or on some Carriage), or suffer any Part of any Tree or other Piece of Timber to drag upon any Part of the said Streets, Lanes, Roads, Passages, or other public Places; or bind, make, or repair any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage, or the Wheels, Body, Springs, or other Part of any Coach, Chaise, Waggon, Cart, Dray, Sledge, Wheelbarrow, or other Carriage (except such Carriages as may want immediate repairing from any sudden Accident on the Spot, and which cannot conveniently be removed for that Purpose); or let off or fire any Musket, Gun, or Pistol, or other Fire-arms (except in case of Necessity for Self-defence), or make or assist in making any Bonfire, or set fire to or let off or throw any Crackers, Squibs, Rockets, or other Fireworks; or having a Blacksmith's or Whitesmith's Shop, with a Window or Windows fronting any of the said Streets, Lanes, Roads, Passages, or other public Places, shall not by Shutters, every Evening after it becomes Twilight, bar and prevent the Light from shining upon the said Streets, Lanes, Roads, Passages, or public Places; or shall play at Football, or any other Game or Games, to the Annoyance of any Inhabitant or Inhabitants, or Passenger or Passengers; or wilfully break, aid or abet or assist in wilfully breaking any Glass or Window Panes or Windows; or burn, dress, or cleanse any Cork; or hoop, fire, cleanse, wash or scald any Cask or Tub, or empty the Contents thereof; or set or place any Furniture, Goods, Wares, or Merchandizes, or any Cask, Tub, Box, Pail, Bucket, Stool, Bench, or Stall, either on the Footways or Carriageways, or slide on the same or any of them; or hew, saw, bore, or cut any Timber or Stone; or beat, shake, or dust any Carpet; or throw, cast, lay, or place any Hay, Straw, Coals, Stones, Slates, Tiles, Lime, Bricks, Mortar, Timber, Boards, Iron, or other heavy Substances, and continue the same for a longer Time than may be absolutely necessary for the removing or housing thereof, (except
Stones,

Stones, Lime, Bricks, Mortar, Timber, or other Materials used for building, or Dirt or Rubbish thereby occasioned, which shall be placed or inclosed in Manner mentioned in this Act, so as to prevent any Mischief happening to Passengers), or sift, throw, cast, or lay any Ashes; (except in Times of Frost so as to prevent Accidents), or any Dust, Dirt, Soil, Sink, Float or Refuse Water or other Liquid, Filth, Carrion, Blood, Offal, Refuse of Garden Stuff, or any Sort of Rubbish, or throw or cast any such Matters or Things into any Common Sewer, Drain, Sink, or Watercourse, or throw or cast any Animal or Carcase, or any noxious or offensive Materials, Ingredients, Offal, or Filth into any public or private Well, Pump, Canal, Pool, Watercourse, or Reservoir for Water, or common River or Brook in any of the Streets, Lanes, Roads, Passages or other public Places paved, lighted, cleansed, watched, or improved by virtue of this Act; or sell or assist in selling by Auction or public Sale, any Goods, Wares, or Merchandizes, or Thing or Things whatsoever, in any of the said Streets, Lanes, Roads, Passages, or Places, without the Leave of the Trustees for that Purpose first had and obtained; or hang out, place, or expose to Sale, or otherwise therein, the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Linen, Cloth, Wearing Apparel, Goods, Wares, or Merchandizes whatsoever, or any Fruit, Vegetables, or Garden Stuff, or other Matter or Thing in or upon or so as to project over or upon any Footway or Carriageway, or beyond the Line of or on the Outside of the Window or Windows of the House or Shop at which the same shall be so hung out or placed or exposed as aforesaid, so as to obstruct or incommode the Passage of any Person or Carriage, or kill or slaughter, or singe, scald, or dress any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any of such Streets, Lanes, Roads, Passages, or other public Places, or in any Shop or other Place adjoining and exposed to the same, or cause or permit any Offal, Blood, Filth, or other offensive Matter to run from any Slaughter-house, Shambles, Butcher's Shop, Hogstye, or Dunghill, or fix up or place any Flower-pot or Bow-pot or Pots at any Window or Windows without sufficiently guarding the same, so as to prevent their being blown or thrown down; or leave open (after Sun-set) the Door, Hatchway or Flap Window, Grate, Stone, Plate, Board, or other Covering giving Light or Air to any Cellar, Coal-hole, Vault, Office, or other underground Room or Apartment, or of any Area, without having placed or left a sufficient Light to warn and prevent Persons from falling into such Cellars or other underground Rooms or Apartments or Areas, or leave open or not effectually fasten and secure any Grate, Stone, Plate, Board or other Covering placed over any Opening in any Pavement, and used for putting Coals or other Articles into any Cellar or other Place underground; or throw at any Cock or Fowl in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or bait or cause to be baited any Bull, Bear, or other Animal, in any Part of the Streets, Lanes, Roads, Passages, or public Places, paved, lighted, cleansed, watched, or improved by virtue of this Act, or commit any public Nuisance or Annoyance whatever within the said Township, or run, draw, drive, or carry any Truck, Wheel, Sledge, Wheelbarrow, Bier, Handbarrow, or Carriage whatsoever, upon any Footway or Causeway, except only for the Purpose of loading or unloading, or of crossing such Footway or Causeway; or drag thereon any Timber or Log of Wood, or any Stone or Metal; or

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roll

roll thereon any Cask or Tub (other than for the necessary loading or unloading thereof) into, upon, from, or out of any Cart or Carriage; or erect, set up, or place any Blind, Shade, Coverlid, or Awning, or any other Matter or Thing in the Front of or before any House, Shop, or other Building, so as in any Way to cause any Obstruction or Impediment in any such Footway or Causeway; or wilfully ride, lead, or drive on any Footway or Causeway any Horse, Mule, Ass, Swine, or other Beast or Cattle of any Kind whatever; or wilfully permit or suffer any Horse or other Beast or Cattle which such Person may be riding, driving, or leading, to go thereon; or tie or fasten any Horse or other Beast or Cattle to any Door, Wall, Post, Tree, or other Thing whatsoever, so as that such Horse, Beast, or Cattle can go or stand across or upon any Footway or Causeway, each and every Person so offending in any of such Cases, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter, or Thing as aforesaid, as the Case may be (in any of such Cases where the Person actually offending cannot be found or discovered), or the Person causing any of such Offences, Matters, or Things to be committed or done, shall for each and every such Offence respectively forfeit and pay any Sum not exceeding Forty Shillings; 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 beforementioned 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 be lawful for any Constable, or any One of the said Trustees, 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 West Riding, in order to his, her, or their being dealt with according to the Directions of this Act.

For preventing Cattle, Swine, &c. from being suffered to stray in the Streets.

LV. Provided always, and be it further enacted, That if any Horse, Ass, Mule, Swine, Goat, Sheep, Bull, Cow, or other Beast or Cattle, shall be found straying in any of the Streets, Lanes, Roads, Passages, or other public Places within the said Township, it shall be lawful for any Officer appointed by the said Trustees, or for any of the Inhabitants or Persons residing in the said Township, to impound any such Horse, Ass, Mule, Swine, Goat, Sheep, Bull, Cow, Beast or Cattle, found straying as aforesaid, in the Common Pound of the said Township, and to detain the same in such Pound until the Sum of Five Shillings, and the Costs and Charges of impounding and keeping the said Cattle in Pound, shall be fully paid and satisfied; and if in any such Case the said Penalty and Expences shall not be paid within Five Days after such Horse, Ass, Mule, Swine, Goat, Sheep, Bull, Cow, Beast or Cattle, shall be so impounded, it shall be lawful for the Pindar to cause the same to be sold, after giving Three Days Notice of such intended Sale by the Town Crier or Bellman; and the said Penalty, and the said Costs and Charges of impounding and keeping such Horse, Ass, Mule, Swine, Goat, Sheep, Bull, Cow, Beast or Cattle, in Pound, and of selling the same, shall be defrayed by such Sale, and the Overplus (if any) of the Monies arising by such Sale shall be paid to the Owner or Owners of the said Horse, Ass, Mule, Swine, Goat, Sheep, Bull, Cow, or other Beast or Cattle, upon Demand; provided also, that whether such Animal so found straying shall be impounded

pounded as aforesaid or otherwise, the Owner or Owners thereof shall nevertheless forfeit and pay for every such Horse, Ass, Mule, Swine, Goat, Sheep, Bull, Cow or Beast, or Head of Cattle so found straying as aforesaid, the Penalty herein-before imposed for suffering the same to be at large, as herein-before mentioned.

LVI. And be it further enacted, That if any Person or Persons shall wilfully or maliciously take away, break, throw down, or otherwise deface, injure, damage or destroy any Lamp or Lamps which shall have been set up by or by the Order of the said Trustees, or by any other Person or Persons, Body or Bodies Politic or Corporate with whom they may contract for the public Lighting of any Part of the said Township, or any Post, Pillar, Pilaster, Lamp Iron, Pipe, Cover, or other Furniture thereof, or shall wilfully extinguish the Light or Lights of any such Lamp or Lamps, it shall be lawful for any Justice or Justices of the Peace acting in and for the said West Riding, and he and they is and are hereby required, upon Oath made of the Commission of any such Offence, to issue a Warrant or Warrants for apprehending the Party or Parties accused, or it shall be lawful for any Person or Persons who shall see any such Offence committed, to apprehend, and for any other Person or Persons to assist in apprehending, the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to apprehend and deliver him, her, or them, into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice or Justices of the Peace for the said West Riding; and upon the Party or Parties accused being brought before such Justice or Justices, or upon Oath being made before him or them that such Party or Parties cannot be found and apprehended, such Justice or Justices shall proceed to Examination upon Oath of any Witness or Witnesses who shall appear to give Evidence touching such Offence or Offences; and if the Party or Parties so accused shall be convicted of such Offence or Offences, either upon Confession, or upon such Evidence as aforesaid, then and in every such Case every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds; and the Offender or Offenders shall also make full Satisfaction to the said Trustees for the Damage so done; and such Damages having been ascertained by such Justice or Justices shall and may be levied and recovered from such Offender or Offenders in Manner herein-after directed for the Recovery of Penalties incurred by virtue of this Act, and when received, the same shall be paid to the Treasurer or Treasurers to the said Trustees, to be applied for the general Purposes of this Act.

Penalty for
wilfully
breaking
Lamps, &c.

LVII. And be it further enacted, That if any Person or Persons shall carelessly or accidentally break, throw down, or otherwise destroy, deface, or damage any Lamp or Lamps which shall have been set up by or by Order of the said Trustees, or by any other Person or Persons, Body or Bodies Politic or Corporate, with whom they may contract for the Purpose of lighting any Part of the said Township, or any Post, Pillar, Pilaster, Lamp Iron, Pipe, Cover, or other Furniture thereof, and shall not immediately upon Demand made by any Officer of the said Trustees make Satisfaction for the Damage done, then and in every such Case it shall be lawful for any Justice of the Peace in and for the said West Riding, and he is hereby required, upon Complaint to him thereof made,

Damages to
be paid for
Lamps acci-
dentally
broken.

to

to summon before him the Party or Parties who shall be complained of doing such Damage as aforesaid, and upon hearing the Allegations and Proofs on both Sides, or upon the Contempt in not appearing of the Party or Parties so complained of, Oath being made that such Party or Parties complained of was served with such Summons, or that the same was left at his or her Dwelling House or Place of Abode, if known, or that he or she could not be found, to award such Sum or Sums of Money as the Damage proved on Oath before such Justice shall amount to; and in case of Refusal or Neglect to pay the Money so awarded within Five Days after Demand, then the same shall and may be levied and recovered from the Party or Parties so complained of in manner hereinafter directed for the Recovery of Penalties incurred by virtue of this Act, and when received the same shall be paid to the Treasurer or Treasurers of the said Trustees, to be applied for the general Purposes of this Act.

Power to
erect a
Weighing
Machine.

LVIII. And be it further enacted, That it shall be lawful for the said Trustees at any Time or Times, when they shall deem it expedient, to provide, erect, place and maintain, in some convenient Place or Places within the said Township, a Machine or Machines for the weighing of Waggon, Carts, and other Carriages, and to provide or purchase such Buildings and Premises as may be necessary for that Purpose and for the due Management and Superintendence of the same Machine or Machines; and from Time to Time to employ any proper Person or Persons to attend such Machine or Machines, who shall weigh all Waggon, Carts, and other Carriages brought thereto, and make Entries in Books to be kept for that Purpose of the Weights thereof, and deliver Tickets specifying the same Weights to the Drivers of such Carriages, and from Time to Time to remove such Persons as they shall think proper; and to appoint and regulate the Fees to be taken by the Person or Persons so attending from the Drivers of such Carriages, for weighing the same, and to allow the Whole or any Part of such Fees to such Person or Persons, or at their Discretion to pay and allow him or them a Salary or Salaries, and apply the said Fees to the general Purposes of this Act; and also to make and establish such other Rules and Regulations for the Management of the said Machine or Machines, and relative thereto, and to the Conduct and Remuneration of the Person or Persons appointed to attend the same, as the said Trustees shall think proper.

Drivers of
Carts, &c.
to go to
Weighing
Machines if
required.

LIX. And be it further enacted, That the Driver of every Waggon, Cart, or other Carriage, loaded with Coals, Goods, or other Matters or Things, shall, at the Request of the Buyer or Seller of every such Coals, Goods, or other Matters or Things, or the Person or Persons on whose Behalf the same shall be consigned, or their respective Agents, lead and take such Waggon, Cart, or other Carriage, with or without the Lading thereof, to be weighed at One of the Machines to be so erected and affixed as aforesaid, if any such there shall be; for which no additional Charge shall be made, unless such Waggon, Cart, or Carriage shall, for the Purpose aforesaid, be required to go a greater Distance from the regular Course of the Road, by which it would be otherwise necessary to pass, in the conveying of the Coals, Goods, or other Matters or Things laden in such Waggon, Cart, or Carriage, than Half a Mile including the going to and returning from any such Engine, in which Case the
Owners

Owners of such Waggon, Carts, or Carriages, shall be allowed to make an additional Charge of Two-pence for every Horse which shall be used in drawing the same, and a further Charge of the like Amount for every additional Half-a-Mile that any such Waggon, Cart, or Carriage shall be taken out of the direct and regular Road for the Purpose aforesaid; and that all such additional Charge for Carriage, together with the Fees to be paid for weighing any such Waggon, Cart, or Carriage, shall be paid and borne by the Person or Persons requiring the same to be weighed as aforesaid; and in case the Driver, or other Person having the Charge of any such Waggon, Cart, or Carriage, shall not, upon being so requested as aforesaid, take the same to such public Weighing Machine as hereinbefore is directed, or shall refuse to assist in the weighing of the same, in such Manner as the Drivers of Carts and Waggon are used and accustomed to do, every Person so offending, and being thereof convicted before any Justice of the Peace for the said West Riding, shall forfeit and pay to the Person or Persons requiring such Waggon, Cart, or Carriage to be weighed as aforesaid, any Sum of Money which such Justice shall direct, not exceeding Forty Shillings.

LX. And be it further enacted, That if any Owner or Driver, Owners or Drivers of any Waggon, Cart, or other Carriage loaded with any Coals, Goods, or other Matters or Things, whose Waggon, Cart or other Carriage shall be weighed at any Weighing Machine or Engine to be erected or provided as aforesaid, shall, at or before the Time of weighing the same, place or knowingly have any Article, Matter, or Thing, in or about any such Waggon, Cart, or Carriage other than and besides the proper Lading thereof, or shall alter any Ticket denoting the Weight of any such Waggon, Cart, or Carriage, or of the Lading of the same, which shall be delivered at any such Engine; or shall make or use, or be privy to the making or using any false or fraudulent Ticket respecting the Weight of any such Waggon, Cart, or Carriage, or the Lading thereof; or after the weighing of any such Waggon, Cart, or Carriage, with the Lading of the same, shall dispose of or remove any Part of such Lading, and shall afterwards deliver or dispose of, or attempt to deliver or dispose of the Residue of such Lading as being the full Lading denoted by such Ticket; or shall be guilty of any other fraudulent Contrivance touching the Weight of any such Waggon, Cart, or Carriage, or of the Lading thereof; or shall, after the same and the Lading thereof have been so weighed, change the Wheels thereof, and put or place on lighter Wheels, or make any Alteration, or do any other Matter or Thing, to the said Waggon, Cart, or Carriage, before the same shall be brought back to the same Machine or Engine to be again weighed, without the Lading thereof; or if such Owner or Driver, Owners or Drivers, of any such Waggon, Cart, or Carriage, which shall have been weighed, with the Lading thereof, at any Machine or Engine as aforesaid, shall neglect or refuse to bring back the same without Alteration, to be again weighed at the same Machine or Engine, being paid such Allowance for the same as hereinbefore is mentioned, in case of it being necessary to deviate from the proper Road of such Waggon, Cart, or Carriage, for the weighing of the same; or if the Purchaser or Purchasers of any Coals, Goods, or other Matters or Things conveyed in any Waggon, Cart, or other Carriage to or within the said Township, and which shall have been weighed at any Machine or Engine within the said Township erected, provided, or

For preventing Frauds as to the weighing of Carts, &c.

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maintained in pursuance of this Act, shall, after the same Waggon, Cart, or other Carriage, with the Lading thereof, have been so weighed as aforesaid, change the Wheels thereof, or cause the same to be changed, and put or place on or cause to be put or placed on heavier Wheels, or make any Alteration, or do any other Matter or Thing to the said Waggon, Cart, or Carriage, before the same shall be brought back to the same Machine or Engine to be again weighed without the Lading thereof; or if the Master or Keeper of any such Weighing Machine or Engine shall weigh any Waggon, Cart, or other Carriage, knowing that any thing had been added to the proper Lading thereof, so as to increase the Weight of the same, or that the Wheels thereof had been changed or altered between the Time of the same and the Lading thereof being last weighed, and the Time of the same coming back to be again weighed, without giving immediate Notice thereof to the Person or Persons interested therein; or if the Master or Keeper of any such Machine or Engine shall wilfully neglect to weigh any Waggon, Cart, or other Carriage that shall come to his or their Machine or Engine to be weighed according to the Turns in which Application shall be made for that Purpose, or shall not fairly and truly weigh the same, with or without the Lading thereof (as the Case may be), and deliver to the Purchaser or Purchasers of such Coals, Goods, or other Matters or Things, or any other Person interested therein, or the Agents of any such Person, on Application for that Purpose, a Ticket or Account containing the true Weight of the said Waggon, Cart, or other Carriage, and also the Weight of the Contents thereof; or shall give to the Driver of such Waggon, Cart, or other Carriage a false Ticket or Account of the said Waggon, Cart, or other Carriage, or of the Lading thereof; or shall knowingly assist in or connive at any Fraud to be committed or attempted in or concerning the weighing of any such Waggon, Cart, or Carriage, or the Lading thereof, or any false Report or Representation of the Weight of the same; or if any other Person or Persons whatsoever shall knowingly act or assist in the committing of any Fraud respecting the Weight of any such Waggon, Cart, or Carriage to be weighed or stated and represented to be weighed at any such Machine or Engine, or the Lading thereof, or in committing of any the Offences herein-before mentioned respecting any such Waggon, Cart, or Carriage which shall be weighed or brought to be weighed at any such Machine or Engine, or which shall be alleged to have been weighed at any such Machine or Engine; then and in every such Case or Cases, the Person or Persons from Time to Time offending, and being convicted thereof, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Respecting
Fire Engines.

LXI. And be it further enacted, That it shall be lawful for the said Trustees to contract with any fit Person or Persons from Time to Time to keep the different Fire Engines belonging to the said Township, with the Pipes, Buckets, or other Things belonging thereto, in good working Repair and Order; and it shall also be lawful for the said Trustees from Time to Time to purchase any new Engine or Engines, Pipes, Buckets, or other Things belonging thereto, which they shall consider necessary for the Use of the said Township, and to pay and defray all Costs and Expences attending the same respectively, out of the Improvement Rates to be levied and raised by virtue of this Act.

LXII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time to enter into any Contract or Contracts with "The *Halifax* Gas Light and Coke Company," or with any other Person or Persons, Body or Bodies Politic or Corporate, for lighting the said Streets, Lanes, Roads, Passages and other public Places, or any of them, with Gas or otherwise, as to the said Trustees shall from Time to Time seem proper and expedient; and also from Time to Time to enter into any Contract or Contracts with any Person or Persons, Body or Bodies Politic or Corporate, for paving, repairing, amending, cleansing, widening, fencing, improving and watching the several Streets, Lanes, Roads, Passages, and other public Places within the said Township, or any of them, or for making or laying any Reservoirs, Mains, Pipes, or other Waterworks, or for doing any other of the Works, Matters, or Things by this Act authorized to be done, or for furnishing any Materials, Labour, or other necessary Matters and Things whatsoever for the Performance thereof, or for any other of the Purposes of this Act: Provided always, that no such Contract or Contracts shall be made for a longer Term than Three Years from the making thereof, and that before any such Contract or Contracts shall be entered into, Ten Days Notice at the least shall be given in Manner directed by this Act, expressing the Purpose or Purposes of the Contract or Contracts intended to be made, in order that Persons willing to undertake the same may make Proposals to the said Trustees, at a certain Time and Place in such Notice to be specified; and all such Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works are to be completed, together with the Penalties to be incurred in case of Non-performance thereof; and the same shall be signed by the said Trustees, or any Three or more of them, and also by the Person or Persons contracting to perform such Works respectively; and Copies of all such Contracts shall be entered in a Book to be kept for that Purpose by the Clerk or Clerks of the said Trustees; provided nevertheless, that when any Contract or Contracts shall be made by the said Trustees with any such Gas Light Company, or Persons as herein mentioned for lighting the said Township, or any Part thereof, the same shall be valid and effectual, although no Notice may have been given by the said Trustees of their Intention to contract for such Lighting in Manner aforesaid.

Trustees may enter into Contracts.

LXIII. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, to compound and agree with any Person or Persons, or Body or Bodies Politic or Corporate, who shall have entered into any Contract or Contracts with the said Trustees, in pursuance or under the Authority of this Act, for any Penalty or Penalties contained in any such Contract or Contracts, or in any Bond or Bonds or other Security or Securities, for such Sum or Sums of Money, or other Recompence, as the said Trustees shall think proper.

Composition for Breach of Contract.

LXIV. And be it further enacted, That the several and respective Occupiers of Houses and other Buildings situate in the several Streets, Lanes, Roads, Passages, and other public Places within the said Township, and every of them, are hereby authorized and required, at their own respective Costs and Charges, within Twenty-one Days next after Notice in Writing from the said Trustees, signed by any Three or more of the said Trustees, given to him, her, or them, or left at his, her, or their last or usual

Directions for the Removal of Signs, &c.

usual Place of Abode, to cause all and every the Penthouses, Porches, Sheds, projecting Windows, Palisades, Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, and other Obstructions and Projections, and of what Nature or Kind soever, which are already erected, affixed, set up, laid down, or being against or in front of or belonging to, or which shall in future be erected, set up, affixed, laid down, or be against or in front of or belonging to their respective Houses, or other Buildings, and which in the Judgment of the said Trustees shall be considered public Annoyances or Nuisances, by reason of their projecting into or encroaching upon, or otherwise annoying or endangering the public Passage along any of the Streets, Lanes, Roads, Passages, or other public Places within the said Township, and all Signs, Sign Irons, Sign Posts, Barbers Poles, Stalls, Blocks, Bulks, Show Boards, Butchers Hooks, Spouts, and Water Pipes, which now are or hereafter shall be anywise affixed or set up, and which in the Judgment of the said Trustees shall be considered public Annoyances or Nuisances, by reason of their projecting into or encroaching upon or otherwise annoying or endangering the public Passage along any of the Streets, Lanes, Roads, Passages, or other public Places within the said Township, to be taken down, filled up, removed and carried away, or otherwise altered or reformed, and to cause the Water from the Roofs, Cornices, and Penthouses of their respective Houses or other Buildings, to be carried down by proper and sufficient Pipes to be fixed to and down the Sides of the same Houses or Buildings, in such Manner as shall be directed by the said Trustees in such Notice; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such Penthouse, Porch, Shed, projecting Window, Palisade, Rail, Post, Fence, Step, Cellar Window, Cellar Door, Hatchway, Sign, Sign Iron, Sign Post, Barber's Pole, Stall, Block, Bulk, Show Board, Butcher's Hook, Spout or Water Pipe, or other Projection or Obstruction which shall be so considered an Annoyance or Nuisance as aforesaid, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, and to cause the Water to be carried down from the Roof, Cornice, or Penthouse of any such House or other Building as aforesaid, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Trustees to cause the same to be forthwith done by some Person or Persons acting under their Authority, and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace for the said West Riding, shall and may be recovered from the Occupier of such House or Building in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when received the same shall be paid to the Treasurer or Treasurers of the said Trustees, to be applied to the general Purposes of this Act, and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Trustees, to deduct and retain the Amount thereof out of his or her Rent, and the Proprietor or Landlord of such House or other Building so held at Rack Rent is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered, shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Costs and Expences of altering or removing the same.

LXV. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time and at all Times hereafter, to provide and maintain a fit and convenient Public Office or Offices, Messuages or Buildings within the said Township, for holding the Meetings and transacting the Business of the said Trustees, and for the holding of such other public Meetings, and transacting such other public Business relating to the Township of *Halifax*, as the said Trustees shall from Time to Time direct; and also for such Purposes to purchase or hire any Messuages or Buildings, or any Part or Parts of any Messuages or Buildings, which shall by the said Trustees be considered necessary for the Purposes aforesaid, of and from any Person or Persons who shall be willing to sell or let the same; or otherwise to purchase or hire Ground from any Person or Persons who shall be willing to sell or let the same; and to cause any new Erections or Buildings to be made upon any Land or Ground which shall be purchased or hired, and from Time to Time to surrender, give up, or sell the same, and to purchase or hire any other Messuages or Buildings, or Parts of Messuages or Buildings, or Land or Ground, for the Purposes aforesaid; and the said Trustees are hereby authorized and empowered to take and accept any Lease or Leases, Conveyance or Conveyances, of such Messuages or Buildings, or Parts of Messuages or Buildings, Land or Ground, to them the said Trustees, in Trust for the Purposes aforesaid, and in like Manner to make any Assignment or Assignments, Conveyance or Conveyances of any such Place or Places, Messuages or Buildings, or Parts of Messuages or Buildings, Land or Ground, that they may think proper to sell or exchange as aforesaid; and it shall be lawful for the said Trustees from Time to Time to make and establish such Rules, Orders, and Provisions, for the Use and Management of such public Office or Offices, Messuages or Buildings, and for airing, warming, lighting, cleansing, and repairing the same, and to make such Allowance or Allowances to the Keeper or Keepers of the same public Office or Offices, Messuages and Buildings, for his or their necessary Attendance and Trouble about the same, as shall from Time to Time appear expedient to the said Trustees.

For provid-
ing Public
Offices, &c.

LXVI. And be it further enacted, That all Houses and Buildings in any of the present or future Streets, Lanes, Roads, Passages or other public Places within the said Township, which hereafter shall be erected or built, or new-fronted or rebuilt, shall be made to rise perpendicularly from the Foundation thereof; and no Part of the Front of any ancient House or Building within any of the said Streets, Lanes, Roads, Passages or other public Places, which shall hereafter be new-fronted, nor any Part of the Front of any new House or Building which shall hereafter be rebuilt upon the Site of any ancient House or Building, in any of the said present or future Streets, Lanes, Roads, Passages and public Places, shall on any Pretence whatsoever be brought forwards beyond the old Foundation, nor shall any House or Building whatsoever be erected or built nearer than Five Yards from the Centre of any new Street or Road not already set out, without the Consent of the said Trustees in Writing under the Hands of any Five or more of them; and if any Person or Persons shall at any Time hereafter erect or build, or new-front or rebuild, or cause to be erected or built, or new-fronted or rebuilt, any House or other Building in any such present or future Streets, Lanes, Roads, Passages or public Places, or any of them, in any other Manner

For regulat-
ing the Line
of Fronts of
Houses when
rebuilt, &c.

[*Local.*]

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than

than so as to rise perpendicularly from the Foundation thereof, or so that any Part of the Front thereof shall be brought forward beyond the old Foundation of any such ancient House or Building as aforesaid, or nearer than Five Yards from the Centre of any new Street or Road which shall hereafter be laid out or made, then and in every such Case, such House or Building shall be deemed an Encroachment, Nuisance, and Annoyance within the Intent and Meaning of this Act; and it shall be lawful for the said Trustees to cause the same House or Building so erected, new-fronted, or rebuilt, or so much of the Front thereof as shall have been so erected, new-fronted, or rebuilt contrary to the Directions of this Act, to be pulled down and removed by any Person or Persons who shall be directed so to do, by an Order in Writing, signed by Three or more of the said Trustees, and the Costs and Charges of pulling down and removing the same shall be paid and reimbursed to the said Trustees, by the Owner or Owners of such House or Building; and in default of Payment thereof within Fourteen Days next after Demand in Writing, made in that Behalf by the Clerk or Clerks to the said Trustees, the same having been ascertained by some Justice or Justices of the Peace for the said West Riding, shall and may be recovered and levied in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered and levied; and when received, the same shall be paid to the Treasurer or Treasurers to the said Trustees, to be applied to the general Purposes of this Act.

For making Compensation to the Owners of Buildings agreeing to erect them in such Manner as shall be an Improvement to the Township.

LXVII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, if it shall appear to them expedient for the Improvement of the said Township, to enter into any Agreement relative to the Mode of erecting, building, altering, or rebuilding, or to the Line or Direction of the Fronts or Sides of any Houses or Buildings, which now are or hereafter shall or may be erected or built within the said Township, with the Owners or Proprietors and Occupiers thereof respectively, and to make or give such Compensation or Satisfaction for any Injury, Loss, or Damage which any such Owners, or Proprietors or Occupiers may thereby sustain, or for Good-will for the same, as the said Trustees shall think reasonable for the Object or Purposes of Improvement to be thereby obtained, and to pay such Compensation or Satisfaction out of the Improvement Rates to be raised by virtue of this Act, so as that in any One Instance the Compensation or Satisfaction shall not exceed the Sum of One hundred Pounds.

Power to widen and improve the Streets, &c.

LXVIII. And be it further enacted, That it shall be lawful for the said Trustees to widen, alter, and otherwise improve the Streets, Lanes, Roads, Passages, and other public Places in the said Township, and to form and make any new Streets, Lanes, Roads, Passages, and public Places therein, and for those Purposes to purchase, take, and use the Lands, Buildings, Tenements, and Hereditaments mentioned in the Schedule to this Act annexed marked (A.)

Empowering Trustees to use the present Waterworks and to make new,

LXIX. And be it further enacted, That for the Purpose of supplying the said Township of *Halifax*, and the Houses, Buildings, and Premises therein, and the Inhabitants thereof with Water, it shall and may be lawful for the said Trustees to take and use all such Springs, Wells, Waters, and Watercourses, as before the passing of this Act, the Trustees acting
in

in Execution of the said recited Acts were enabled to take and make use of, and all such Aqueducts, Reservoirs, and Waterworks, as before the passing of this Act were made or constructed for supplying the Town of *Halifax* with Water; and also to make, construct, erect, place, and complete any new or additional Reservoirs, Conduits, Waterhouses, Buildings, Water Engines, Mains, Pipes, and other Works, proper or necessary for the procuring, raising, and lodging of Water, and for conducting, conveying, and distributing the same into and through the Streets, Lanes, Roads, Passages, and Places in the said Township, and into the Houses, Buildings, and Premises therein, for the Supply, Use, and Benefit of the Inhabitants thereof, and to contract or agree with the Owners or Proprietors of any Lands or Grounds in the said Township for the Liberty of digging and searching for any Springs and Waters, and for the Purchase of any Springs or Waters, and for the laying of Mains and Pipes, and making other Works necessary for conducting such Waters to the aforesaid Reservoirs and Waterworks, and from Time to Time to set and place such Posts, Stones, or other permanent Marks, as the said Trustees may deem necessary for ascertaining and finding out the Line and Situation of such Springs, Wells, Mains, Pipes, and Reservoirs; and also from Time to Time to make, place, remove, repair, conduct, alter, amend, continue, and use such other Pipes, Branches, Cocks, Valves, Plugs, Pumps, Machines, Implements, Utensils, and Devices in and about the aforesaid Works, as the said Trustees shall deem necessary for the Purposes of this Act.

for supplying the Township with Water, and to contract with Owners of Lands.

LXX. And be it further enacted, That all the spare and waste Water to be brought by Works made by Authority of this Act, after serving the Inhabitants of the said Township of *Halifax*, shall by proper Channels or Drains, to be made and maintained at the Expence of the said Trustees, be conveyed or made to run from some Point below the *Smythy Stake*, in the Street now or heretofore called the *Skeldergate*, upon a sufficient Level to convey the waste Water running from the upper Part of the said Township through the said Streets into the upper Mill Dam of the Marchioness of *Hertford*.

Reserving the waste Water to the Marchioness of Hertford,

LXXI. And be it further enacted, That for the Purpose of supplying the said Township of *Halifax*, and the Houses, Buildings, and Premises therein, and the Inhabitants thereof with Water, it shall and may be lawful for the said Trustees, at any Time or Times, by themselves or their Deputies, Engineers, Officers, Agents, Workmen, and Servants, to resort unto, and to enter upon any of the private Lands or Grounds in or near or through which the Aqueducts, Reservoirs, and Works already made or established, or in or near or through which any Reservoirs or other Works shall hereafter be or be intended to be made or established in the said Township, and to break up and remove the Soil or Ground thereof, and also to break up and remove the Soil, Ground, Pavement, Flags, Stones, Gravel, or Materials of any of the present or future Streets, Roads, Lanes, and other public Passages and Places in the said Township, and therein respectively to take Levels, and to dig and sink Trenches, and to lay and place Mains, Pipes, Branches, Plugs, and other Works for the Conveyance of Water, and to bank the Earth, and to remove, place, take, carry away, and use any Earth, Clay, Stones, Rubbish, Trees, Roots of Trees, Gravel,

Trustees may break up Soil, for laying Mains, &c.

Trustees in
laying Pipes
to make good
the Ground.

Gravel, or Sand, or other Matters or Things which may hinder, prevent, or obstruct the laying, placing, making, constructing, altering, amending, or repairing any such Aqueducts or other Works, and also from Time to Time as occasion may require, to take up, take away, alter, vary, or change the Position of, and to repair, relay, and maintain all such Mains, Pipes, Branches, Plugs, and other such Works as shall be thereon or therein, and to put or place new Mains, Pipes, Branches, Plugs, and other Works, and to do all such other Acts, Matters, and Things as they shall from Time to Time deem necessary or proper for amending, repairing, completing, improving, using, and perfecting as well the Works already made or established as any Works hereafter to be made, done, and provided for the Purposes of this Act, they the said Trustees, their Deputies, Engineers, Agents, Servants, and Workmen, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and making reasonable Satisfaction to the Owners or Occupiers of such Lands or Grounds for any Damage thereby occasioned, and this Act shall be sufficient to indemnify the said Trustees, and their Deputies, Engineers, Servants, Agents, Workmen, and all other Persons whomsoever, for all Acts, Matters, and Things they or any of them shall do by virtue thereof: Provided always, that the said Trustees, after laying, or removing, or repairing any such Mains, Pipes, Branches, Plugs, and Works, shall forthwith fill in the Trenches, and make good the Ground and other Damage, and remove the Rubbish occasioned thereby; and shall in the meantime fence or guard the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Carriages, or Cattle; and if there shall be any wilful or negligent Delay in the said Trustees, or any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, in filling in any such Ground, or removing Rubbish, or making good any such Ground or other Damage, or in case the same shall be imperfectly done, or in case the Ground so opened shall not be fenced or guarded, then and in every such Case it shall be lawful for the Persons or Person, Trustees, Commissioners, or Body or Bodies Politic or Corporate, in whom the Right of Soil of such Ground shall be, or any Person acting for them or him, to fill in such Ground, and remove such Rubbish, and to repair and make good such Ground so broken up, and properly to fence and guard any such Trench or Excavation, and to place and maintain such Light or Lights during the Night as to them or him shall seem necessary, and the reasonable Costs and Charges thereof shall be paid by the said Trustees, or their Treasurer or Treasurers, to the Persons or Person who shall have disbursed or incurred the same, and in default of Payment thereof for Thirty Days next after Demand made for the Payment thereof, (Proof of such Demand being made by the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said West Riding) all such reasonable Costs, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Treasurer of the said Trustees, unless such Treasurer shall pay such Costs and Charges out of any Money remaining in his Hands on account of the Water Rents herein directed and authorized to be received, (which he is hereby authorized and empowered to do out of any Monies received or to be received by him as such Treasurer on account thereof by virtue of this Act), together with the Charges of such Distress and Sale,

by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices, and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Penalties shall be paid to the Person or Party who shall have disbursed or incurred the Costs and Charges as aforesaid, and the Sufficiency or Insufficiency of any such Reinstatement or Repair shall, in case of Dispute, be determined by any such Justice.

LXXII. Provided also, and be it further enacted, That nothing herein contained shall authorize or empower the said Trustees, or any Person or Persons acting under or by their Authority, in the Exercise of any of the Powers herein contained, for making or repairing the said Waterworks, to enter, take, use, injure, or damage any Dwelling House or other Building, private Yard, Garden, Orchard, Park, Paddock, Lawn, Shrubbery, Pleasure Ground, planted Walk, or Avenue to a House, without the Consent of the Owner or Owners thereof for the Time being, except such as are mentioned in the Schedule to this Act annexed marked (B.)

Houses, Gardens, &c. not to be injured.

LXXIII. And whereas a Map or Plan, describing the Line and Situation of the intended Mains, or Pipes, and Reservoirs, and the Lands through and in which the same are intended to be carried and made, and a Book of Reference, containing a List of the Names of the Owners or reputed Owners and Occupiers respectively of such Lands, have been deposited at the Office of the Clerk of the Peace of the said West Riding; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace for the Time being, or his Deputy, and all Persons shall at any reasonable Time have Liberty to inspect and peruse the same, and to have a Copy thereof, or of such Part thereof as such Person or Persons shall require, on paying to the said Clerk of the Peace, or his Deputy, the Sum of One Shilling for every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts; and the said Trustees shall not in laying such Mains or Pipes deviate in or through any private Lands, more than Thirty Feet from the Line or Course so described, nor make any Reservoir in any other Situation than such as is so described, without the Consent in Writing of the Owner or Owners of the Lands in which such Deviation or Reservoir shall be made.

Map and Book of Reference to remain with the Clerk of the Peace.

LXXIV. Provided always, and be it further enacted, That if any of the Messuages, Buildings, Lands, Tenements, or Hereditaments mentioned and described in the Schedules hereunto annexed, or any of the Lands or Grounds described or mentioned in the said Map or Plan and Book of Reference, or any of the Persons in whose Possession or Occupation the same or any Part thereof are or is stated or described to be, or the Owner or Owners, Leaseholder or Leaseholders thereof, or any other Person or Persons interested therein, or in any Part thereof, shall happen by Mistake to be misnamed or incorrectly described, then and in such Case, on the same being certified by any Two of His Majesty's Justices of the Peace for the said West Riding, such Misnomer or incorrect Description shall not prevent or retard the Execution of this Act; but the same Premises, and every Part thereof, shall and may be purchased, sold, assessed, and valued in Manner as in this Act mentioned, and afterwards conveyed, disposed of, and applied for and to the Purposes of this Act, as fully and effectually

Misnomers or wrong Descriptions in Schedules, not to prevent the Execution of the Act.

fectually as if the same was or were properly named and described in the said Schedules hereunto annexed, or in the said Map or Plan and Book of Reference.

Power for Trustees to contract for the Purchase of Lands, &c.

LXXV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to treat, contract, or agree with any Person or Persons, or Body or Bodies Politic Corporate, or Collegiate, Corporation Aggregate or Sole, Tenant or Tenants for Life or Years, or in Fee Tail, General or Special, or with any Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunatics or Idiots, or other Trustees whomsoever, not only for and on behalf of themselves and their respective Heirs and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for themselves, who are or shall be seised or interested in their own Right, or with any other the Owners or Proprietors for the Time being, for the absolute Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, situate within the said Township, and which the said Trustees shall judge necessary and proper to be purchased for the Purposes of this Act, or any of them, and also to treat, contract, and agree for the Compensation or Satisfaction to be made for the same, or for any Part or Parts thereof, or for any Rights or Interests therein, and to purchase the same respectively, and to pay the Purchase Money out of the Monies to be by them received by virtue of this Act for such respective Purposes.

Trustees to purchase the whole of the Premises if required by the Owners.

LXXVI. Provided always, and be it further enacted, That in case the Proprietor or Proprietors of any Messuage, Building, Land, Tenement, or Hereditament, with the Yard or other Appurtenances thereto belonging, authorized by this Act to be purchased for the Purpose of widening and improving the Streets, Lanes, Roads, Passages, and other public Places in the said Township, and of which Part only of such entire connected Property shall be necessary for such Purposes, shall be desirous of disposing of the whole thereof, and shall signify such his or their Desire in Writing to the said Trustees, then the said Trustees shall, and they are hereby directed and required, to purchase the whole thereof accordingly, and to pay for the same out of the Monies to be by them received for the Purposes aforesaid.

Corporate Bodies, &c. empowered to sell.

LXXVII. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, and all Tenants for Life or Years, or in Fee Tail, General or Special, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees of or for Lunatics and Idiots, and other Trustees whatsoever, not only for and on behalf of themselves and their respective Heirs and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for themselves, who are or shall be seised or interested in their own Right, and for all and every other Persons and Person whomsoever, who are or shall be seised or possessed of or interested in any Messuages, Buildings, Lands, Tenements, or Hereditaments situate within the said Township, or any Right or Interest therein or thereto, which the said Trustees shall

shall consider proper and necessary to be purchased, taken, or used for the Purposes aforesaid, to contract and agree with the said Trustees for the absolute Sale thereof, or of any Part or Parts thereof respectively, and to sell and convey the same, or any Part or Parts thereof respectively, and all the Estate, Right, Title, and Interest whatsoever, of, in, and to the same, unto the said Trustees, or to such Person or Persons, and his, her, or their Heirs for ever, as the said Trustees shall direct, in Trust for them the said Trustees for any of the Purposes aforesaid; and also to contract and agree with the said Trustees for the Compensation or Satisfaction to be made for the same, or for any Part or Parts thereof; and all Contracts, Bargains, Sales, Conveyances, and other Assurances which shall be made by virtue and in pursuance of the Provisions of this Act, shall without any Fine, Recovery, or other Assurance in the Law whatsoever, and without Enrolment or Registry, be good, valid, and effectual, to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Parties so conveying, his, her, and their Heirs, Executors, Administrators, and Successors, but also to convey all the Right, Estate, Interest, Trust, Use, Property, Possession, Claim, and Demand whatsoever of their several and respective Cestuique Trusts, and all Persons whomsoever claiming, or having Title to claim by, from, through, or under them, and of all Persons entitled in Remainder or Reversion expectant on any particular Estates, and the same shall be deemed and considered to bar all Dower of the Wife or Wives of such Party or Parties, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of the same Party or Parties claiming under them, or any of them respectively; any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, and all Tenants for Life or Years, or in Fee Tail, General or Special, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, and Trustees, and all other Persons whomsoever, are and shall be hereby indemnified for what they shall respectively do by virtue and in pursuance of this Act.

LXXVIII. And be it further enacted, That all Sales, Conveyances, and Assurances to be made to the said Trustees of any Messuages, Buildings, Erections, Projections, Encroachments, Lands, Tenements, or Hereditaments, by virtue of this Act, may be made in the Form or to the Effect following; (that is to say),

‘ I [or we, as the Case may be] of in con- Form of Con-
‘ sideration of the Sum of Pounds paid to me [or to us, or veyance
‘ into the Bank of England, as the Case may be], by the Trustees acting
‘ under the Authority of an Act passed in the Fourth Year of the Reign
‘ of King George the Fourth, intituled [here insert the Title of this Act],
‘ do hereby grant and convey unto the said Trustees all [here describe the
‘ Premises to be conveyed], and all my [or our] Right, Title, and Interest
‘ in and to the same; to hold the same for the Uses and Purposes of
‘ the said Act, unto the said Trustees and their Successors from hence-
‘ forth for ever: In witness whereof, I [or we] have hereunto set my
‘ Hand and Seal [or our Hands and Seals, or our Common Seal, as the
‘ Case may be] this Day of in the Year of our
‘ Lord

And

And that every such Sale, Conveyance, and Assurance, made in manner aforesaid shall be valid and effectual to all Intents and Purposes, and shall be sufficient in Law to vest the Property of and in any such Messuages, Buildings, Erections, Projections, Encroachments, Lands, Tenements, or Hereditaments so purchased and conveyed as aforesaid, in the said Trustees for the Time being, for the Uses and Purposes of this Act; any Law, Statute, Usage, or other Matter or Thing to the contrary thereof notwithstanding.

Juries may assess Damages in certain cases.

LXXIX. And be it further enacted, That if any Body or Bodies Politic, Corporate, or Collegiate, or Corporation Aggregate or Sole, Spiritual or Lay, or any Tenant or Tenants for Life or Years, or in Fee Tail, General or Special, or any Feoffees in Trust, Husbands, Guardians, Committees, or Trustees, or any other Owners, Proprietors, or Occupiers, or other Person or Persons whomsoever, either seised, possessed, or interested in his, her, or their own Right, or on the Behalf of any incapacitated Person or Persons so seised, possessed, or interested of, in, or to any of the Messuages, Buildings, Lands, Tenements, or Hereditaments situate within the said Township, and mentioned in the Schedules to this Act, or of, in, or to any of the Lands or Grounds described or mentioned in the said Map or Plan and Book of Reference, or any Part thereof respectively, shall, for the Space of Three Calendar Months next after Notice shall have been given to or left at the last or usual Place or Places of Abode of such Person or Persons, or of the Clerk or Head Officer of any such Body Politic, Corporate, or Collegiate, or at the House or Houses of the several Tenants in possession of the said Premises, signed by the Clerk or Clerks of the said Trustees, and signifying the Intention of the said Trustees to contract for the Purchase thereof, neglect or refuse to treat, or shall not agree with the said Trustees for the Sale of or for the taking and using any such Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or shall be prevented by Absence or otherwise from treating, or shall decline or refuse to sell, convey, or dispose of the said Premises, or any Part or Parts thereof, or their respective Estates, Rights, Claims, or Interests therein unto the said Trustees, or to such Person or Persons as they shall nominate for the Purpose, according to the Intent and Meaning of this Act, or shall not or cannot produce or make out a clear Title to the said Premises, or to their respective Estates, Rights, or Interests which they respectively claim therein, to the Satisfaction of the said Trustees, or if any Dispute or Difference shall arise touching any of the aforesaid Premises, then and in every such Case it shall be lawful for the said Trustees to cause it to be inquired into and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the County of *York*, (which Oaths the said Trustees, or any One or more of them, are or is hereby empowered to administer) what Damages will be sustained by and what Recompence and Satisfaction shall be made to the Owners, Proprietors, or Occupiers of the said Messuages, Buildings, Lands, Tenements, Hereditaments, and Premises, or other the Person or Persons interested therein, for or by reason of the same being purchased or taken by the said Trustees; and in order thereto the said Trustees, or any Three or more of them, are hereby authorized, empowered, and required, from Time to Time, to summon and call before them all Persons who shall be thought necessary and proper to be examined as Witnesses before the said Jury upon Oath (which Oath the
said

said Trustees, or any One or more of them, are or is hereby empowered to administer), and they shall order and require the said Jury to view the Premises in question, and to use all other lawful Ways and Means as well for their own as for the said Jury's Information in the Premises; and after the said Jury shall have ascertained, awarded, and assessed such Damages and Recompence as aforesaid, they the said Trustees shall thereupon order and determine the Sum or Sums of Money so awarded and assessed by the said Jury to be paid according to the Verdict or Inquisition of the said Jury, which said Verdict or Inquisition, Order and Determination, when so had and made, shall be binding and conclusive to all Intents and Purposes whatsoever, against all Persons as well absent as present, and whether claiming in Possession, Reversion, Remainder, or otherwise; and all and every such Owners, Proprietors, Occupiers, and other Persons, anywise interested in the said Premises, shall be thereby and from thenceforth divested, to all Intents and Purposes, of all Right, Title, Claim, Remainders, Reversions, Interest, or Property of; in, to, or out of the same.

LXXX. And be it further enacted, That each and every of the said Jury shall be sworn to ascertain and assess such Recompence and Satisfaction as aforesaid in the Form following, except so far as it may be necessary to change the same for the Purpose of describing the Matter or Thing, Matters or Things for which the said Recompence or Satisfaction is to be made, ascertained, or given. Jury to be sworn.

‘ I *A. B.* do swear, [*or, affirm, as the Case may be*], That I will well and truly assess and inquire, without any Favour, Partiality, or Affection whatsoever, the Sum which ought to be paid or granted [*as the Case may be*] for and in Recompence of [*describing the Premises only if the total Value thereof is to be Matter of Inquiry, or if any separate Interest or Interests therein, then say*] the Estate and Interest of *A. B.* [*or the several and respective Estates and Interests of A. B. C. D. and E. F. and each and every of them*] in the [*describe the Premises to be purchased*] under and by virtue of an Act passed in the Fourth Year of the Reign of King *George the Fourth*, intituled [*here insert the Title of this Act*], and that I will give a true Verdict according to the Evidence.

‘ So help me GOD.’

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

LXXXI. And be it further enacted, That for summoning and returning such Jury as aforesaid, the said Trustees are hereby empowered to issue their Warrant or Warrants, signed by any Three or more of them, to the Sheriff of the County of *York*, or if such Sheriff shall be interested in the Matter in question, then to one of the Coroners of the said County not so interested, thereby requiring such Sheriff or Coroner to impanel, summon, and return an indifferent Jury of Twenty-four Persons to appear before the said Trustees, or any Seven or more of them, at such Time and Place within the said Township as in such Warrant or Warrants shall be appointed, and such Sheriff or his Deputy, or such Coroner, is hereby required to summon, impanel, and return such Twenty-four Persons accordingly; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear according to or upon such Summons, the said Trustees shall swear or cause to be sworn Twelve For summoning Juries.

[*Local.*]

21 X

Persons,

Persons, who shall be the Jury for the Purposes aforesaid; and in default of the Attendance of a sufficient Number of Jurymen, the said Sheriff or his Deputy, or the said Coroner, shall return other indifferent Men of the Standers-by, or who can be speedily procured to attend that Service, so that the Jury may amount to the Number of Twelve; and in case the Jury to be sworn as aforesaid shall return to the said Trustees that they cannot agree in their Verdict, the said Sheriff or his Deputy, or the said Coroner, is hereby authorized and required, upon receiving any other Warrant or Warrants from the said Trustees in that Behalf, to impanel, summon, and return another Jury in the Manner and for the Purposes aforesaid; provided always, that all Persons concerned shall have their lawful Challenges against any of the said Jurymen, in the same Manner as any Party in any Action depending in any of His Majesty's Courts of Record at *Westminster* is by Law entitled; and the said Trustees are hereby empowered to impose any reasonable Fine or Fines upon the said Sheriff or his Deputy, or the said Coroner, making any Default in the Premises, and also on any of the Persons who shall be summoned and returned to serve on such Jury, and who shall not appear (without some sufficient Excuse), or after having appeared, shall refuse to be sworn or affirmed on the said Jury, or having been sworn or affirmed, shall refuse to give or shall not give a Verdict in the Matter in question, or who shall in any other Manner wilfully neglect his or their Duty therein; and also upon any of the Persons who being summoned or required to give Evidence before the said Jury touching the Premises, shall neglect or refuse to appear (without sufficient Excuse), after having been paid or tendered a reasonable Sum of Money for his or her Expences, or appearing shall refuse to be sworn, or to affirm or to be examined, or give Evidence touching the same, but no such Fine shall exceed the Sum of Fifty Pounds on any such Sheriff, Deputy, or Coroner, or the Sum of Five Pounds upon any other Person, for One Offence.

Allowance to
Sheriff and
Jury.

LXXXII. Provided always, and be it further enacted, That each and every Jurymen, who shall be sworn for the Purposes of this Act, shall for his Trouble and Expences in the Premises be allowed the Sum of Ten Shillings and Sixpence for each Day's Attendance, and no more, notwithstanding such Jurymen shall be sworn on several Inquiries and Assessments on the same Day; and that the Sheriff, for impanelling, summoning, and returning of each Jury, shall be allowed the Sum of One Pound and One Shilling, and no more; which said Allowance, in case of any Dispute or Difference, shall be settled and determined by any Two Justices of the Peace for the said West Riding.

Costs of
Juries.

LXXXIII. And be it further enacted, That in every Case where a Verdict shall be given by any such Jury for more Money than shall have been previously offered by or on the Behalf of the said Trustees, as a Recompence or Satisfaction for any such Messuages, Buildings, Lands, Tenements, or Hereditaments as aforesaid, or for any such Estate, Right, or Interest therein, all the Costs and Expences to be incurred in taking such Inquisition, and the Attendance of Witnesses, and recording or entering the Verdict and Judgment thereon, shall be borne by the said Trustees out of the Monies to be raised by virtue of this Act respectively; and such Costs and Expences shall be settled and determined by some Justice of the Peace for the said West Riding, not interested in the Matter

in question, (who is hereby authorized and required to settle the same at a Time and Place to be by him appointed, after summoning the Parties interested therein to attend him for that Purpose); and in case such Costs and Expences shall not be paid to the Party or Person entitled to receive the same within Seven Days after the same shall be demanded, then the same shall and may be levied and recovered by Distress and Sale of any Goods or Chattels vested in the said Trustees, or of any Goods or Chattels of the Treasurer or Treasurers of the said Trustees (unless such Treasurer or Treasurers shall pay such Costs and Expences out of any Monies received by him by virtue of this Act, which he is hereby authorized to do) under a Warrant to be issued for that Purpose by any Justice of the Peace for the said West Riding, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for the Purpose by the Party or Person entitled to receive such Costs and Expences; and in every Case where a Verdict shall be given by any such Jury for no more or for less Money than shall have been previously offered by or on Behalf of the said Trustees, as such Recompence or Satisfaction as aforesaid, all the Costs and Expences to be incurred as aforesaid shall be borne by the Party or Parties refusing or neglecting to treat or agree as before mentioned, or with whom the said Trustees shall have had any Disagreement or Dispute concerning such Recompence or Satisfaction as aforesaid; but in Cases where any Person or Persons, Party or Parties, shall have been prevented by Absence from entering into any Treaty with the said Trustees, the Costs and Expences so incurred shall be borne by the said Trustees in manner aforesaid; and in all Cases where any Difference shall arise touching the Amount of such Costs and Expences, the same shall be settled and ascertained by any Justice of the Peace in and for the said West Riding, not interested in the Matter in question, who is hereby authorized and required to examine into and settle the same; and where the Costs shall be payable by the Party or Parties having had such Disagreement or Dispute with the said Trustees as aforesaid, the Amount thereof having been first paid by the said Trustees, may be deducted by them out of the Monies awarded to be paid to such Party or Parties, as so much Money advanced for his, her, or their Use, and the Payment or Tender of the Balance of such Money shall be deemed and taken to all Intents and Purposes whatsoever to be a Payment or Tender of the whole Money awarded and adjudged to such Party or Parties; or otherwise if such Costs and Charges be not paid upon Demand, after being so ascertained as aforesaid, the same may be recovered by the said Trustees from the Party or Parties liable to the Payment thereof, by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, together with full Costs of Suit.

LXXXIV. And be it further enacted, That all Tenants or Persons in Possession of any Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall or may be purchased in pursuance of this Act by the said Trustees, or vested in them for any of the Purposes thereof, who shall have no greater Estate in the Premises than Tenants at Will, or Lessees for a Year, or from Year to Year at Rack Rent, or for a Term of Years, shall at the End of Six Calendar Months next after Notice in Writing, signed by the Clerk or Clerks of the said Trustees, shall have been given to him, her, or them, or left at his, her, or their usual Place or Places of Abode, or at the Premises which shall be the Subject of such Notice,

Tenants to deliver Possession after Notice.

Notice, and all other Tenants or Persons in Possession of any such Messuages, Buildings, Lands, Tenements, or Hereditaments, who shall have any greater Estate or Interest in the said Premises than as aforesaid, or who by reason of any Erections or lasting Improvements made, or otherwise, shall have any equitable Claim or Interest in or upon the said Premises, shall also at the End of Six Calendar Months next after the like Notice so given or left as aforesaid, and upon Payment or Tender being made to them of such Recompence or Satisfaction for their Term, Estate, or Interest in the Premises, as shall be mutually agreed upon, or shall in Default of such Agreement be settled, ascertained, and awarded by the Verdict or Inquisition of a Jury, in manner aforesaid (and to which all the Provisions herein-before contained as to other Inquisitions shall be held to apply), quit and relinquish the said several Premises so in their respective Possessions unto the said Trustees, or such Person or Persons as shall be appointed by them to receive Possession of the same; and all Leases, Demises, Contracts, and Agreements whatsoever, under or by virtue whereof any such Tenants or Lessees shall hold the said Premises, shall at and from the End and Expiration of such Six Calendar Months be absolutely void and of none effect as against the said Trustees; and if any such Tenant or Lessee as aforesaid shall refuse or neglect to deliver up the Premises in his or her Possession at the Expiration of such Six Calendar Months, it shall be lawful for any Justice of the Peace for the said West Riding to issue his Precept or Warrant to the Constables in the said Riding for the Time being or any of them, commanding and requiring such Constables or any of them to cause Possession of the said Premises to be taken, and afterwards delivered to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same on the Behalf of the said Trustees; and the said Constables and every of them are thereupon hereby authorized and required to cause such Possession to be taken and delivered accordingly.

Mortgages to be assigned to the Trustees on Tender of Principal and Interest, together with Six Months Interest on the Principal Sum.

LXXXV. And be it further enacted, That all and every Persons or Person who shall have any Mortgages or Mortgage on such Houses, Buildings, Lands, Tenements, or Hereditaments, not being in Possession thereof by virtue of such Mortgages or Mortgage, shall, on the Tender of the Principal and Interest due thereon, together with the Amount of Six Calendar Months Interest on the said Principal Money, by the said Trustees or by such Person or Persons as they shall appoint, immediately convey, assign, and transfer such Mortgages or Mortgage to the said Trustees, or to such Person or Persons as they shall appoint; or in case such Mortgagees or Mortgagee shall have Notice in Writing from the said Trustees, or such Person or Persons as they shall appoint, that they will pay off and discharge the Principal Money and Interest which shall be due on the Mortgages or Mortgage at the End or Expiration of Six Calendar Months, to be computed from the Day of giving such Notice, that then at the Expiration of the said Six Calendar Months, on Payment of the Principal and Interest so due, such Mortgagees or Mortgagee shall convey, assign, and transfer their, his, or her Interest in the Premises to the said Trustees, or to such Person or Persons as shall be appointed as aforesaid in trust for them; and in case such Mortgagees or Mortgagee shall refuse to convey or assign as aforesaid, on such Tender or Payment, that then all Interest on every such Mortgage shall from thenceforth cease and determine: Provided always, that in case the Sum due

due upon any such Mortgages or Mortgage, with all Interest due thereon, shall amount to more than the real Value of such Houses, Buildings, Lands, Tenements, or Hereditaments, or the Part or Parts thereof which shall be taken for the Purposes of this Act (such Value to be ascertained in manner herein-before directed), then the said Trustees shall not be liable to pay the Mortgagees or Mortgagee more than the real Value of such Premises, to be determined as aforesaid.

LXXXVI. Provided always, and be it further enacted, That in any Case where the Amount of the Compensation for any Damage done or occasioned by the Trustees in the Exercise of any of the Powers herein contained for making or repairing the said Waterworks shall be disputed, and be alleged to amount to any Sum under Twenty Pounds, then the Amount of the Compensation for such Damage shall or may be ascertained and settled by any Justice of the Peace for the said West Riding, and shall and may be levied and recovered by Warrant under the Hand and Seal of any such Justice, together with such reasonable Costs and Charges as shall be awarded and allowed by such Justice by Distress and Sale of the Goods and Chattels of the Treasurer to the said Trustees, unless such Treasurer shall pay and discharge the same, which he is hereby authorized and empowered to do, out of any Monies received or to be received by him as such Treasurer as aforesaid, on account of the Water Rents herein-after mentioned.

If Amount of Compensation for Damages done to Lands be alleged to be under 20*l.*, a Justice may settle same.

LXXXVII. And be it further enacted, That if any Money shall be contracted, or agreed or awarded to be paid for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, to be purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof respectively, or of any Estate, Right, or Interest therein, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Idiot, or any other Person or Persons under any Disability or Incapacity, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Trustees for executing this Act, to the Intent that such Money shall be applied under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Party or Parties who would have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts, or such other Incumbrances or Part thereof, affecting the same Messuages, Buildings, Lands, Tenements, or Hereditaments, or affecting other Messuages, Buildings, Lands, Tenements, or Hereditaments standing and being settled therewith to the same or the like Uses, Trusts, Intents or Purposes, as the said High Court of Chancery shall authorize to be purchased or paid, or such Part thereof as shall be necessary; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon

Application of Purchase Money, when amounting to 200*l.*

such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be purchased, taken, or used for the Purposes aforesaid, stood and were settled and limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the meantime, and until such Purchase shall be made, the said Money shall by Order of the said Court, upon Application made thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends of the said Bank Annuities shall from Time to Time be paid by Order of the said Court, to the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments so directed to be purchased, in case such Purchase or Settlement were made.

When under
200l. and ex-
ceeding 20l.

LXXXVIII. Provided always, and be it further enacted, That if any Money so contracted, or agreed or awarded to be paid for any Messuages, Buildings, Lands, Tenements, or Hereditaments, purchased, taken, or used for the Purposes of this Act, or for any Estate, Right, or Interest therein, which shall belong to any Body Politic, Corporate, Collegiate, or Ecclesiastical, Corporation Aggregate or Sole, Tenant for Life or in Tail, Trustee, Feme Covert, Infant, Lunatic, or Idiot, or any other Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall (at the Option of the Party or Parties who would have been entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used as aforesaid, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Lunacy, or Idiocy, to be signified in Writing under their respective Hands) be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in the Manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be named by the Party or Parties making such Option, and approved by Three or more of the Trustees for executing this Act, (such Nomination and Approbation to be signified by Writing under the Hands of the nominating and approving Parties), in order that such Principal Money, and the Dividends and Produce thereof, may be applied in the Manner herein-before directed, so far as the Case shall be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Chancery.

When not ex-
ceeding 20l.

LXXXIX. Provided also, and be it further enacted, That where such Money so contracted, or agreed or awarded to be paid as aforesaid, shall not exceed the Sum of Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Party or Parties who would for the Time being have been entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said

Trustees

Trustees for executing this Act shall think fit; or in Cases of Infancy, Lunacy, or Idiocy, then to the Guardian or Guardians, Committee or Committees of the Infants, Lunatics, or Idiots entitled to such Rents and Profits, to and for the Use and Benefit of such Infants, Lunatics, or Idiots respectively.

XC. And be it further enacted, That in case any Party or Parties to whom any Sum or Sums of Money shall have been so agreed or awarded for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments within the said Township, or of any Estate, Right, or Interest therein, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or shall refuse to execute a Conveyance or Conveyances of the same; or in case the Party or Parties to whom such Sum or Sums of Money shall have been so awarded as aforesaid cannot be found, or if the Party or Parties entitled to or interested in such Messuages, Buildings, Lands, Tenements, or Hereditaments, shall not be known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money, so agreed or awarded as aforesaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Messuages, Buildings, Lands, Tenements, or Hereditaments, [describing the said Premises], subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court, upon the Application of any Party or Parties making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, is hereby empowered in a summary Way of Proceeding, or otherwise, as to the said Court shall seem meet, to order the same to be laid out and invested in the Purchase of the like Bank Annuities as aforesaid, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estates, Titles, or Interests of the Party or Parties making claim thereto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for the same, specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay the same into the Bank as aforesaid.

Compensation Money to be paid into Bank on Refusal to accept.

XCI. Provided always, and be it further enacted, That when any Question shall arise touching the Title of any Party or Parties to any Money to be paid into the Bank of *England* in pursuance of this Act, for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Messuages, Buildings, Lands, Tenements, or Hereditaments, to be purchased or taken by the said Trustees in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Party or Parties who shall have been in Possession of such Messuages, Buildings, Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Party or Parties, or under the Possession of such Party or Parties, shall be deemed and taken to have been lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall

Rights of Persons in Possession to have Preference.

shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends and Interest of the said Bank Annuities, and also the Capital of the same Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall appear to the said Court that such Possession was a wrongful Possession, and that some other Party or Parties was or were lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

Costs attending Purchases to be paid by Trustees.

XCII. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Party or Parties entitled to any Messuages, Buildings, Lands, Tenements, or Hereditaments, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the Charges of obtaining such Order, to be paid by the said Trustees, who shall from Time to Time, out of the Monies respectively to be raised by virtue of this Act, pay such Sums of Money for the Purposes aforesaid as the said Court shall direct.

Property purchased to vest in Trustees.

XCIII. And be it further enacted, That from and immediately after actual Payment or Tender being made of the Monies contracted and agreed, or otherwise awarded to be paid by the said Trustees, as the Purchase Money or Recompence for any Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be purchased or taken by the said Trustees by virtue or in pursuance of this Act, or for any Estate, Right, or Interest therein, to the Person or Persons, Party or Parties respectively entitled to receive the same Monies, or (where the Provisions of this Act shall so require or allow) on actual Payment thereof into the Bank of *England*, for the Purpose of being disposed of in the Manner in this Act directed, all and every the Messuages, Buildings, Lands, Tenements, and Hereditaments, Estate, Right, or Interest, for or in respect whereof such Monies shall have been so paid or tendered, shall absolutely vest in the said Trustees, and shall or may be taken and used by them for the Purposes of this Act; and the said Trustees for the Time being shall, after such Payment or Tender, be deemed in Law to be in the actual Seisin or Possession thereof to all Intents and Purposes whatsoever, freed and discharged of and from all former and other Estates, Rights, Titles, Interests, Claims, and Demands whatsoever; any Law, Statute, Usage, or Custom to the contrary in anywise notwithstanding.

Power to pull down Buildings.

XCIV. And be it further enacted, That it shall be lawful for the said Trustees, from Time to Time to cause all and every or any of the Messuages and other Buildings, Erections, Projections, and Encroachments which shall at any Time or Times be purchased or taken by the said Trustees under the Powers of or for the Purposes of this Act, or any Part or Parts thereof, to be appropriated to any of the Purposes of this Act, or otherwise to be pulled down and removed; and to cause all or any Part or Parts of the Sites thereof, and any other Land or Ground to be purchased or taken under the Powers and for the Purposes aforesaid,

to

to be added, or laid to, or into, and made Part of any of the Streets, Lanes, Roads, Passages, or other public Places within the said Township, for the Purpose of widening or otherwise improving the same, or to be formed and made into any new Streets, Lanes, Roads, Passages, or public Places, or to be applied to any of the Purposes or Objects of this Act, in such Manner as the said Trustees shall judge proper; and it shall be lawful for the said Trustees to cause all or any of the Materials of the several Messuages or other Buildings, or Parts of Messuages or Buildings, Erections, Projections, or Encroachments, which shall be taken down in pursuance of this Act to be sold; and all the Monies to be produced by the Sale thereof (after deducting the Expences of taking down such Buildings, and of such Sale) shall be applied and disposed of for or towards the general Purposes of this Act.

XCV. And be it further enacted, That it shall be lawful for the said Trustees to sell, lease, or demise so much or such Part or Parts of the Messuages, Buildings, Lands, Tenements, or Hereditaments, to be purchased by or vested in them by virtue of the Powers herein contained, as shall at any Time or Times be found by them to be unnecessary, or more than sufficient for the Purposes of this Act; and for completing and carrying any such Sales or Demises into Effect, the said Trustees are hereby authorized and empowered to make and execute any Conveyances, Leases, or Demises of such of the said Premises as shall be so sold, leased, or demised, unto the Purchasers or Lessees thereof; and such Conveyances, Leases, or Demises, shall in all Cases be deemed sufficient in Law to vest such of the said Premises as shall be expressed and intended to be granted or demised by such Conveyances, Leases, or Demises, in the Purchasers or Lessees thereof, and his, her, or their respective Heirs and Assigns, or Executors, Administrators, and Assigns: Provided nevertheless, that the Person or Persons who shall be Owner or Owners of the House, Building, or Land adjoining to the said Premises, shall have the first Preference of purchasing such Part or Parts of the said Premises as shall be found unnecessary as aforesaid; and in case such Owner or Owners shall, upon the same being offered to him, her, or them by the said Trustees, decline or refuse to purchase the same, then and in every such Case, on an Affidavit being made and sworn before a Master or Master Extraordinary of the High Court of Chancery, by some Person or Persons (not interested in the Premises), stating that such Offer was made by or on the Behalf of the said Trustees, and that such Owner or Owners declined or refused to purchase the said Premises, such Affidavit shall in all Courts whatsoever be sufficient Evidence and Proof that such Offer was made, and was declined or refused by such Owner or Owners; but in case such Owner or Owners shall be desirous of re-purchasing the same, and cannot agree with the said Trustees in regard to the Price to be paid for the Purchase thereof, then and in such Case the Price or Value thereof shall be settled and ascertained by a Jury, in like Manner as the Recompence or Satisfaction for any Hereditaments to be purchased or taken by the said Trustees for the Purposes of this Act, is herein-before directed to be settled and ascertained; and the Costs and Charges of ascertaining and determining the same, shall be borne and paid in like Manner as herein-before is directed with respect to Purchases made by the said Trustees, *mutatis mutandis*; and all Monies to arise by any Sales or Demises which

Power to re-sell or demise Premises not wanted.

[*Local.*]

21 Z

may

may be made by the said Trustees of the said Premises, or any Part or Parts thereof, shall be applied to the Purposes of this Act for which the same were or was originally purchased; but the Purchasers or Lessees thereof having paid his, her, or their Purchase Monies or Rents to the Treasurer or Treasurers of the said Trustees, and obtained his or their Receipt or Receipts for the same, shall not be liable to see to the Application of the said Monies, or be answerable or accountable for the Misapplication or Nonapplication of the same.

The Words
"grant," &c.
to operate as
a Covenant.

XCVI. And be it further enacted, That in all Grants and Conveyances to be made by the said Trustees, under or by virtue of the several Powers and Authorities by this Act granted, the Words "grant, bargain, and sell," shall be and be construed and adjudged, in all Courts of Judicature, to be express Covenants to the Grantee or Purchaser, his, her, and their Heirs, Executors, Administrators, and Assigns, from the said Trustees for themselves and their Successors, that the said Trustees, notwithstanding any Act done by them were at the Time of the Execution of every such Grant or Conveyance seised of the Lands, Hereditaments, and Premises thereby granted, conveyed, and sold, of an indefeasible Estate of Inheritance in Fee Simple, free from all Incumbrances, and for the quiet Enjoyment thereof against the said Trustees and their Successors, and all Persons claiming under them.

Water Rents.

XCVII. And be it further enacted, That the said Trustees shall and they are hereby required to supply with Water such of the Inhabitants and Occupiers of any Houses, Tenements, or Hereditaments in any Street, Lane, Road, Passage, or other public Place within the said Township in which any Main Pipe shall be laid by the said Trustees, as shall be desirous of having the same, and who shall be willing and agree to pay the necessary Expences of providing, laying, and affixing Service Pipes to communicate with such Main Pipes, together with the necessary Valves and Cocks, and to pay the Water Rents herein-after mentioned; and it shall and may be lawful for the said Trustees, or for such Person or Persons, as they shall from Time to Time appoint for that Purpose, and they are hereby empowered and directed to ask, demand, receive, and take of and from every Inhabitant or Occupier of any House, Tenement, or Hereditament within the said Township who shall choose to have the Water laid into their respective Houses, Tenements, or Hereditaments, such Sum or Sums of Money, to be paid yearly or otherwise, as and for a Water Rent, as the said Trustees shall from Time to Time agree upon, and by Writing under their Hands assess and appoint, so as the annual Water Rent to be paid for Water for any one separate House or Cottage let at an Annual Rent not exceeding Five Pounds, do not exceed the Sum of Twenty Shillings *per Annum*, and so as the annual Water Rent to be paid for Water for any One separate Messuage, Dwelling House, Tenement, or Hereditament, let at an annual Rent exceeding Five Pounds, do not exceed the Sum of Three Pounds *per Annum*, except each separate Messuage, Dwelling House, Tenement, or Hereditament occupied by any Innkeeper, Maltster, Brewer, Distiller, Dyer, Hatter, Woolcomber, or other Person who shall use large Quantities of Water, and in every such Case such Sum as the said Trustees shall think reasonable,

not exceeding the annual Sum of Eight Pounds; all which Water Rents and Sums of Money shall be and the same are hereby vested in the said Trustees. Rents vested in Trustees.

XCVIII. And whereas the several Persons occupying the Dwelling Houses called *Wellhead, Savile Green, Shay, Saint Johns, and Stone-trough*, now or late in the Possession or Occupation respectively of *John Waterhouse, Samuel Waterhouse, Hannah Rhodes, Jeremiah Rawson, William John Norris, James Morley, and William Rothwell*, were entitled under and by virtue of the said recited Acts to have their said several Dwelling Houses supplied with Water from the said Spring called *Wellhead* on the Payment of a certain reduced Rate, but such reduced Rate nevertheless has not been enforced; be it therefore enacted, That the several Persons who do or shall occupy the said several Dwelling Houses shall be supplied by the said Trustees with Water from the said Spring called *Wellhead*, for their respective household Uses, and have proper Places, Troughs, Cisterns, Spouts, Cocks, or other Conveniences provided for holding, taking up, and delivering the same Water, in such Manner as they have hitherto had and enjoyed the same, without paying or being required to pay any of the Water Rents herein-before mentioned: Provided always nevertheless, that the necessary Costs, Charges, and Expences of keeping the said Places, Troughs, Cisterns, Spouts, Cocks, and other Conveniences, and the Service Pipes communicating therewith, in Repair, shall from Time to Time be reimbursed to the said Trustees by the Occupiers respectively of the said several Dwelling Houses lastly herein-before mentioned; and in case of Non-payment thereof within Fourteen Days after the same shall have been demanded by or on Behalf of the said Trustees, the same Costs, Charges, and Expences having been first ascertained by any Justice or Justices of the Peace for the said West Riding, shall be levied by Distress and Sale of the Goods and Chattels of such Occupiers respectively, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said West Riding, together with the Expences of such Distress and Sale, returning the Overplus (if any) to such Occupiers respectively. Exemptions for certain Estates anciently exempted, on certain Conditions.

XCIX. And for raising Money to enable the said Trustees to carry into Execution such of the Purposes of this Act as relate to the Improvement and Regulation of the said Township, and as are not otherwise particularly provided for and directed to be paid out of other Funds; be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered to raise and levy annually, or oftener if the said Trustees shall think proper, such Sum and Sums of Money as they shall from Time to Time think necessary, by a Rate or Assessment to be made and levied upon the Tenants or Occupiers of the several Houses, Warehouses, Shops, Cellars, Vaults, Foundries, Furnaces, Steam and other Mills, Stables, Coachhouses, Countinghouses, Brewhouses, Granaries, and other Buildings, Erections, Works, Lands, Tenements, and other Hereditaments within the said Township of *Halifax*, according to the annual Rent or Value of the same respectively, not exceeding (except in the Case herein-after mentioned) in any One Year the Sum of Two Shillings and Sixpence in the Pound upon such annual Rent or Value, such annual Rent or Value to be from Time to Time settled, ascertained, Rates.
and

and fixed in such Manner as the said Trustees shall direct or appoint ; and the Monies to be raised and assessed as aforesaid shall from Time to Time be paid Half-yearly or otherwise, as the said Trustees shall think fit, by the respective Tenants or Occupiers of such respective Premises, to the Collector or Collectors of the Rates to be appointed as directed by this Act, and the Money so collected shall be paid over by such Collector or Collectors into the Hands of such Person or Persons, and at such Times as the said Trustees shall appoint ; and the said Rates and Sums of Money shall be and are hereby vested in the said Trustees.

Rates may be increased to 4s. in the Pound, with Concurrence of Three-fourths of the Trustees.

C. Provided always, and be it further enacted, That in case it shall at any Time or Times hereafter be found expedient that an increased Rate should be made or raised for the Purposes of widening and improving the Streets, Lanes, Roads, Passages, or other public Places in the said Township, then it shall be lawful for the Trustees assembled at any General Quarterly Meeting to be held in pursuance of this Act, and they are hereby authorized and empowered, to order and direct the Rates and Assessments hereby granted to be increased to such Sum as the said Trustees, or Three-fourths of such Trustees so assembled, shall think necessary for the Purposes aforesaid, not exceeding in the Whole in any One Year the Sum of Four Shillings in the Pound upon such Annual Rent or Value as aforesaid : Provided always, that Ten Days Notice of the Intention of proposing such additional Rate shall in all Cases be previously given, in the same Manner as other public Notices are by this Act directed to be given.

Certain Mills, &c. to be rated at One-third only.

CI. Provided, always, and be it further enacted, That the Mills, Messuage, Lands, and Hereditaments, with the Appurtenances, the Estate of the Marchioness of *Hertford* and in the Occupation of *John Hodgson*, shall be charged and rated at One-third only of the full Rate or Assessment for the Time being directed to be levied by virtue of this Act.

Land used as Arable, Meadow, or Pasture to be rated at One-half, and Houses, &c. not lighted and watched at Two-thirds.

CII. Provided always, and be it further enacted, That all Land within the said Township, which at the Time of making any Rate or Assessment for the general Purposes of this Act shall be used as Arable, Meadow, or Pasture Ground only, shall be charged and rated at One-half only of the full Rate or Assessment for the Time being directed to be levied by virtue of this Act ; and all Houses, Buildings, Yards, Gardens, and other Hereditaments, situate within such Parts of the said Township as at the Time of making any such Rate or Assessment shall not be lighted and watched by virtue of this Act, or which shall not communicate principally with any Part of the Streets, Lanes, Roads, Passages or public Places which shall be so lighted and watched, shall be charged and rated at Two-thirds only of the full Rate or Assessment for the Time being directed to be levied by virtue of this Act.

Landlord to pay for furnished Houses, &c.

CIII. Provided always, and be it further enacted, That every Person, being Landlord or Tenant, who shall let his or her House, Warehouse, or other Building in separate Apartments, Stories, or Tenements, or ready furnished, to any Lodger or Lodgers, or for any less Term than One Year, shall and may be rated and assessed to and shall pay the Rates or Assessments

Assessments by this Act directed to be levied or made, in such and the like Manner as if he or she were the actual Occupier thereof.

CIV. Provided also, and be it further enacted, That it shall be lawful for the said Trustees to excuse or discharge from the Payment of such Rates or Assessments any Person or Persons who by reason of Poverty shall be excused from Payment of the Rates made for the Relief of the Poor of the said Township of *Halifax*, or any poor Person or Persons who shall occupy any House or Tenement in the said Township which shall be let under the Yearly Rent of Three Pounds.

Power to relieve Tenants in certain Cases.

CV. And be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any Messuage, Warehouse, Shop, Land, Tenement, or Hereditament, which shall be rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay the Rents, Rates, or Assessments so rated or assessed, in proportion to the Time that he, she, or they occupied the same, in like Manner as if such Person or Persons had not removed from or quitted the same; and in all Cases where any Person or Persons shall come into or occupy any such Messuage, Warehouse, Shop, Land, Tenement or Hereditament as aforesaid, out of or from which any other Person or Persons who shall have been rated or assessed for the same shall be removed, or which at the Time of making any such Rate or Assessment was or were empty or unoccupied, the Person or Persons so coming into or occupying the same shall, for and in respect of his, her, or their Occupation thereof, be liable to pay such Rent, Rate, or Assessment in proportion to the Time that he, she, or they shall occupy the same, in the same Manner as if he, she, or they had been originally rated or assessed for such Messuage, Warehouse, Shop, Land, Tenement or Hereditament; which said respective Proportions, in case of Dispute, shall be settled and ascertained by the said Trustees, as they shall judge reasonable.

How Rates, &c. to be paid by Tenants quitting or entering.

CVI. And be it further enacted, That if any Person or Persons shall neglect or refuse to pay any Sum or Sums of Money on him, her, or them respectively chargeable, or rated or assessed by virtue of this Act, to the Collector or Collectors for the Time being of Rents or Rates or Assessments, to be appointed by the said Trustees for the Space of Seven Days next after a personal Demand made thereof by such Collector or Collectors, or any of them, or a Demand in Writing under the Hand or Hands of any such Collector or Collectors, left at the last or usual Place or Places of Abode of such Person or Persons, or on the Premises for which such Person or Persons shall be so chargeable, rated or assessed, or any Part thereof, then and in every such Case it shall be lawful for such Collector or Collectors, or any of them, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said West Riding (which Warrant or Warrants the said Justice or Justices is and are hereby authorized and required to grant, upon due Proof on Oath or Confession made before him or them, of the Demand and Non-payment of such Rents or Rates or Assessments), with the Assistance of some Constable or other Peace Officer, to enter into any Dwelling Houses, Buildings, Lands, Tenements or Hereditaments in the Occupation of the Person or Persons so neglecting or refusing to pay such Rents or Rates or Assessments, and there or elsewhere to distrain the Goods and Chattels of such Person or Persons, and

Power of Recovery of Rates, &c.

the Goods and Chattels so taken to impound, keep, and detain; and if the full Amount of the Monies so distrained for shall not be paid within Five Days next after such Distress being made, together with the Costs and Charges incurred about the same, then such Collector or Collectors is and are hereby authorized to sell the Goods and Chattels so distrained, or such Part or Parts thereof as will be sufficient to pay the said Rents or Rates or Assessments, together with the Costs and Charges of the said Warrant, and of making, keeping, and selling such Distress, returning the Overplus (if any) of the Money arising by such Sale to the Owner or Owners of such Goods and Chattels, on Demand; and in case sufficient Goods and Chattels belonging to such Person or Persons to make Payment of such Rents or Rates and Assessments, and such Costs and Charges as aforesaid cannot be found, and the same, or any Part thereof, shall remain unpaid, then and in every such Case it shall be lawful to and for the said Trustees to recover any such Rents or Rates or Assessments by Action of Debt or on the Case, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more than one Impar lance, shall be allowed.

Rates recoverable from Persons removing.

CVII. And be it further enacted, That if any Person or Persons liable to pay any of the said Rents, Rates, or Assessments, shall at any Time begin to remove his, her, or their Goods or Furniture from the House or Premises in his, her, or their Occupation within the said Township, or to sell or dispose of such Goods or Furniture therein by public Auction, or sell, dispose of, or carry away his, her, or their Goods or Furniture as aforesaid, without paying all Arrears then due or rated in respect of such House or Premises, including the Proportion of the Rents, Rates or Assessments for the current Quarter or Half Year up to the Time of such Removal or intended Removal, then and in any of the said Cases it shall be lawful for the Collector for the Time being to the said Trustees to collect and levy all such Arrears, Rents, Rates or Assesments, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said West Riding, by Distress and Sale of the Goods and Chattels of the Party neglecting or refusing to pay, and beginning to remove, take away, or sell, or selling, disposing of, or carrying away any such Goods or Furniture as aforesaid; and if within Five Days next after such Distress shall be made, the said Arrears and Rents, Rates or Assessments, together with the reasonable Charges of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Arrears and Rents, Rates or Assessments, and the reasonable Charges of making such Distress, and of keeping and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively.

Exempting certain Buildings from being rated.

CVIII. And be it further enacted, That no Church, Chapel, Church-yard, Almshouse, Hospital, Workhouse, or Building appropriated exclusively to the gratuitous Education of the Poor within the said Township, and not yielding any pecuniary Profit or Advantage, shall be liable to be charged with any of the Rates or Assessments to be made by virtue of this Act.

Persons aggrieved by Rates may

CIX. And be it further enacted, That if any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall think himself, herself, or themselves

themselves aggrieved by any Rent, Rate, or Assessment which shall be made or assessed in pursuance of this Act, such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall and may first apply for Relief to the said Trustees, at the First or Second Meeting to be holden next after Demand shall be made of such Rent, Rate, or Assessment; and the said Trustees are hereby authorized and empowered, if they shall think such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate aggrieved, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, so applying to such Trustees, shall not be satisfied with their Order or Determination, or such Application shall not be attended to by the said Trustees at such First or Second Meeting as aforesaid, then such Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall nevertheless be obliged to pay such Rent, Rate or Assessment, and then, and not before, may appeal for Relief in the Premises to the General or Quarter Sessions of the Peace to be holden in and for the said West Riding of the County of *York*, or some Adjournment thereof in that Behalf, within Three Calendar Months after such Second Meeting, in Manner herein-after directed in that Behalf.

apply to the Trustees.

CX. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to amend any Rate or Assessment to be made by virtue of this Act, by inserting therein the Name or Names of any Person or Persons who ought to have been rated, or by striking out the Name or Names of any Person or Persons who ought not to have been rated therein, or by raising or reducing the Sum or Sums at which any Person or Persons shall have been rated therein, who shall appear to them to have been under-rated, or over-rated, or by making such other Amendments therein as will in the Judgment of the said Trustees make such Rate or Assessment conformable to the true Intent and Meaning of this Act; and that no such Amendment so to be made by the said Trustees in any such Rate or Assessment shall be held to vitiate the same.

Trustees may amend Rates.

CXI. And for the more speedily enabling the said Trustees to execute the several Purposes of this Act, be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, from Time to Time when and so often as they shall think it expedient, to borrow and take up at Interest any Sum or Sums of Money, not exceeding in the whole at any one Time the Sum of Three thousand Pounds, upon the Credit of the said Rents, or Rates or Assessments respectively hereby authorized to be made and collected, and by any Writing or Writings under the Hands and Seals of the said Trustees, or any Three or more of them, to mortgage, grant, or assign the same Rents, Rates, or Assessments, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or to his, her, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with lawful Interest for the same; and the Charges and Expences of such Security or Securities respectively shall be from Time to Time defrayed by the said Trustees out of the Money so borrowed; and every such Mortgage or Security shall be in the Words or to the Effect following; (that is to say),

Power to borrow Money and mortgage Rates.

‘ 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,

' we, whose Names and Seals are hereunto subscribed and set, being
 ' of the Trustees acting in the Execution of
 ' the said Act, in consideration of the Sum of
 ' advanced and lent by upon the Credit of
 ' the Water Rents [*or Improvement Rates, as the Case may be*] authorized
 ' to be raised and collected by the said Act, and paid by him, [*or her, or*
 ' them, *as the Case may be*] to the Treasurer of the said Trustees, do
 ' hereby grant and assign unto the said [*or*
 ' to his, her, or their Trustee or Trustees, *as the Case may be*] his, [*her, or*
 ' their] Executors, Administrators, and Assigns, such Proportion of the
 ' Water Rents [*or Improvement Rates, as the Case may be*] authorized by
 ' the said Act to be raised, levied, and collected, as the said Sum of
 ' doth or shall bear to the whole Sum
 ' borrowed or charged, or to be borrowed upon the Credit of the same
 ' Rents [*or Rates or Assessments, as the Case may be*] to be had and
 ' holden from the Day of the Date of these Presents, until the said Sum of
 ' with Interest for the same after the Rate
 ' of *per Centum per Annum*, shall be fully paid and
 ' satisfied. In witness wherof, we have hereunto set our Hands and
 ' Seals, the Day of in the Year
 ' of our Lord

And all Mortgages or Securities granted on the Credit of the said recited
 Acts or this Act shall be numbered, commencing with Number One, and
 so proceeding in an Arithmetical Progression ascending, whereof the
 common Excess or Difference shall always be One; and every such
 Mortgage or Security shall be good, valid, and effectual in the Law, and
 shall entitle the Person or Persons to whom the same have been or shall
 be made, his, her, or their Executors, Administrators, and Assigns, to the
 Payment thereof and of the Interest thereon.

Power to
 raise Money
 by Annuity.

CXII. Provided always, and be it further enacted, That in case the said
 Trustees shall think it adviseable and advantageous to raise all or any Part
 of the said Sum of Three thousand Pounds by granting of Annuities for
 Life or Lives, it shall be lawful for the said Trustees, and they are hereby
 authorized and empowered, by Writing under the Hands and Seals of
 any Three or more of them, to grant an Annuity or Annuities to any
 Person or Persons who shall advance and pay into the Hands of the
 Treasurer or Treasurers to the said Trustees, such Sum or Sums of
 Money as to the said Trustees shall seem right and proper for the
 absolute Purchase of any Annuity or Annuities to be paid or payable during
 the natural Life or Lives of every such Person or Persons, or the Life or
 Lives of any Nominee or Nominees of such Person or Persons, either with
 or without Benefit of Survivorship, so that no such Annuity do exceed
 the Rates herein-after mentioned; and the Expences of every such Grant
 or Annuity shall be defrayed by the said Trustees out of the Money so
 advanced; and the Grant of every such Annuity shall be in the Words
 or to the Effect following; (that is to say),

' WE of the Trustees appointed by or
 ' in pursuance 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]* in consideration of the Sum of
 ' paid by [*or, if intended to be granted*
 ' *with Benefit of Survivorship, by*] to the Treasurer of
 ' the

the said Trustees, for enabling them to supply the Township of *Halifax* with Water, [*or for the general Purposes in the said Act set forth, as the Case may be*], do hereby grant unto the said and his Assigns [*or, if by Survivorship*, unto the said and to the Survivor and Survivors of them], an Annuity or Yearly Sum of to be paid out of the Water Rents [*or Improvement Rates, as the Case may be*] authorized to be raised and collected by virtue of the said Act; which Annuity or Yearly Sum of shall be paid to the said or his [*her or their*] Assigns, during the Term of his [*or her*] natural Life [*or, if by Survivorship*, unto and amongst them the said and the Survivor and Survivors of them], by equal Payments, upon the Day of the Day of the Day of in every Year; and the first Payment thereof to be made upon the Day of next ensuing the Date of these Presents. In witness whereof we have hereunto set our Hands and Seals, the Day of in the Year of our Lord

And every such Grant shall be good, valid and effectual in the Law, any Law or Statute to the contrary thereof notwithstanding; and all Annuities to be granted as aforesaid shall be and are hereby charged upon, and shall be paid and payable, free from all Charges and Deductions, by the Treasurer or Treasurers to the said Trustees for the Time being, out of the said Rents, Rates, or Assessments, hereby respectively authorized to be raised and collected.

CXIII. And for preventing any improvident Grants of Annuities under this Act, be it further enacted, That no Annuity 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 Person for whose Life the Annuity shall be granted shall not exceed Thirty-five Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Three Shillings for each Hundred Pounds of the Consideration Money paid for the Purchase thereof; when the Age of such Person shall not exceed Forty Years, the Annuity to be granted shall not exceed the Rate of Eight Pounds Ten Shillings for each Hundred Pounds of such Consideration Money; when the Age of such Person shall not exceed Forty-five Years, the Annuity shall not exceed the Rate of Nine Pounds for each Hundred Pounds of the Consideration Money; when the Age of such Person shall not exceed Fifty Years, the Annuity shall not exceed the Rate of Nine Pounds Twelve Shillings for each Hundred Pounds of the Consideration Money; when the Age of such Person shall not exceed Fifty-five Years, the Annuity shall not exceed the Rate of Ten Pounds Eight Shillings for each Hundred Pounds of the Consideration Money; when the Age of such Person shall not exceed Sixty Years, the Annuity shall not exceed the Rate of Eleven Pounds Eight Shillings for each Hundred Pounds of the Consideration Money; when the Age of such Person shall not exceed Sixty-five Years, the Annuity shall not exceed the Rate of Twelve Pounds Seventeen Shillings for each Hundred Pounds of the Consideration Money; when the Age of such Person shall not exceed Seventy Years, the Annuity shall not exceed the Rate of Fifteen

Restrictions as to Grants of Annuities.

[Local.]

Pounds

shall, in the Presence of Seven or more of the said Trustees at a Meeting, draw separately out of the said Box One of the said Pieces of Paper for each Mortgage then intended to be paid off by the said Trustees, and thereupon the Mortgage or Mortgages corresponding with the Number or Numbers, or other Description, on the Piece or Pieces of Paper which shall be so drawn, shall be accordingly paid off by the said Trustees; and after every such Ballot the said Trustees shall cause Notice, signed by their Clerk or Clerks, to be given to the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot; which Notice shall express the Principal Sum to be paid off, and that the same will be paid, together with Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Three Calendar Months from the Date of giving such Notice; and the Interest of the Principal Money to be paid off shall, from and after the End of the said Three Calendar Months, cease and be no longer paid or payable, unless the Money shall be demanded pursuant to such Notice, and not paid; but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof, to the End of the said Three Calendar Months, shall nevertheless be payable on Demand.

CXVII. Provided always nevertheless, and be it further enacted, That in case the said Trustees 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 Trustees from Time to Time to charge the said Rents, Rates, or Assessments in Manner aforesaid, with such Sum or Sums of Money as they shall think fit or proper to be borrowed at such lower Rate of Interest, and the Interest thereof at such lower Rate as aforesaid, and therewith to pay off and discharge any of the Mortgages, Assignments, and Securities, bearing a higher Rate of Interest, by Ballot, according to the Directions herein-before contained for paying off other Mortgages by Ballot.

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

CXVIII. Provided always, and be it further enacted, That the Rents or Rates or Assessments hereby authorized to be made and collected shall not at any one Time be charged with any greater Sum or Sums of Money to be borrowed by virtue of the Powers and Provisions of this Act than the Sum of Three thousand Pounds in the Whole.

Monies borrowed under this Act not to exceed 3,000*l.* at any one Time.

CXIX. And be it further enacted, That (in case it shall be found expedient for the Accomplishment of some of the Purposes of this Act, that Sums of Money should from Time to Time be raised by voluntary Subscriptions in aid of the Rents, Rates, and Assessments authorized to be imposed by this Act) the Money which may be so subscribed from Time to Time shall be and is hereby vested in the Trustees for executing this Act, and shall be by them applied for such of the Purposes thereof as in such Subscription shall be expressed; and in case any Person or Persons who shall subscribe or undertake to pay any Sum or Sums of Money whatsoever, for the Purposes of this Act, or any of them, shall afterwards refuse or neglect to pay the Sum or respective Sums of Money by him, her, or them respectively so subscribed or undertaken to be paid, or any Part thereof, according to the Terms of the Subscription, unto such Person or Persons as the said Trustees shall direct and appoint to receive the same,

Compelling Payment of Money raised by Subscription.

for

for the Space of Fourteen Days next after the same shall, according to the Terms of the Subscription, become due, and have been demanded by the Person or Persons so to be appointed; or in case any Person or Persons to whom or in whose Hands any of the Money subscribed, after being paid or deposited, shall refuse or neglect to pay the same, or any Part thereof, unto such Person or Persons as the said Trustees shall direct or appoint to receive the same, by the Space of Seven Days next after the same shall be demanded by such Person or Persons so to be appointed for that Purpose, the said Trustees are hereby authorized, empowered, and required, in the Name of their Clerk, to sue for and recover such Sum or Sums of Money of, from, and against the Person or Persons refusing or neglecting to pay the same as aforesaid, his, her, or their Heirs, Executors, or Administrators, by Action of Debt, Bill, Plaint, Suit, or Information, in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign, Protection, Wager of Law, or more than one Imparlance, shall be allowed; in which Action, Bill, Plaint, Suit, or Information, it shall only be necessary to prove the Subscription, with the Name or Names of the Defendant or Defendants subscribed thereto, and the Sum or Sums by such Defendant or Defendants respectively subscribed, or the Receipt by the Person or Persons with whom the Money subscribed or to be subscribed, or any Part thereof, is or shall be deposited, or who shall have received the same; and if the Defendant or Defendants cannot prove the actual Payment of his, her, or their respective Subscriptions, or of the several Sums of Money to them paid, or with them deposited, to a Person duly authorized to receive the same, the Plaintiff or Plaintiffs in such Action or Actions shall be entitled to a Verdict to the Amount of the Subscription or Money sued for, and such Plaintiff or Plaintiffs shall upon such Verdict recover Double Costs, and have such Remedy for the same as any Plaintiff or Plaintiffs hath or have in any other Cases by Law.

Application
of Monies.

CXX. And be it further enacted, That the Rents and Rates, and other Monies to be received by the said Trustees by virtue of this Act shall, after Payment of the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest, to any Person or Persons who shall advance any Money for the Purpose, be applied by the said Trustees in Manner following; that is to say, the said Water Rents shall in the first Place be applied in paying the Interest of the Monies borrowed or to be borrowed on the Credit of the Water Rents granted by the said recited Acts or either of them, or this Act, and the Annuities granted and charged or to be granted and charged on such Rents respectively; and in the next Place, such Water Rents shall be applied for such of the Purposes of this Act as relate to supplying the said Township, and the Houses, Buildings, and Premises therein, and the Inhabitants thereof, with Water, and for defraying such Expences as the said Trustees shall incur or be put unto respecting the same; and lastly, in paying off the Principal Monies borrowed or to be borrowed on Account of the Water Rents granted or to be granted as aforesaid; and the said Improvement Rates shall in the first Place be applied in paying the Interest of the Monies borrowed or to be borrowed on the Credit of such Rates, or of the Rates for general Purposes imposed by the said recited Act of the Eighth Year of the Reign of His late Majesty, and the Annuities granted and charged, or to be granted and charged on such Rates respectively;

spectively; and in the next Place such Rates shall be applied for such of the Purposes of this Act as relate to paving, lighting, cleansing, watching and otherwise improving and regulating the Streets, Lanes, Roads, and public Passages and Places in the said Township, and preventing Obstructions, Nuisances, and Annoyances in the same, and other general Purposes of this Act not relating to Waterworks or the Supply of Water; and lastly, in paying off the Principal Monies borrowed on Account of such Rates, or which were borrowed on Account of the Rates for general Purposes imposed as herein-before mentioned.

CXXI. And be it further enacted, That if any Person or Persons shall molest or interrupt the said Trustees or their Engineers, Surveyors, Workmen, or Agents, in the Exercise or Execution of any of the Powers or Purposes of this Act, or in the Performance or Execution of any Work, Matters, or Things by this Act directed or authorized to be done, or shall molest or interrupt any Serjeant or Constable of the Night, Watchman or Patrol, or other Person appointed or employed by virtue of this Act, then and in every such Case, every such Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for each such Offence.

Penalty for obstructing Execution of the Act.

CXXII. And be it further enacted, That if any Person or Persons shall wilfully pull down or pull up, or destroy or break, or cut or damage any Reservoir, Cistern, Conduit, Aqueduct, Pipe, Engine, Waterhouse, Building, Erection, Door, Lock, Materials, Matters, or Things made or provided or to be made or provided for any of the Purposes of this Act, or vested in the said Trustees by virtue of this Act, or wilfully cause the Water to run to waste from any such Reservoir, Aqueduct, Pipe, or other Waterwork, or from any Service Pipe communicating therewith, or cast or put into any Spring, Watercourse, Reservoir, Cistern, Conduit, or Pipes, used or provided for the Purposes of this Act, any Filth, Dirt, Rubbish, Soil, Gravel, Stone, Dog, Cat, Carcase, Carrion, or unwholesome Thing, or wash or cleanse therein any Cloths, Wool, Hemp, Flax, or other Matter or Thing, or convey, make, or cause or suffer to run or drain therein any Sewer, Ditch, or Sink, or do or cause any other Nuisance therein or thereto, every Person so offending shall forfeit and pay any Sum not exceeding Twenty Pounds for each such Offence; and also shall, on being thereof convicted by his or her own Confession, or by the Oath of One or more credible Witness or Witnesses, pay to the said Trustees or their Treasurer such Sum of Money, not exceeding Twenty Pounds, as shall be adequate to the Damage done in the Judgment of the Justice or Justices before whom the Offender shall be so convicted, and such Damage shall or may be recovered, in case of Non-payment, by the same Ways and Means as any Penalty may by virtue of this Act be recovered, or if exceeding Twenty Pounds, then by Action of Debt or on the Case.

Penalty on injuring Works.

CXXIII. And be it further enacted, That if any Person or Persons not paying or assessed to pay for Water laid into his, her, or their Messuage, Dwelling House, Tenements, or Hereditaments in pursuance of this Act, shall take or carry away any Water for his, her, or their own Use, or for the Use of any other Person or Persons not paying or assessed to pay Rent for the same as aforesaid, from the Pipe or Cock of any Person or Persons who hath or shall have the same laid into his, her, or

Penalty on Persons taking away Water not renting the same.

and on Persons knowingly suffering the same to be done.

their Messuage, Dwelling House, Tenements, or Hereditaments, every such Person so offending shall forfeit and pay for every such Offence a Sum not exceeding the Sum of Five Pounds; and if any Person or Persons who hath or shall have Water laid into his, her, or their Messuage, Dwelling House, Tenements, or Hereditaments as aforesaid, shall authorize or knowingly permit or suffer any other Person or Persons, not paying or assessed to pay Rent for Water laid into his, her, or their Messuage, Dwelling House, Tenements, or Hereditaments, to take and carry away Water from his, her, or their Cock or Pipe so laid as aforesaid, every such Person so offending shall in like Manner for every such Offence forfeit and pay a Sum not exceeding the Sum of Five Pounds.

Water to be used without any Satisfaction in case of Fire.

CXXIV. Provided always, and be it further enacted, That in case of any Fire happening within any Part of the said Township, it shall and may be lawful to and for any Inhabitant thereof, or other Person or Persons whomsoever, to open any such Pipe, Waterhouse, Reservoir, or Cistern, and to make use of such Water in order to extinguish such Fire, without any Satisfaction being made to or Molestation given for the same, such Inhabitant or other Person or Persons not wilfully wasting the said Water, and doing as little Damage as may be to such Pipe, Waterhouse, Reservoir, or Cistern.

Process on laying Informations;

CXXV. And be it further enacted, That the said Trustees shall, and they are hereby directed from Time to Time to give Instructions to their Surveyor for the Time being, and the said Surveyor is hereby expressly enjoined to search for, inquire and examine into, and upon any Complaint to be made or given to him thereof by any Inhabitant of the said Township, forthwith personally to view and inspect all Nuisances, Annoyances, Obstructions, and other Offences done, committed, or suffered within the said Township, contrary to any of the Provisions of this Act, and thereupon to lay an Information or Informations against the Offender or Offenders, before any One or more of the Justices of the Peace for the said West Riding, in order that such Offender or Offenders may be dealt with for the same, according to the Powers and Provisions of this Act; and if any such Surveyor shall, after any such Direction given to him as aforesaid, at any Time wilfully neglect or refuse to search for, inquire and examine into any such Nuisances, Annoyances, Obstructions, or other Offences as aforesaid, or after any such Complaint made to him as aforesaid, personally to view or inspect the Matters of such Complaint, or shall neglect or refuse to lay any such Information or Informations against any such Offender or Offenders as aforesaid, then and in every such Case the said Surveyor so refusing or neglecting shall forfeit and pay for every such Refusal or Neglect the Penalty or Sum of Five Pounds.

and ordering Prosecutions for public Nuisances.

CXXVI. And be it further enacted, That it shall be lawful for the said Trustees to direct any Prosecution or Prosecutions at the Assizes or Quarter Sessions for the said County or Riding, for any public Nuisance whatsoever which shall be committed or suffered within the said Township, and to direct and order the Expences of such Prosecution to be paid and borne by and out of the Improvement Rates to be raised by virtue of this Act.

Recovery and Application

CXXVII. And be it further enacted, That all Offences whatsoever, which by virtue or under the Authority of this Act, or by or under any Bye-law,

law, Rule, Order, or Regulation to be made in pursuance or by the Authority of this Act, shall be subject to or punishable with any pecuniary Penalties, Fines, or Forfeitures (for the Payment or Recovery of which no special Direction or Provision is made), shall and may in every Case be heard, adjudged, and determined by or before any Justice or Justices of the Peace in and for the said West Riding, in a summary Way, upon Information or Complaint made and exhibited in Writing, and which shall in every Case be made and exhibited within Three Calendar Months at farthest next after the committing of such Offences respectively, and not afterwards; and upon any such Information or Complaint as aforesaid the said Justice or Justices shall examine into the Matter thereof; and if upon the Confession of the Party or Parties accused, or on the Oath of any One or more credible Witness or Witnesses, the Party or Parties accused shall be convicted of having committed such Offence or Offences, then and in every such Case the Penalty or Penalties, Fine or Fines, Forfeiture or Forfeitures, hereby made payable in respect of such Offence or Offences, together with the Costs of Conviction, to be ascertained by such Justice or Justices, shall be forthwith paid by the Party or Parties so convicted as aforesaid; and in case such Party or Parties so convicted shall refuse or neglect to pay the same forthwith, then the same shall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any such Justice or Justices (which he and they is and are hereby empowered and required to grant) be levied and recovered, together with the Costs of Conviction and Recovery thereof (to be ascertained by such Justice or Justices), by Distress and Sale of the Goods and Chattels of such Offender or Offenders, wherever such Goods and Chattels can be found, rendering the Overplus of the Money arising by such Sale (if any) to the Party or Parties whose Goods or Chattels shall be so distrained, One Moiety of which Penalties, not herein directed to be otherwise applied, shall be paid to the Informer, and the other Moiety shall be paid to the Overseers of the Poor of the said Township for the Time being, to be applied in aid of the Poor Rates of the said Township; 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, Fine or Fines, Forfeiture or Forfeitures, and such Costs as aforesaid, and the same shall not be forthwith paid, then it shall be lawful for such Justices 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 the House of Correction for the said West 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, Fine or Fines, Forfeiture or Forfeitures, and all Costs and Charges attending

of Penalties,
Fines, and
Forfeitures.

attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

Justices may administer Oaths, &c.

CXXVIII. And be it further enacted, That in all Cases where the Provisions of this Act direct or require the Oath or Affirmation of any Witness or Witnesses to be had or taken in any Proceeding or Proceedings before any Justice or Justices of the Peace, it shall be lawful for any Justice or Justices of the Peace, and he and they is and are hereby respectively authorized and required to administer such Oath or Affirmation.

For securing transient Offenders.

CXXIX. And be it further enacted, That it shall and may be lawful for any of the said Trustees, or their Collectors, Surveyors, or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Trustees, Collectors, Surveyors, or Officers) who shall commit any Offence or Offences against this Act, and deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said West Riding near to the Place where the Offence or Offences shall be committed; 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.

Persons paying Rates, &c. may be Witnesses.

CXXX. And be it further enacted, That no Person shall be disqualified from being a competent Witness, and being admitted to give Evidence in any Informations, Prosecutions, Appeals, Causes, or Proceedings whatsoever relating to the Execution of this Act, or any Bye-law, Order, or Determination made in pursuance thereof, by reason of paying or being charged with or liable to pay any of the Rents or Rates or Assessments hereby authorized to be made, or any other Rate or Assessment within the said Township, or being One of the Trustees for putting this Act into Execution, or holding any Office under the said Trustees.

Distress not unlawful for want of Form.

CXXXI. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, or of any Bye-law, Rule, or Order to be made in pursuance thereof, 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 Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover Satisfaction for the Special Damage in an Action upon the Case.

Justices not disqualified from acting by being Trustees, &c.

CXXXII. And be it further enacted, That no Justice of the Peace shall be disqualified from acting as a Justice in any Case whatsoever in the Execution of this Act, by reason only of his being one of the said Trustees for the Time being, or being an Inhabitant of the said Township.

CXXXIII. And

CXXXIII. And be it further enacted, That no Order, Verdict, Rent, Rate, Assessment, Judgment, Conviction, or other Proceeding touching or concerning any of the Matters aforesaid, or touching or concerning any Offence against this Act, or any Bye-law or Order to be made in pursuance thereof, shall be quashed or vacated for Want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary thereof in anywise notwithstanding.

Proceedings
not to be
quashed or
removed by
Certiorari.

CXXXIV. And be it further enacted; That no Action, Suit, or Information shall be commenced against any Person or Persons for any thing done or to be done under or by virtue of this Act, or of any Bye-law, Rule, or Order to be made in pursuance thereof, until Twenty-one Days Notice thereof shall be first given in Writing to the Clerk to the said Trustees for the Time being, signed by the intended Plaintiff or Plaintiffs, of the Cause and Intention of and for commencing such Action or Suit, nor at any Time whatsoever; after sufficient Satisfaction or Tender thereof shall have been made to the Party or Parties aggrieved, nor after Three Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits shall be brought, and in case there shall be a Continuation of Damages, then not after Three Calendar Months next after the doing or committing such Damage shall cease; and in case no such Tender as aforesaid shall be made before an Action brought, it shall be lawful for the Defendant or Defendants in any such Action, by leave of the Court wherein such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court, and all such Actions and Suits shall be laid and tried in the County where the Cause of Action shall have arisen, and not in any other County or Place; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the Special Matter in evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Actions, Suit or Suits shall be so brought, was done in pursuance and by the Authority of this Act, or of some Bye-law, Rule, or Order made in pursuance thereof; and if the same Matter or Thing shall appear to have been so done, or if it shall happen that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time hereinbefore for that Purpose limited, or shall be laid or brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and also if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Actions, or Judgment, after the Defendant or Defendants shall have appeared thereto, or if Judgment shall be given for the Defendant or Defendants therein, or if any Verdict shall pass upon the Plaintiff or Plaintiffs, or if upon any Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant

Limitation
of Actions.

General
Issue.

Treble Costs.

pendant or Defendants hath or have or may have for his or their Costs in any other Cases by Law.

Appeal to
Quarter
Sessions.

CXXXV. Provided always, and be it further enacted, That if any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, shall think himself, herself, or themselves aggrieved by any Rate, Rent, or Assessment made and assessed under or by virtue of this Act, or by any Determination or Judgment made or given by any Justice or Justices of the Peace in pursuance of this Act, or by any Order, Regulation, By-law, or Rule made by virtue of this Act, or by any other Matter or Thing made or done by the said Trustees, or otherwise, in pursuance of this Act, (except in cases where the Verdicts or Inquisitions of Juries are directed to be taken, or any particular Method of Relief hath been already appointed), he, she, or they may, within Three Calendar Months next after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at some General or Quarter Sessions of the Peace, or some Adjournment thereof, to be holden for the said West Riding, or other the County or Place where the Cause or Matter of Appeal shall arise, the said Party or Parties, Appellant or Appellants, having given at least Fourteen clear Days Notice in Writing of his, her, or their Intention of making such Appeal, and of the Matter and Cause thereof, to the Party or Parties against whom such Appeal shall happen to be made, or whose Interest may be affected by such Appeal, except where the Appeal shall be made against any such Rate, Rent, or Assessment as aforesaid, or against any other Act, Matter, or Thing made or done by the said Trustees, or by any Justice or Justices of the Peace, and then to the Clerk or Clerks of the said Trustees, and within Five Days next after such Notice causing a Recognizance to be entered into before some Justice of the Peace for the said West Riding, by Two sufficient Persons, in the Sum of Ten Pounds each, conditioned for the Party or Parties, Appellant or Appellants to try such Appeal, and abide the Order and Award of the Justices at such Sessions thereon, and to pay such Costs as shall be awarded at such Sessions, and thereupon the Justices present at any such Sessions, upon due Proof upon Oath of such Notice and Recognizance having been given and entered into as aforesaid, shall hear and finally determine the Cause and Matter of such Appeal in a summary Way; and the said Justices shall have Power to award such Restitution, Damages, and Costs to the Party or Parties appealing or prosecuting such Appeal, or such Costs, to the Respondent or Respondents, or Party or Parties defending such Appeal, as the said Justices shall think proper; and all such Orders and Determinations of the said Justices at such Sessions shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Justices may
amend on
Appeal from
Rates.

CXXXVI. And be it further enacted, That on any Appeal from any Rate or Assessment the Justices at such General or Quarter Sessions shall and may amend the same, if they shall think proper, in such Manner as may be necessary for giving Relief to the Person or Persons, Body or Bodies Politic, Corporate, or Collegiate aggrieved, without quashing or altering such Rate or Assessment, with respect to any other Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, mentioned in the same; but if, upon Appeal from the whole Rate or Assessment, it shall be found necessary to set aside the same, then and in such Case the said

Justices

Justices shall and may order a new Rate or Assessment to be made in Manner herein directed.

CXXXVII. And be it further enacted, That the Charges and Expences of procuring and passing this Act shall be paid out of the first Monies which shall arise and be received from or out of the Rents, Rates, and Assessments respectively authorized to be imposed by this Act, and that in such Proportions as the said Trustees shall think proper; and that if any Person or Persons shall advance or pay any Money in discharge of the Fees or other Expences of procuring and passing this Act, the Money so advanced or paid shall be repaid and satisfied, with lawful Interest thereon, in the same Manner as the Charges and Expences of procuring and passing this Act are herein-before directed to be paid.

Expences of Act how to be paid.

CXXXVIII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, lessen, alter, or defeat the Right, Title, or Interest of the present or any future Lord or Lords of the respective Manors of *Wakefield*, *Halifax*, and *Ovenden*, or any of them, of, in, and to the Seignories, Rights, Royalties, Liberties, and Privileges incident, belonging, appendant, or appertaining to the said Manors respectively.

Saving of the Lords Seignories, &c.

CXXXIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter or interfere with the Powers and Privileges granted to the Proprietors of the New Market Place in *Halifax*, by an Act passed in the Fiftieth Year of the Reign of His late Majesty, intituled *An Act for regulating the New Market Place in the Town of Halifax, in the West Riding of the County of York*.

Saving Powers of the Proprietors of the New Market Place.

CXL. 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.

Public Act.

The SCHEDULES to which this Act refers.

SCHEDULE (A.)

Description of Property.	Owners.	Occupiers.
<i>Bull Green.</i>		
House and Yard - - -	John Holland and Eliz. Thornton	Joseph Airton.
House - - - - -	Ditto - - - - -	James Heaton.
Cellar Cottage - - -	Mary Birkby - - -	William Whitehead.
House and Yard - - -	Ditto - - - - -	Mary Birkby.
Ditto - - - - -	Ditto - - - - -	Ruth Illingworth.
Cottage - - - - -	Samuel Taylor Rigg	Sarah Saltonstall.
House and Yard - - -	Ditto - - - - -	Robert Walsh.
Ditto - - - - -	Ditto - - - - -	John Parker.
Ditto - - - - -	Ditto - - - - -	Elizabeth Leech.
Cottage - - - - -	Ditto - - - - -	Margaret Hebblethwaite.
House - - - - -	Ditto - - - - -	William Birdwhistle.
Ditto - - - - -	Ditto - - - - -	James Hartley.
Ditto - - - - -	Ditto - - - - -	Robert Thomson.
House and Shop - - -	{ Ellen Alexander, Elizabeth Kershaw, and Mary Mellor }	Henry Dodgson.
Cottage - - - - -	Ditto - - - - -	Nancy Ranicar.
Cellar Cottage - - -	John Hebblethwaite	Jonathan Beaumont.
House and Shops - - -	Ditto - - - - -	John Hebblethwaite.
House and Shop - - -	Ditto - - - - -	Luke Freeman.
Cellar Cottage - - -	Ditto - - - - -	John Crapper.
House - - - - -	Ditto and Mary Goodall	Mary Goodall.
Cottage - - - - -	Ditto - - - - -	John Thomas.
House - - - - -	Samuel Waterhouse	Mark Roper.
Ditto - - - - -	Ditto - - - - -	Thomas Wood.
Ditto - - - - -	Ditto - - - - -	Unoccupied.
House and Shop - - -	Thomas Sutcliffe	William Rhodes.
House - - - - -	Samuel Taylor Rigg	Joseph Jackson.
House and Shop - - -	William Hoyland	Joseph Dearden.
Cottage - - - - -	Ditto - - - - -	Edward Walker.
House - - - - -	Isaac Cooper	Nathaniel Wainhouse.
House and Shop - - -	Mary Lister	George Ramsden.
Cellar Cottage - - -	Ditto - - - - -	John Stancliffe.
<i>Silver Street.</i>		
House and Shop - - -	Ditto - - - - -	Thomas Robertshaw.
Ditto - - - - -	Ditto - - - - -	James Wild.
Ditto - - - - -	William Briggs	Joseph Fawthrop.
Cellar Cottage - - -	Ditto - - - - -	John Vause.
House and Shop - - -	Ditto - - - - -	Sam. and Joshua Thompson.
House - - - - -	John Garside	Elizabeth Holroyd.
Ditto - - - - -	Ditto - - - - -	John Holdsworth.
Ditto - - - - -	Ditto - - - - -	John Holroyd.
Shop - - - - -	{ Charles Harrison Batley, and Anna Harrison, his Wife - }	Robert Mudd.
<i>Crown Street.</i>		
Cooper's House and House as Warehouse }	{ Dowager Marchioness of Hertford - - - - }	John Blagbrough.
Shop - - - - -	Ditto - - - - -	Hannah Whitaker.
Warehouse - - - - -	Ditto - - - - -	Samuel Fourness.
Yard behind same - -	Ditto.	

Schedule (A.)—continued.

Description of Property.	Owners.	Occupiers.
House and Shop	Feoffees of Nathaniel Waterhouse's Charities	John Dennis.
Ditto	Ditto	James Farrer.
Ditto	Ditto	Tabitha Powell.
House and Shop	Sam ^l Fourness and John Ashworth	Ann Fourness.
Shop	Samuel Fourness	Samuel Fourness.
House and Shop	William Davy	Himself.
Ditto	Ditto	George Webster.
Ditto	Thomas Edwards	Peter Howarth.
<i>Old Market Place.</i>		
House and Shop	William Fletcher	Mary Vicars.
Ditto	Hannah Lister and Children	Richard Townsend.
Ditto	Ditto	Mary and Ann Calvert.
Ditto	Mary Mason	Herself and Son.
House	James Thompson, Trustee and Executor of Thomas Hamilton's Will	Thomas Marchant.
House and Shop	John Hutchinson	John Carr and Co.
Shop	John Worstenholme	John Whiteley.
<i>Northgate.</i>		
Butcher's Shop	Ditto	Himself.
Shop	Ditto	Mary Stancliffe.
House and Shop	Thomas Finch	Himself.
Ditto	Ann Wormleighton	Herself.
Ditto	Ditto	Jas Clegg and Ja ^r Pearson.
Ditto	Samuel Jagger	Himself.
Ditto	Ditto	James Hiley.
Ditto	Ditto	Henry Neal.
Ditto	William Gregory	Himself.
Ditto	Rev. T. F. Ford Bowes, Mich. Stocks, John Smith, Hugh Mallinson and Matt ^r Booth	Hannah Lupton.
Cellar Cottage	Ditto	Ann Addy.
House	Ditto	James Gledhill.
Ditto	Ditto	Thomas Leech.
Cottage	Ditto	Joseph Gaukrodger.
House and Shop	Ditto	Thomas Bottomley.
House	Ditto	Barnard Rines.
Cellar Cottage	Ditto	William Scholes, sen ^r .
House	Ditto	Alice Nicholson.
House	William Kershaw	John Smith.
House and Outbuildings	Ditto	William Garlick.
House	Samuel Jagger	Cain Ambler.
Ditto	James Lister	Hannah Hemingway.
Ditto	Ditto	Samuel Batty.
A Piece of vacant Ground or Wood-yard behind the same	Ditto.	—
Part of Garden, not exceeding on an Average Two Yards in Width towards Street	Ditto	Jeremiah Lister.
House and Shop	William and Abr ^m Chamberlain	M. Crabtree and Thomas Craven.
House	Ditto	William Birdwhistle.
Ditto	Ditto	Betty Thompson.

[Local.]

Schedule (A.)—continued.

Description of Property.	Owners.	Occupiers.
House - - -	{ Peter Kenyon Holden and William Davy, Trustees and Executors of the Will of Sarah Fox - - - }	Thomas Francis Drake.
Ditto - - -	Ditto - - -	Mary Gill.
House and Shop - - -	Ditto - - -	John Hobson.
House and Outhouses - - -	Ditto - - -	Thomas Dove.
House and Shop - - -	Joseph Green - - -	Charles Bromley.
House - - -	Lewis Alexander - - -	Himself.
House and Shop - - -	Christopher Ward - - -	Joseph Waddington.
Ditto - - -	Ditto - - -	John Speak.
Cottage - - -	John Hammond Burgin - - -	Thomas Wigglesworth.
Ditto - - -	Ditto - - -	Sally Richardson.
House and Outhouses - - -	Ditto - - -	John Hammond Burgin.
House and Shop - - -	Robert Wainhouse - - -	Himself.
House - - -	David Brooksbank - - -	Samuel Ogden.
House and Shop - - -	James Knight and Eliz ^h Kitson - - -	William Butter.
Ditto - - -	Ditto - - -	Anthony Nelson.
<i>Petticoat-lane and New Market-street.</i>		
House - - -	Joseph Lassey - - -	James Thompson.
<i>Petticoat-lane.</i>		
House - - -	Ditto - - -	Ephraim Jacobs.
Ditto - - -	William Fletcher - - -	William Duckworth.
Cottage - - -	John Pearson - - -	James Brearley.
Ditto - - -	Ditto - - -	Martha Stancliffe.
Ditto - - -	Ditto - - -	James Taylor.
Ditto - - -	Anice Pearson - - -	Daniel Dyson.
Ditto - - -	Ditto - - -	John Speight.
Ditto - - -	Ditto - - -	Grace Sunderland.
Cellar Cottage - - -	Ditto - - -	Isaac Turner.
Cottage - - -	Ditto - - -	Stephen Camm.
Ditto - - -	Ditto - - -	John Gledhill.
Cellar Cottage - - -	Lewis Fenton - - -	William Tempest.
Cottage - - -	Ditto - - -	Joseph Lister.
House and Shop - - -	Ditto - - -	Joseph Stead.
Cottage - - -	Ditto - - -	Isaac Wood.
Ditto - - -	Ditto - - -	Samuel Lumley.
Ditto - - -	Ditto - - -	Joseph Greenwood.
Ditto - - -	Ditto - - -	James Bates.
Cellar Cottage - - -	Ditto - - -	James Farrer.
Stable - - -	Ditto - - -	Joseph Rushworth.
Ditto - - -	Ditto - - -	Kershaw Holroyd.
Ditto - - -	Ditto - - -	John Graveson.
Ditto - - -	Ditto - - -	Henry Patchett.
Ditto - - -	Ditto - - -	James Thompson.
Cottage - - -	Ditto - - -	Sarah Farrer.
House, Shop, and Yard - - -	Thomas Baxter - - -	Himself.
House - - -	Ditto - - -	Daniel Sugden.
House and Shop - - -	{ Charles Harrison Batley and Anna Harrison his Wife - }	Samuel Pearson.
Ditto - - -	Henry Greenwood - - -	John Tiffany.
Ditto - - -	Ditto - - -	George Gledhill.
Ditto - - -	Ditto - - -	James Farrer.
Cottage - - -	Ditto - - -	William Bennett.
House and Shop - - -	Ditto - - -	Henry Webster.
Cottage - - -	Joseph Rushworth - - -	John Hodgson.
Ditto - - -	Ditto - - -	Samuel Pool.
Ditto - - -	Ditto - - -	Joseph Hardcastle.
Ditto - - -	Ditto - - -	Mary Fenton.

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Schedule (A.)—continued.

Description of Property.	Owners.	Occupiers.
House and Outouses -	Joseph Rushworth -	Joseph Rushworth.
Cottage -	John Pearson -	Jane Gill.
Shop -	Ditto -	John Pearson.
House and Shop -	Ditto -	Mary Whitaker.
<i>Southgate and Petticoat-lane.</i>		
House and Shop -	Lewis Fenton -	John Graveson.
<i>Southgate.</i>		
House and Outouses -	Ditto -	Sally Brooke.
House and Shop -	William Kershaw -	William Calvert.
House and Yard -	Ditto -	Hannah Kershaw.
Houses and Frontstead -	James Edward Norris	{ Richard Bark and Henry Wheatley.
Cottage -	{ The Trustees of the Will of Sir Joseph Radcliffe, Bart. }	Richard Nuttall.
Shops -	Ditto -	William Taylor.
Cottage -	Ditto -	Thomas Gath.
Ditto -	Ditto -	John Rosendale.
Ditto -	Ditto -	James Woodhead.
Ditto -	Ditto -	Elizabeth Geldart.
Ditto -	Ditto -	Hannah Richardson.
Ditto -	Ditto -	Sarah Widdup.
Ditto -	Ditto -	John Akeroyd.
Ditto -	Ditto -	Widow Matthews.
Ditto -	Ditto -	James Best.
House -	Ditto -	James Bates.
<i>Woolshops.</i>		
Butcher's Shop -	Phœbe Greenwood -	George Pollard.
Public House -	Ditto -	Austin Pollard.
Cottage -	Ditto -	Betty Sutcliffe.
House -	John Walker -	Samuel Stocks.
Ditto -	Ditto -	George Green.
Ditto -	Ditto -	John Crapper.
Ditto -	Ditto -	Richard Mitchell.
Ditto -	Ditto -	John Paul.
Ditto -	John Haigh -	Himself.
<i>The Square.</i>		
House -	Charles Selwyn and others -	— Mitchell, Widow.
Ditto -	Ditto -	William Webb.
Part of Yard and Warehouse	Ditto -	Joseph Priestley.
Cottage -	Ditto -	Sarah Drake.
Part of Wood Yards -	John Walker -	John Casson.
<i>Causeway.</i>		
Cottage -	Rev. Richard Hudson -	William Rothera.
Stable -	Ditto -	James Parker.
House -	{ The Feoffees of Nathaniel Waterhouse's Charities }	James Blagbrough.
Ditto -	Ditto -	John Jowett.
Ditto -	Ditto -	John Helliwell.
Ditto -	Ditto -	John Hemingway.
Warehouse or Pressing Shops	Ditto -	John Haigh.
<i>King-street.</i>		
Cottage -	William Schofield -	William Schofield.
Ditto -	Ditto -	Joseph Wilkinson.
House -	William Fletcher -	Thomas Robertshaw.
Cottage -	Joshua Farrar -	Betty Hartley.

Schedule (A.)—continued.

Description of Property.	Owners.	Occupiers.
Cottage	Joshua Farrar	William Ashworth.
Ditto	Ditto	John Crawshaw.
Ditto	Ditto	Mary Day.
<i>Nelson-street.</i>		
Joiner's Shop	{ Dowager Marchioness of Hertford }	Joseph Briggs.
Cottage	{ George, John, and William Ramsden }	Edward Shoemith.
House	Ditto	Grace Jardine.
<i>Church-yard Gates.</i>		
Shop	{ Trustees for Sale under the Will of John Rae }	Ditto.
<i>Cripplegate.</i>		
Cottage	John Wild	William Smith.
Smith's Shop and Yard	Ditto	William Rowbottom.
Cottage	Ditto	James Milner.
Ditto	Ditto	John Wood.
Ditto	Ditto	Martha Brayshaw.
<i>Bridge-street.</i>		
House	Ditto	John Williamson.
Cottage	{ Dowager Marchioness of Hertford }	Grace Crosley.
Ditto	Ditto	Betty Braithwaite.
Stable	Ditto	John Rothera.
Cottage	Ditto	Jonas Ingham.
Ditto	Ditto	Love Steward.
Ware Rooms	{ Charles Harrison Batley and Anna Harrison Batley }	Wainhouse and Rigg.
Cottage	Ditto	Mary Swaine.
Ditto	Ditto	Grace Gaukrodger.
Ditto	{ William Proctor and John Sutcliffe, Executors of Samuel Firth }	Joshua Nicholl.
Ditto	William Fletcher	Edward Stancliffe.
Ditto	Elizabeth Lister and Wm. Bates	William Crapper.
Ditto	Ditto	Richard Jenkinson.
House and Outbuildings	Ditto	Joseph Boockock.
Cottage	Ditto	John Tattersall.
Ditto	Ditto	George Bradbury.
Ditto	Ditto	Samuel Gledhill.
Cellar Cottage	Ditto	John Gray.
House	William Akroyd	Thomas Poplewell.
Ditto	Jane Whitaker	Betty Swift.
Cellar Cottage	Ditto	Aaron Eagles.
Cottage	David Holdsworth	Himself.
Ditto	Ditto	Ellis Nicholl.
<i>Church-yard.</i>		
Cottage	{ Joseph Bradley & John Chambers, Executors of James Bradley }	David Wood.
Ditto	Ditto	Elizabeth Barker.
Ditto	Ditto	Jonathan Walsh.
Ditto	Ditto	John Brayshaw.
Ditto	Ditto	Faith Wood.
Ditto	Ditto	James Hebblethwaite.
Ditto	Ditto	Robert Harroby.
<i>Lower Kirk-Gate.</i>		
Cottage	Ditto	Sarah Maud.
Ditto	Richard Espener	Mark Nicholl.

Schedule (A.)—*continued.*

Description of Property.	Owners.	Occupiers.
Cottage - - -	Richard Espener - - -	William Brayshaw.
Ditto - - -	Ditto - - -	Martha Tenant.
Ditto - - -	Ditto - - -	Ann Holmes.
Ditto - - -	Ditto - - -	Mary Womersley.
<i>Berry-lane.</i>		
House and Shop - - -	John Pearson - - -	William Crosley.
Cottage - - -	Ditto - - -	Joseph Baldwin.
Ditto - - -	Ditto - - -	Thomas Greenwood.
Ditto - - -	Ditto - - -	Luke Greenwood.
Ditto - - -	Ditto - - -	Benjamin Fearnley
<i>Church-lane.</i>		
Cottage - - -	Elizabeth Lister and Wm. Bates	Martha Midgley.
Ditto - - -	Ditto - - -	Mary Green.
House - - -	Samuel Taylor Rigg - - -	Thomas Beevors.
Ditto - - -	James and Catherine Blagbrough	Samuel Dawson.
Ditto - - -	John Shaw - - -	Martha Blagbrough.
<i>Ward's End.</i>		
House and Frontstead	Samuel Ellis and Charlotte his Wife, and William John Norris	Sarah Parker.
<i>Stone-trough-lane.</i>		
House, Frontstead, and Croft - - -	John William Cadney - - -	James Hemingway.
Ditto, ditto, and Garden	Ditto - - -	John William Cadney.
Cottage - - -	Ditto - - -	Mary Wood.
Ditto - - -	Ditto - - -	Charles Helliwell.
Ditto - - -	Ditto - - -	Thomas Boocock.
Offices and Yard - - -	Ditto - - -	James Morley.
Warehouse - - -	Hannah Swaine - - -	Rawson and Saltmarshes.
<i>Blackwall.</i>		
Part of Garden - - -	Ellen Alexander, Elizabeth Kershaw, and Mary Mellor	Thomas Steele Swale.
<i>Doctor-lane.</i>		
Garden or Frontstead - - -	John William Cadney - - -	Unoccupied.
Part of Field - - -	Ditto - - -	Ditto.
<i>Barum Top.</i>		
House - - -	Christopher Rawson - - -	James Whiteley.
Ditto - - -	Ditto - - -	Hannah Hunslett.
Ditto - - -	Ellen Alexander, Elizabeth Kershaw, and Mary Mellor	Samuel Whiteley.
Ditto - - -	Ditto - - -	Samuel Green.
Ditto - - -	Ditto - - -	David Thorp.
Ditto - - -	Ditto - - -	Harriet Brear.
Ditto - - -	Rawson and Saltmarshes	Thomas Dodgson.
Ditto - - -	Ditto - - -	Mary Asquith.
House and Shop - - -	Ditto - - -	Benjamin Wood.
House - - -	Ann Hall - - -	James Mellor.
Ditto - - -	Ditto - - -	Unoccupied.
Ditto - - -	Ditto - - -	Lindley Hall.
Cottage - - -	Joseph Bottomley - - -	Thomas Pickersgill.
Ditto - - -	Ditto - - -	John Hemingway.
<i>Bull Close-lane.</i>		
Part of Garden - - -	George Shaw - - -	Himself.
Cottage - - -	John Watkinson - - -	Jonathan Dennis.
Ditto - - -	Ditto - - -	Thomas Mitchell.
Ditto - - -	Ditto - - -	William Crosley.
Ditto - - -	Ditto - - -	William Cheetham.

Schedule (A.)—continued.

Description of Property.	Owners.	Occupiers.
Cottage	Martha Skelton	Henry Whitaker.
Ditto	Ditto	John Milner.
Ditto	Mary Gledhill	James Heaton.
Warehouse	{ Ellen Alexander, Elizabeth Kershaw, and Mary Mellor }	{ Joseph Ross, George Naylor, James Mellor, & Benjamin Wood. }
<i>Cow Green.</i>		
Stables	John Pearson	William Bland.
Warehouse	{ Charles Harrison Batley and Anna Harrison his Wife }	William Cockerham.
House	Ditto	Joseph Ettenfield.
Ditto	Ditto	William Harrison.
Ditto	Ditto	Elizabeth Shaw.
Stable	Ditto	William Cockerham.
House	William Rawnsley	William Swale.
Ditto	Ditto	Charles Hainsworth.
<i>Swine Market.</i>		
House	James Pickles	Himself.
Cottage	Ditto	John Higham.
Ditto	William Dennis	Samuel Wood.
Cellar Cottage	Ditto	Unoccupied.
Cottage	{ Abraham Thornton and Nancy his Wife }	Esther Snowden.
Ditto	Ditto	Unoccupied.
Ditto	Ditto	John Kitching.
Ditto	William Dennis	William Eastwood.
Ditto	John Hainsworth	John Bairstow.
Ditto	Ditto	Unoccupied.
Ditto	Ditto	Betty Helliwell.
Ditto	Ditto	John Heap.
Pipe Shop	Ditto	Thomas Hutchinson.
Cottage	Ditto	Joseph Crowther.
Dressing Shops	Christopher Aked	Thomas Marshall.
Cellar Cottage	Ditto	John Woodhead.
House	Ditto	John Crowder.
Ditto	Thomas Moon and Ann Gant	William Hoyle.
Ditto	Ditto	James Rushworth.
Ditto	Ditto	John Lister.
House and Shop	{ Feoffees of Nathaniel Waterhouse's Charities }	William and John Lister.
Cottage	{ Charles Harrison Batley, and Anna Harrison his Wife }	Samuel Dean.
Ditto	Ditto	Joseph Robertshaw.
House	{ Dowager Marchioness of Hertford }	Unoccupied.
Ditto	{ Charles Harrison Batley and Anna Harrison his Wife }	John Blagbrough.
Cottage	Ditto	Juliet Woodhead.
Spirit Vaults	Ditto	Elizabeth Crabtree.
Cottage	Squire & Benjamin Murgatroyd	Joshua Ettenfield.
Stables	Ditto	Richard Patchett.
Shop	Ditto	John Walker.
House and Shop	John Pearson	Stanley Rowbottom.
<i>Gibbet-street.</i>		
House	{ Watson Samuel Scatcherd and Sarah his Wife, and Elizabeth Gath }	Richard Dearden.
Ditto	Samuel Gath	Sarah Gath.
House and Frontstead	Joseph Taylor	John Robinson.
House	Ditto	Joseph Taylor.
Ditto	John Hodgson	George Broomhead.
House and Shop	Samuel Gath	Joseph Holdsworth.

Schedule (A.)—continued.

Description of Property.	Owners.	Occupiers.
<i>Pellon-lane.</i>		
Cottage	George Empsall	Samuel Leach.
Ditto	Joseph Taylor	John Wright.
Ditto	Ditto	William Schofield.
Ditto	Ditto	Benjamin Whocroft.
Ditto	Samuel Gath	Sarah Spence.
Ditto	Ditto	Mary Moade.
Ditto	Thomas Milner	Anne Toothill.
Ditto and Shop	Ditto	Himself.
<i>Stannery.</i>		
Cottage	Henry Byerley and Mary his Wife	Luke Swallow.
Ditto	Ditto	James Gaukrodger.
Ditto	Ditto	John Midgley.
Ditto	Ditto	William Sutcliffe.
<i>Dean Clough.</i>		
Office and Part of Yard	James Oates	Himself.
<i>King Cross-lane.</i>		
Two Houses and Front- steads	John Waterhouse, Gervase Alexander, and Joseph Nor- minton	William Walker & William Crowther.
Part of Croft	George Shaw	Himself.
House	Ditto	Anne Baxendale.
Ditto	Ditto	Samuel Pollard.
Yard or Frontstead	Richard Winnard	Himself.
<i>Hopwood-lane.</i>		
Stable and Gig-house	John Waterhouse, Gervase Alexander, and Joseph Nor- minton	Gervase Alexander and James Boyne.
Barn, Stable, and Part of Garden and Croft	John Waterhouse, Gervase Alexander, and Joseph Nor- minton	Gervase Alexander.
<i>Savile Green.</i>		
Stable and Part of Croft	John Dearden	Joshua Smithson.
Part of Croft	Rawdon Briggs	Himself.
<i>New-street from Cabbage-lane to King Cross-lane.</i>		
Part of Field	George Pollard	Himself.
Ditto	Richard Bark	Himself.
Ditto	Rowland Ramsden	William Bland & Richard Coates.
Ditto	Rawdon Briggs	William Barraclough.
Ditto	Ditto	Ditto.
Ditto	Trustees of the Will of John Rhodes	William Spencer.
Ditto	Ditto	Joseph Norminton.
Ditto	Ditto	Isaac Kershaw.
Ditto	Ditto	John Smithson.
Aked's Road and Gardens	The Trustees and Executors of John Aked, and John Cockcroft and Hannah his Wife	Themselves and Ann Aked, Joseph Bentley, Miles Thompson, James Ingham, Elizabeth Kirk- patrick, Frederick Spen- cer, Mary Hemingway, Mrs. Parker, Henry Whit- aker, Mrs. Cartwright, Robert. Sutcliffe, Mrs. Ibbotson, James Stans- feld, and James Holroyd, and Two unoccupied.

Schedule (A.)—continued.

Description of Property.	Owners.	Occupiers.
Warehouse and Yard -	The Trustees and Executors of John Aked	Copley Brown and John Sharp Brown.
<i>New Street from Hall End towards the Bridge.</i>		
House	Feoffees of Nathaniel Waterhouse's Charities	Hannah Whitaker.
Yards behind Fournes Warehouse	Ditto	—
Cottage	Ditto	Eleanor Mitchell.
Ditto	Ditto	Sarah Wade.
Ditto	Ditto	Betty Horsfall.
House and Garden	Ditto	Richard Green.
Stable and Ditto	Ditto	Betty Fourness.
Garden	Ditto	William Gill.
Ditto	Ditto	James Farrer.
Ditto	Ditto	Edward and George Lunn.
Cottage	Ditto	John Dennis.
Stable	Ditto	Robert Mudd.
A Piece of vacant Ground	James Thompson, Executor of Thomas Hamilton's Will.	—
Yard, Out-buildings, and Mason's Yard	Charles Whiteley	Himself.
Hatter's Shop	Ditto	Himself.
Garden	Executors of Nealy Ludley	Thomas Chambers.
Part of Field and Garden	William Kershaw	William Garlick.
Part of Field	Ditto	Ditto.
House	James Lister	Hannah Hemingway.
Ditto	Ditto	Samuel Batty.
A Piece of vacant Ground or Wood-yard behind the same	Ditto	—
Part of Garden, not exceeding on an Average Two Yards in Width towards the Street	Ditto	Jeremiah Lister.

SCHEDULE (B.)

Description of Property.	Owners.	Occupiers.
Plantations or Shrubberies, and Pleasure Grounds	Robert Paley	Himself.
Garden and Paddock	Trustees of the Estate of Samuel Ibbotson	William Kershaw.
Yard and Paddock	Joseph Sunderland	Himself.
Paddocks	George Pollard	Ditto.