ANNO PRIMO

GEORGII IV. REGIS.

Cap. xliii.

An Act for lighting, watching, and cleansing the Town of *Huddersfield*, in the West Riding of the County of *York*. [30th *June* 1820.]

WHEREAS the Town of *Huddersfield*, in the West Riding of the County of *York*, is large and populous, and a Place of considerable Trade, and is also a great Thoroughfare for Travellers, and some of the Streets, Lanes, and other public Passages within the said Town are not lighted or watched, and the whole of them are not properly cleansed, but are subject to various Nuisances; and it would tend to the Safety, Convenience, and Advantage of the Inhabitants of the said Town and of the Public, if the same were properly lighted, watched, cleansed, and regulated, and the Nuisances abated and prevented for the future: And whereas the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That Sir *John Ramsden* Baronet, *John Charles Ramsden* Esquire, *Henry James Ramsden* Esquire, *William Ramsden* Esquire, *Charles Ramsden* Esquire, *Joseph Haigh* Esquire, *Benjamin Haigh Allen* Esquire, *Thomas Allen* Esquire, *William Walker Battye*, *James Brook*, *Joseph Brook*, *John Booth*, (Market Place,) *John Booth*, *Godfrey Berry*, *William Brook*, *John Bower*, *Richard Clay*, *Bradley Clay*, *Joseph Clegg*, *John Dobson*, *William Beevers Dobson*, *John Dyson*, *Robert Firth*, *Thomas Firth*, *John Horsfall* Esquire, *John Horsfall* Commissioners Names.

Horsfall of Hudderfield, *Thomas Hastings*, *Edward Hauxby*, *Joseph Kaye*, *Thomas Kilner* junior, *John Lees*, *Thomas Lockwood*, *Abraham Lockwood*, *Joshua Lockwood*, *Thomas Marshall*, *Jeremiah Marshall*, *Henry Nelson*, *William North*, *Joseph Scholefield*, *Walter Williams Stables*, *William Stocks*, *John Sutcliffe*, *William Shaw*, *Thomes Swift*, *William Wilks*, *Richard Atkinson* junior, *William Booth*, *James Booth*, *Joseph Stoney*, *Benjamin Bradshaw*, *John Eastwood*, *John Graham*, *Thomas England*, *James Pilling*, *John Priest*, *William Rhodes*, *John Riley*, *George Starkey*, and *William Wigney*, shall be and they are hereby appointed Commissioners for lighting, watching, and cleansing the Town of *Huddersfield*, in the West Riding of the County of *York*, and for carrying this Act into Execution.

Defining the Limits of the Act.

II. And be it further enacted, That the Limits of this Act shall extend Twelve hundred Yards each Way from the Spot where the old Cross stood in the Centre of the Market Place in *Huddersfield*.

On Death, Refusal, or Neglect of Commissioners, others to be chosen.

III. And be it further enacted, That when any of the Commissioners herein named or hereafter to be elected shall die, or shall for the Space of One Year refuse or neglect to act, such Death, Refusal, or Neglect being declared at a Meeting of the said Commissioners, then and in every such Case the surviving or remaining Commissioners, or any Five or more of them, assembled at any Meeting to be held or called under or by virtue of this Act, shall nominate, elect, and appoint fit Persons, qualified as herein-after mentioned (and to be approved by the Lord of the Manor of *Huddersfield* for the Time being), to be Commissioners in the room or stead of the Commissioners so dying or refusing or neglecting to act as aforesaid; and every Person so to be elected and appointed a Commissioner is hereby vested with the same Powers for putting this Act in Execution, as if he had been expressly named and appointed a Commissioner in and by this Act.

Qualification.

IV. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall really and *bonâ fide* be possessed of a Personal Estate to the Amount or Value of One thousand Pounds, and be a Householder, Leaseholder, or Occupier of Buildings within the Town of *Huddersfield*; nor shall any Person be capable of acting as a Commissioner in the Execution of this Act (except in administering the Oath or Affirmation herein-after mentioned) until he shall have taken and subscribed, before One or more of the said Commissioners, (who is and are hereby empowered to administer the same), an Oath or Affirmation in the Words or to the Effect following; that is to say,

Oath.

'I *A. B.* do swear, [*or, being one of the People called* Quakers, do solemnly affirm,] That I am really and *bonâ fide* possessed of a Personal Estate of the Value of One thousand Pounds over and above what will pay my just Debts; and that I will faithfully and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities vested and reposed

reposed in me as a Commissioner, by virtue of an Act passed in the First Year of the Reign of King *George* the Fourth, intituled [*here insert the Title of this Act*] So help me GOD.'

Nor shall any Person be capable of acting as a Commissioner in the Execution of this Act, in any Case wherein he shall be personally interested, nor while he holds any Place of Profit, or is interested in any Contract or Contracts under this Act, or who shall sell any Ale, Beer, or Wine, or Spirituous Liquors by Retail; and if any Person not being qualified as aforesaid, or being disqualified by any of the Causes aforesaid, shall act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered 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, Plaint, Suit, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Commissioner in the Execution of this Act: Provided always, that all Acts and Proceedings of any Person or Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified, done previous to his or their being so convicted, shall be as valid and effectual as if such Person or Persons had been duly qualified as aforesaid.

Penalty on Persons acting not being qualified.

V. And be it further enacted, That it shall be lawful for such of the said Commissioners as are or shall be Justices of the Peace, to act as such in the Execution of this Act, notwithstanding their being Commissioners, except in such Cases where they shall be personally interested.

Commissioners, being Justices, may act.

VI. And be it further enacted, That the said Commissioners shall meet at the *George Inn* in *Huddersfield* aforesaid, if the said House shall be then open, but if not, then at some other convenient House or Place in *Huddersfield* aforesaid, on the Second *Friday* in the Month of *September* next after the passing of this Act, between the Hours of Ten and Eleven in the Forenoon, in order to put this Act in Execution; or in the Event of such Meeting not being held at the Day and Time aforesaid, then at such other Day and Time as the said Commissioners, or any Five or more of them, shall afterwards appoint, by Notice in Writing affixed on the outer Door of the Parish Church of *Huddersfield* Five Days at least before the Day of Meeting; and it shall be lawful for the Commissioners present at any Meeting appointed to be held for the Execution of this Act, from Time to Time to adjourn the same to be holden at any future Day and Time, and at the same or any other Place within the said Town; and in case the Commissioners present at any Meeting shall omit to adjourn the same, or from any other Cause any Meeting shall not be adjourned, then and in every such Case the Clerk of the said Commissioners shall adjourn the Meeting to be held at the same Place and to some future Day, not exceeding Twenty-one Days then next

Meetings and Adjournments.

ensuing, and of which Adjournment such Clerk shall from Time to Time give at least Five Days Notice in Writing to be affixed on the outer Door of the said Parish Church.

Meetings on Emergencies.

VII. And be it further enacted, That notwithstanding any Adjournment or Non-adjournment of any previous Meeting of the said Commissioners, it shall be lawful for any Three or more of the said Commissioners, or for their Clerk (on an Order signed by Three or more of them), from Time to Time and at any Time, by Notice in Writing under their or his Hands or Hand, to be affixed on the outer Door of the said Parish Church, to convene and appoint a Meeting of the Commissioners for proceeding in the Execution of this Act, to be held at any Time and in any convenient Place within the said Town, to be specified in such Notice, and expressing the Occasion of such Meeting, such Time not being less than Five Days after the affixing of such Notice.

Regulating Proceedings of Commissioners at Meetings, &c.

VIII. And be it further enacted, That all the Powers and Authorities by this Act granted to or vested in the said Commissioners, shall and may from Time to Time be exercised by the major Part of them present at any Meeting to be held in pursuance of this Act, the Number present at any such Meeting not being less than Five (except in Cases where by this Act a greater Number is required), and all the Orders and Proceedings of the major Part of any such Five or more Commissioners present at such Meetings shall have the same Force and Effect as if the same were made or done by all the Commissioners for the Time being; and at every such Meeting of the said Commissioners, One of the Commissioners present shall be appointed Chairman; and in case of Equality of Votes of the Commissioners at such Meeting (including the Vote of the Chairman), the Chairman presiding at such Meeting shall have the casting Vote as Chairman, although he shall have previously given his Vote as a Commissioner; and no Act of the said Commissioners in the Execution of this Act shall be good or valid, unless done at some Meeting to be held in pursuance of this Act, (except in Cases particularly specified in this Act); and no Order made by the said Commissioners at any of their Meetings shall be revoked or altered, unless at some subsequent Meeting to be held for that Purpose, of which Five Days Notice shall be given as aforesaid, expressing the Occasion of such Meeting, and unless a greater Number of Commissioners shall attend and vote at such Meeting to revoke and alter the Order, than were present when the same was made, any thing contained in this Act to the contrary notwithstanding; and at all their Meetings the said Commissioners shall pay their own Expence.

Proceedings to be entered.

IX. And be it further enacted, That the said Commissioners shall cause to be provided and kept a proper Book or Books, and fair and regular Entries to be made therein, of the Names of all the Commissioners who shall attend the respective Meetings, and of all their Acts, Orders and Proceedings relative to the Execution of this Act, and the Chairman of each Meeting of the said Commissioners shall always subscribe his Name at the End of the Proceedings of the said Commissioners at every such Meeting; and all Entries in such Books, being

being signed as aforesaid, shall be deemed Original, and shall be allowed to be read in Evidence in all Cases, Suits, and Actions touching any thing done in pursuance or by virtue of this Act; and such Book or Books shall, at any of the Meetings of the said Commissioners be open and liable to the Inspection of all and every the said Commissioners, and of all and every the Persons rated and assessed for the Purposes of this Act.

Books may be inspected.

X. And be it further enacted, That the said Commissioners shall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for or on account of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, or any Person or Persons paying the Rates or Assessments hereby granted, without Fee or Reward; and the said Commissioners and Persons aforesaid, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit, or shall not permit the said Commissioners or Persons aforesaid, to inspect the same, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum of Money not exceeding Five Pounds.

Accounts to be kept of Receipts and Disbursements, which shall be open to Inspection.

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

Annual Meetings for auditing Accounts, &c.

XII. And be it further enacted, That the said Commissioners shall and may from Time to Time, by Writing under their Hands, appoint and employ a Treasurer or Treasurers, Clerk or Clerks, Assessor or Assessors, Collector or Collectors, Receiver or Receivers of the Rates and Assessments, and such other Officers or Persons as and when they the said Commissioners shall think proper for carrying this Act into Execution; which respective Officers, if the said Commissioners shall see Occasion, shall be by them sworn to the due and faithful Discharge of their several Offices, in such Form of Oath as the said Commissioners shall appoint, according to the Nature of their respective Offices; and the said Commissioners shall and may from Time to Time remove them, or any of them, and in like Manner appoint others in the room of those removed; and out of the Monies to be raised by virtue of this Act by the said Commissioners, pay such Salaries, Wages, or Allowances to the said Officers and other Persons, as they the said Commissioners shall think reasonable; and the said Commissioners shall and they are hereby required to take such Security from every such Treasurer, Collector, and other Officers, as

Officers to be appointed;

and give Security;

and account, &c.

as they the said Commissioners shall think reasonable; and all such Officers so to be appointed shall under their Hands (at such Time and Times, and in such Manner as the said Commissioners shall direct) deliver to the said Commissioners, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge, and of all Monies which shall have been received by such Officers and Persons respectively by virtue or for the Purposes of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the Vouchers and Receipts for such Payments, and shall pay all such Money as shall remain due from them respectively to the said Commissioners, or to such Person or Persons as they shall appoint; and if any such Officer or Person shall refuse or wilfully neglect to make and render any such Accounts, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or neglect to deliver to the said Commissioners, or to such Person or Persons as they shall appoint, within Ten Days after being thereunto required by the said Commissioners, by Notice in Writing to be given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, and to give Information and Satisfaction to the said Commissioners respecting the same; then and in every such Case, upon Complaint made by the said Commissioners, or any Two or more of them, or by any Person or Persons whom they shall appoint for that Purpose, of any Neglect or Refusal as aforesaid, to any Justice of the Peace for the County, Riding, City, Town Corporate, or Place wherein such Officer or Person so neglecting or refusing shall reside or be, such Justice may and is hereby authorized and required, by a Warrant under his Hand and Seal, to cause the Officer or Person so refusing or neglecting to be brought before him, and upon his appearing, or having been summoned and not appearing, 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 empowered to administer,) it shall appear to such Justice that any of the Money which shall have been collected or raised by the said Commissioners by virtue of this Act, shall be in the Hands of such Officer or Person, such Justice may and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer and Person, and if no Goods or Chattels of such Officer or Person can be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the same, or if it shall appear to such Justice that such Officer or Person shall have refused or wilfully neglected to render or give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relative to the Execution of this Act shall be in the Custody or Power of such Officer or Person, and he shall have refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in any of the Cases aforesaid, such Justice shall commit such Offender to the Common Gaol or House of Correction for the County, Riding, or Place where such

Remedy on Default

such Offender shall be or reside, there to remain without Bail or Mainprize, until he shall have made and given a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the Commissioners for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Commissioners are hereby empowered to make and receive), and until he shall have delivered up such Books, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Commissioners: Provided always, that no Person who shall be committed by virtue of this Act, on account of his not having sufficient Goods or Chattels, shall be detained in Prison for any longer Term than Twelve 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 or Persons, and his and their Surety or Sureties, shall remain liable to the Rayment thereof, in the same Manner as if such Officer or Person had not been committed to Prison.

Clerk restrained from acting as Treasurer, and vice versa.

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Commissioners for executing this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, 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 in any of His Majesty's Courts of Record at *Westminster* or elsewhere, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed.

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

XIV. And be it further enacted, That the said Commissioners may sue and be sued for or concerning any thing which shall be done by virtue or in pursuance of this Act, in the Name of their Clerk for the Time being, or in the Name of any one of the said Commissioners; and no Action or Suit to be so brought or commenced by or against the said Commissioners, shall abate or be discontinued by the Death, Removal, or Default of any such Clerk or Commissioner, but shall be continued and carried on in the Name of the Clerk for the Time being, or of the Trustee in whose Name the same shall have been brought, and the Clerk for the Time being, or such Commissioner, shall always be deemed Plaintiff or Defendant in such Action or Suit (as the Case may be): Provided always, that all Costs and Expences to be incurred by the said Commissioners, or any Person or Persons authorized by them, in prosecuting or defending any Action or Suit touching the Execution of this Act, shall be defrayed

out

out of the Money arising by virtue of this Act: Provided always, that such Clerk shall not on that Account be deemed an inadmissible Witness in any such Action or Suit, except only in such Action or Suit as shall be on his own personal Account.

Commissioners empowered to cause the Streets, &c. to be lighted, and to purchase Lamps, &c.

XV. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, for the Purpose of lighting the Streets, Lanes, and public Passages within the Limits of this Act, from Time to Time, and at such Time or Times as they shall think fit, to purchase and provide such and so many Glass Lamps of such Sorts and Sizes, and such and so many Lamp Irons and Lamp Posts, and all such other Matters and Things for lighting such Lamps either by Oil or Gas, or in any other Manner, as they shall judge necessary, and to direct the same to be affixed and set up on or against the Walls and Palisadoes of all or any of the Houses, Tenements or Buildings, or Walls, in any of the Streets, Lanes, or public Passages within the Limits of this Act, or in any other Manner they shall think proper and convenient, and from Time to Time to take or cause the same to be taken down, altered, or removed, when and as often as they shall think fit, and to cause such Lamps, or any of them, to be lighted at such Seasons of the Year, and on such Evenings, in such Manner and at such Hours of the Evening, and to be kept burning for so many Hours, as shall to them the said Commissioners seem necessary or proper for the well and sufficient lighting of all or any of the Streets, Lanes, and public Passages within the Limits of this Act: Provided always, that it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time to lay down Mains or Pipes in and along the said Streets, Lanes, and public Passages aforesaid, and to place and affix Pipes against the Houses, Tenements, Walls, or other Buildings or Places within the Limits of this Act, for lighting the same with Gas, after obtaining the Consent in Writing of the Owners or Occupiers thereof; and to make any Contract, or to authorize the making of any Contract or Contracts for lighting the said Town of *Huddersfield* with Gas or otherwise, and to provide and erect Gasometers and other Works, and to prepare and lay down, or permit the preparing or laying down of all necessary Iron or other Pipes, Reservoirs, Matters and Things, necessary for the conducting of Gas or Gas Lights, or otherwise for the lighting the said Streets, Lanes, and public Passages with Gas or otherwise: Provided also, that if any Injury or Damage shall be occasioned to any Rails, Palisadoes, Building or Wall, by the affixing, setting up, taking down, altering or removing any such Lamp or Lamps, or any Lamp Iron or Lamp Irons, or other Fastener thereof, or by laying down, taking up, altering or repairing any such Works as aforesaid, the said Commissioners shall immediately cause such Injury or Damage to be well and sufficiently repaired out of the Money to be raised by virtue of this Act: Provided also, that it shall not be lawful for the said Commissioners, or any Person acting by or under their Authority, to do any Act whereby the Waterworks or Pipes thereto belonging, the Property of the said Sir *John Ramsden*, may be damaged or injured; any thing in this Act contained to the contrary notwithstanding.

Power to lay Gas Pipes, &c.

Commissioners to repair Damage done to Walls or Rails by affixing or altering Lamp Irons.

Proviso that the Waterworks, Pipes, &c. belonging to Sir John Ramsden be not injured.

XVI. And

Penalty for wilfully breaking Lamps.

XVI. And be it further enacted, That if any Person or Persons shall wilfully break, take away, throw down, or otherwise destroy or damage any Lamp or Lamps already erected, or which shall be erected by or by Order of the said Commissioners, or by any Person or Persons at his or their own Expence, for the Purpose of lighting any of the said Streets, Lanes, or public Passages, or any Post, Iron, Cover, or Furniture thereof, or shall wilfully extinguish the Light or Lights of or in any such Lamp or Lamps, it shall and may be lawful to and for any Justice of the Peace for the said Riding, and he is hereby required, upon Complaint to him made by One or more credible Witness or Witnesses of any such Offence having been committed, to issue a Warrant for apprehending the Party or Parties accused; or it shall and may be lawful to and for any Person or Persons, who shall see such Offence committed to apprehend, and also for any Person or Persons to assist in apprehending the Offender or Offenders, and by Authority of this Act, without any other Warrant, to deliver him, her, or them into the Custody of a Peace Officer, in order to be secured and conveyed before some Justice of the Peace of the said Riding; and on the Party or Parties accused being brought before such Justice, such Justice shall and he is hereby required to proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party or Parties accused shall be convicted of such Offence, either on his, her, or their Confession, or upon such Evidence as aforesaid, then and in every such Case, he, she, or they shall for every such Offence respectively forfeit and pay any Sum not exceeding Five Pounds, and shall besides make a full Satisfaction (to be ascertained by such Justice) to the said Commissioners or other Party injured for the Damage so done; and in case such Offender or Offenders shall not upon Conviction forthwith pay such Penalty by him, her, or them incurred, and also such Satisfaction as aforesaid, such Justice is hereby authorized, empowered, and required to commit such Offender or Offenders to the Common Gaol or House of Correction of the said Riding, there to be kept to hard Labour for any Time not exceeding Six Calendar Months, unless such Penalty and Satisfaction as aforesaid shall be sooner paid.

Penalty for negligently breaking Lamps.

XVII. And be it further enacted, That if any Person or Persons shall carelessly, negligently, or accidentally break, throw down, or otherwise destroy or damage any such Lamp or Lamps, or any Post, Iron, Cover, or Furniture thereof respectively, and shall not upon Demand make Satisfaction for the Damage done, then and in every such Case it shall be lawful for any Justice of the Peace for the said Riding, and he is hereby required, upon Complaint thereof made by any Person, to summon before him the Party or Parties complained of for doing such Damage; and upon his, her, or their appearing, or making Default to appear, (Oath being made that the Party complained against had been served with such Summons, or that the same had been left at his, her, or their usual Dwelling or Place of Abode, if known,) such Justice shall proceed to examine the Cause of such Complaint, and upon Proof thereof, either upon Confession of the Party, or the Oath of any credible Witness, shall award and order such Satisfaction to be made by the Party or Parties complained

against for the Damage so done to the said Commissioners, or other Owner or Owners of such Lamp or Lamps, as to such Justice shall appear just and reasonable; and in case the Sum so awarded shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby required to cause the same to be levied and recovered in such and the same Manner as any Fine or Penalty can or may be levied and recovered by virtue of this Act.

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

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

Duty of Watchmen.

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

Penalty on Persons harbouring Watchmen.

XX. And be it further enacted, That if any Victualler, Alehouse-keeper or other Person selling spirituous or other Liquors, shall entertain or harbour in his or her House or Outhouse any Watchman or Night Patrol, during any of the Hours or Times appointed for the Attendance

Attendance on Duty of such Watchman or Night Patrol in 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.

Commissioners to direct Streets to be cleansed.

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

Commissioners may enter into Contracts.

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

Scavengers Duty.

XXIII. And be it further enacted, That the Person or Persons employed by or contracting with the said Commissioners for cleansing the several Streets, Lanes, and Public Passages within the Limits of

of this Act, or the Person or Persons employed by or acting under the Direction of such Person or Persons, shall, on every *Wednesday* in every Week, between such Hours of the Day, and also on such other Days, and at or between such Hours as the said Commissioners shall from Time to Time appoint, sweep and collect together all Dirt, Dust, Manure, Filth, or Rubbish in such Streets, Lanes, and Public Passages, and shall also bring or cause to be brought a Cart or other proper Carriage into such Streets, Lanes, and Public Passages, where such Cart or other Carriage can pass, and shall at his or their Approach with such Cart or other Carriage, and not before, by the Sound of Bell, Voice, or otherwise, give Notice to the Inhabitants of his or their coming, and give the like Notice in every Court, Passage, or Place into which such Cart or Carriage cannot pass, and such Person or Persons aforesaid shall immediately, or with all convenient Speed, take the Dust, Dirt, Manure, Rubbish, Cinders, Ashes, or other Filth (except Filth from any Privy or Necessary House) from the respective Premises in such several Streets, Lanes, and Public Passages, and put the same into such Cart or Carriage; all which Dirt, Dust, Manure, Rubbish, Cinders, Ashes, and Filth (except as aforesaid) as well as all such Dirt, Dung, Ashes, and other Filth as shall be swept up and collected together as aforesaid, such Person or Persons shall then immediately, or so soon as may be, carry away or cause to be carried away to the Place or Places appointed by the said Commissioners for depositing the same, upon pain of forfeiting any Sum not exceeding Forty Shillings for every Offence or Neglect therein; and the Person or Persons so employed as aforesaid, shall cause the Words 'Scavenger's Cart,' to be painted in large Roman Letters, at least One Inch in length each, on the Front or some other conspicuous Part of every Cart or Carriage used for the Purposes aforesaid, on pain of forfeiting any Sum not exceeding Ten Shillings for every Neglect therein; and if any such Person so employed as aforesaid, shall sweep or throw away any Dust, Dirt, Manure, Ashes, or Filth into any Drain, Sewer, Sink, or Watercourse, within the Limits of this Act, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

No Person to take away Dirt, &c. but Contractors.

XXIV. And be it further enacted, That if any Person or Persons whomsoever, other than the Person or Persons employed by or contracting with the said Commissioners for cleansing the Streets, Lanes, and Public Passages within the Limits of this Act, or the Person or Persons employed by or acting under the Direction of the Person or Persons so contracting as aforesaid, shall take or carry away, or cause to be taken and carried away, any Dust, Dung, Manure, Dirt, Ashes, or other Filth out of any such Streets, Lanes, or other Public Passages as aforesaid, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings: Provided always, that nothing herein contained shall extend or be construed to extend to any Ashes, Cinders, Dust, Dirt, Manure, Filth, Soil, Dung, or Rubbish which any of the Inhabitants within the Limits of this Act shall have Occasion and think fit to preserve and keep within their own respective Houses, Yards, and Gardens, for their own Use there or elsewhere, but the same shall respectively belong to and be at the Disposal of the Person or Persons so reserving the same, so as such Ashes, Cinders, Dust, Dirt, Manure,

Persons may keep the Dust, &c. within their own Premises.

Filth, Soil, Dung, or Rubbish, be not laid down or placed in any of the said Streets, Lanes, or Public Passages within the Limits of this Act for any longer Time than shall be necessary for the loading and carrying away the same, and so as the preserving or keeping the same do not annoy the Neighbour or Neighbours of such Person or Persons, or other Inhabitant of the said Town.

Person reserving Ashes, &c. for their own Use, not to suffer same to remain in Streets, &c.

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

Occupiers of Houses, &c. Churchwardens, &c. and others, to sweep the Footways adjoining to Churches, Walls, &c.

XXVI. And be it further enacted, That the respective Occupiers of Houses or other Buildings or Tenements, with the Appurtenances, within the Limits of this Act, shall and they are hereby required to cause to be well and sufficiently swept and cleansed the Footways, and Foot Pavements, the whole Length of the Front of their respective Houses, Buildings, or Tenements, previous to the Hour of Nine in the Morning, on every *Wednesday* in every Week, and shall also cause the Dirt and Soil to arise from such sweeping and cleansing to be collected and put together, (so as not to obstruct either any Carriage or Footway, or Channel or Watercourse), in order that the same may be removed by the said Scavenger or other Person to be employed for the Purpose, upon Pain of forfeiting any Sum not exceeding Five Shillings for every Neglect therein:

Commissioners may hire Room for Office and Storehouse.

XXVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to hire any Room, Building or Buildings, as they shall think fit, in any convenient Part or Parts of the said Town, for the Purpose of making use thereof as and for an Office or Offices for keeping their Accounts and doing the Business relating to this Act, and as a Storehouse or Storehouses for keeping their Implements and Materials, and for other the Purposes of this Act, and to pay out of the Money to arise by the Rates to be made in pursuance of this Act, such yearly Rent or Rents as they the said Commissioners shall from Time to Time agree upon,

upon, and also to accept and take a Lease of such Room, Building or Buildings to themselves or any of them, or any Person or Persons in trust for them, for any Term or Number of Years, at and under such yearly Rent or Rents as they shall from Time to Time think fit, and to pay such Rent or Rents out of the Monies aforesaid.

Materials vested in Commissioners.

XXVIII. And be it further enacted, That all the Dirt, Dust, Dung, Ashes and Filth to be swept, gathered, and collected in or from the said Streets, Ways, Lanes, and other public Passages within the Limits of this Act, or any of them, and also all Lamps, Lamp Irons, Lamp Posts, and other Materials thereunto belonging, Watch Boxes and Watch Houses, and all other Matters and Things which shall hereafter be used, erected, or fixed up by the said Commissioners by virtue of this Act, and all Materials, Implements, and other Things which shall be purchased or provided by the said Commissioners for the Purposes of this Act, shall belong to and be the Property of and are hereby vested in the said Commissioners; and the said Commissioners shall and may cause to be brought, maintained, and preferred any Action or Actions, Bill or Bills of Indictment, as the Case may require, against any Person or Persons who shall steal, take, or carry away, detain, spoil, injure, or destroy the several Articles and Things hereby vested in them the said Commissioners as aforesaid or any of them, or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively, it shall be deemed and taken to be sufficient to state generally that the Article or Articles, Thing or Things for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred, is or are the Property of the Commissioners for lighting, watching, and cleansing the Town of *Huddersfield*, in the West Riding of the County of *York*, without particularly stating or specifying the Name or Names of all or any of the said Commissioners; and the said Commissioners shall have Power and Authority from Time to Time to sell and dispose of, for the Purposes of this Act, all or any of the said Articles and Things as shall at any Time hereafter not be wanted for the Purposes of this Act, or any Part or Parts of the same respectively, to such Person or Persons and in such Manner as the said Commissioners shall think proper, and shall apply the Money to arise thereby towards the Purposes of this Act.

Rates how fixed, &c.

XXIX. And be it further enacted, That the Charges and Expences of lighting, watching, and cleansing the Streets, Lanes, and public Passages within the Limits of this Act, and of otherwise putting this Act into Execution, shall at all Times be borne and defrayed by the Tenants or Occupiers of Dwelling Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Yards, Gardens, Buildings and the Appurtenances in the said Town of *Huddersfield*, (save and except the Cloth Hall and any Houses, Buildings, and other Hereditaments occupied for the Purposes of any public Charity, and also all Churches, Chapels, and other Buildings licensed to be used for the Purpose of Divine Worship, and also all Cottages or Dwelling Houses under the yearly Value of Six Pounds, and which are not intended to be made liable to the Rates hereby imposed); and the said Commissioners shall and they are hereby authorized, em-

powered, and required, when and so often as they shall think necessary, to make One or more Rate or Rates, Assessment or Assessments in every Year, to be signed by the said Commissioners, or any Five or more of them, upon the Tenants or Occupiers of all such Dwelling Houses, Shops, Warehouses, Coach Houses, Stables, Cellars, Vaults, Yards, Gardens, Buildings, and Appurtenances which lie within the Limits aforesaid, except as aforesaid, for the Purpose of putting this Act in Execution, and such Rates or Assessments shall be made upon such Valuation as the Tenants or Occupiers are or may be assessed to or rated at for the Relief of the Poor, and the Money or Monies so rated or assessed on the said Tenants or Occupiers, shall be paid by them respectively to the Collector or Collectors, or other Person or Persons appointed by the said Commissioners to collect the same; and if any Tenant or Occupier of any of the Premises aforesaid, shall neglect or refuse to pay his or her Proportion or Proportions of any of the said Rates or Assessments respectively to the said Collector or Collectors, or other Person or Persons, for the Space of Fourteen Days after Demand made thereof, the same shall be levied and recovered on and from all and every such Tenant or Tenants, Occupier or Occupiers so neglecting or refusing, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals of any One or more Justice or Justices of the Peace acting for the said Riding, such Defaulter having been first duly summoned by such Justice or Justices to appear before him or them, at a Time and Place to be mentioned in such Summons, to show Cause for such Neglect or Refusal, and the Overplus, if any, of the Monies to be raised by such Distress and Sale, shall be returned on Demand to the Owner or Owners of the Goods and Chattels so distrained and sold, together with what shall remain unsold, after deducting all Costs, Charges, and Expences previous to and attending such Distress and Sale, such Costs, Charges, and Expences to be ascertained and directed by the said Justice or Justices; and in Default of such Distress, it shall be lawful for any such Justice or Justices to commit such Person to the Common Gaol or House of Correction for the West Riding of the County of *York*, there to remain without Bail or Mainprize, for any Time not exceeding Three Calendar Months, or until Payment of such Sum or Sums of Money as shall have been found to be due and in Arrear upon all or any such Assessment or Assessments as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, such Costs, Charges, and Expences to be ascertained and directed by the said Justice or Justices.

Collecting Rates.

Remedy on Non-payment.

XXX. And be it further enacted, That if the said Commissioners shall at any Time or Times neglect or omit to rate or assess any Person or Persons liable to pay or be charged with any Rate or Assessment to be made by virtue of this Act, or shall in any such Rate or Assessment over-rate or under-rate any Person or Persons liable to pay any such Rate or Assessment, then and in every such Case it shall be lawful for the said Commissioners to rate and assess, in the said Rate or Assessment, such Person or Persons so omitted to be rated and assessed, and to correct and regulate such Rate or Rates, Assessment or Assessments, so as to make the same conformable to the true Intent and Meaning of this Act; and it shall and may be lawful

Power of Commissioners to correct Rates.

lawful to and for the said Commissioners and they are hereby empowered to strike out the Name or Names of any Person or Persons not liable to the Payment of the Rates hereby directed to be made; and that all such Alterations or Amendments in such Rates or Assessments shall be as valid and effectual as if the same had been Part of the Rates or Assessments originally made.

For Recovery of Rates from Persons quitting the Premises rated.

XXXI. And be it further enacted, That in case any Person or Persons who shall be rated or assessed by virtue of this Act, shall quit his, her, or their House or Houses, Shop or Shops, Warehouse or Warehouses, Coach House or Coach Houses, Stable or Stables, Cellar or Cellars, or other Hereditaments, whereon any Rate or Assessment shall be made by virtue of this Act, before he, she, or they shall have paid such Rate, and shall afterwards refuse or neglect to pay the same, when demanded of such Person or Persons, or at his, her, or their Place or Places of Abode, by the Collector of such Rates, or other Person authorized by the said Commissioners, then and in every such Case it shall be lawful for any One or more of His Majesty's Justices of the Peace for the said Riding, and he and they is and are hereby required to grant a Warrant or Warrants of Distress under his or their Hand and Seal, or Hands and Seals, (on Oath being made before him or them by the said Collector or Person as aforesaid, of such Person or Persons having been so rated, and of his, her, or their having quitted the Premises as aforesaid, and of the said Rate or Assessment having been demanded of or from, or at the then Place of Abode of such Person or Persons, and which Oath such Justice or Justices is and are hereby authorized and empowered to administer), authorizing and directing any Constable or Constables of any Parish, Township, or Place within the said Riding, or in any other Riding, County, City, or Liberty where such Person or Persons shall then reside, or other Person or Persons to whom such Warrant or Warrants shall be specially directed, to distrain the Goods and Chattels of the Person or Persons so refusing or neglecting to pay, and to sell the same; and (such Warrant being countersigned or backed by some Magistrate for the Riding, County, City, or Liberty where the Person or Persons shall then reside, or such Goods and Chattels shall be found, and which such Magistrate is hereby required to countersign or back), it shall be lawful for such Constable or Constables or other Person or Persons to distrain and sell the Goods and Chattels of the Person or Persons so quitting the said Premises, without having paid his, her, or their Rate or Assessment as aforesaid, in any Parish, City, Liberty, County, Riding, or Place where such Goods and Chattels shall be found, rendering the Overplus (if any) after having retained the Rate or Assessment and all Arrears thereof, and all the Costs and Charges of such Warrant, Distress, and Sale, to the Owner or Owners of such Goods and Chattels respectively; and in Default of such Distress, it shall be lawful for any such Justice or Justices who shall have granted such Warrant, to cause such Defaulter to be apprehended and brought before him, and to commit such Defaulter to the Common Gaol or House of Correction for the said Riding, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until Payment of such Sums of Money as shall have been found to be due and in Arrear upon any such

such Assessment or Assessments as aforesaid, together with all Costs, Charges, and Expences attending the Recovery thereof, such Costs, Charges, and Expences to be ascertained and directed by the said Justice or Justices.

Persons removing to pay in Proportion.

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

Landlord to pay for furnished Houses.

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

Receivers, or other Persons authorized by the Commissioners, to be allowed to inspect and take Copies of or Extracts from the Books of Land Tax and of Poor's Rates within the Parish, gratis.

XXXIV. And be it further enacted, That it shall and may be lawful for the Receiver or Receivers of any Rate or Assessment to be made by virtue of this Act, and for any other Person or Persons authorized by the said Commissioners, at all convenient Times (first having an Order under the Hands of Five of the said Commissioners for that Purpose), to inspect the Books of Assessment of the Land Tax, and also the Books or Rates made for raising Money for the Relief and Maintenance of the Poor of the said Town, in order to ascertain the Rates and Assessments to be raised by virtue hereof, and also to take Copies thereof, and to make Extracts therefrom; which Inspection, Copies, and Extracts the Vestry Clerk or other Officer or Person having the Custody of such Book, Assessment, and Rate, or Books, Assessments, and Rates, is hereby required to permit and suffer to be made, without Fee or Reward, by such Receiver or Receivers, Person or Persons appointed as aforesaid, on producing such Order as aforesaid; and in case any Vestry Clerk, or other such

such Officer or Officers, Person or Persons, shall neglect or refuse so to do within Ten Days after such Order shall be produced and shewn to him or them, or a Copy thereof left at his or their last or most usual Place of Abode, then and in every such Case he or they so refusing or neglecting shall for every such Offence forfeit any Sum not exceeding Twenty Pounds.

Application of Money raised by Commissioners.

XXXV. And be it further enacted, That all the Money to be raised by the said Commissioners, or received by them under or by virtue of this Act, shall be paid to the Treasurer of the said Commissioners, or to such other Person or Persons as they shall appoint, and shall be applied and disposed of in the first Place, in paying and defraying the Charges and Expences which shall be incident to and attending the obtaining and passing of this Act, with Interest for the same; and in the next Place, from Time to Time in defraying the Charges and Expences of lighting, watching, and cleansing the said Town, and in paying and defraying all Expences which the said Commissioners and their Officers shall necessarily sustain or be put unto in carrying this Act into Execution, and in prosecuting and defending any Actions, Suits, or Prosecutions in any manner relative to the Execution of this Act by them, or of any thing to be done under or by virtue thereof, and for such other Uses and Purposes as are herein expressed; all which said Monies shall be severally and separately applied to the several and respective Purposes for which the several and respective Rates and Sums shall be levied and raised, and to and for no other Uses or Purposes whatsoever.

Commissioners may abate and prevent Nuisances, &c.

XXXVI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized, empowered, and required from Time to Time as they shall think proper, to cause all Encroachments, Obstructions, Nuisances, and Annoyances in the Streets, Lanes, and Public Passages, within the Limits of this Act, to be abated and removed, and to cause proper Drains, Sinks, Gutters, and Watercourses to be made for conveying Water off and from the said Streets, Lanes and other public Passages, in such Manner as they the said Commissioners shall think proper; and from and after the passing of this Act, it shall not be lawful for any Person to erect or place any Penthouse, Shed, or Sign Post, so as to be an Obstruction in any of the said Streets, Lanes, or public Passages, upon pain of forfeiting a Sum not exceeding Five Pounds for every such Offence; and such Person so offending shall also pay, to the Surveyor or other Person appointed by the Commissioners to receive the same, all Costs, Charges, and Expences of restoring the Ground or Pavement of such Carriageway or Footway to its former State; all such Penalties, Costs, Charges, and Expences to be levied and recovered in like Manner as any Penalty is by this Act directed to be recovered.

Regulating Cellar Doors or Flaps.

XXXVII. And be it further enacted, That from and after the passing of this Act, all Spouts and Pipes for conveying Water from the Roofs of Houses or other Buildings into the said Streets, Lanes, or public Passages, shall be made or placed so as to convey such Water from such Roofs close to the Face or Side of such Houses or Buildings

ings down to the Ground or Pavement, under a Penalty of Five Shillings for every Day the same shall remain placed contrary to the Directions of this Act, after Notice in Writing for the Purpose from the said Commissioners shall have been left at such House or Building for the Occupier thereof, such Penalty to be paid by such Occupier; and where any Opening is now or may hereafter be made in the Paving or Flagging of any of the said Streets, Lanes, or public Passages, as an Entrance into or for the Purpose of carrying Coals or other Articles into any Vault or Cellar, whether such Vault or Cellar be inhabited or uninhabited, or for the Purpose of conveying Light into any Room or Cellar, or for any other Purpose, the Door, Lid or Lids, Flap or Flaps, Covering or Grating to such Opening, shall be made (at the Expence of the Occupier of the Cellar, Kitchen, Building, or other Premises to which such Opening shall communicate) of Iron, or such other Materials, and of such Dimensions, and in such Manner and Form as the said Commissioners shall direct and approve of; and every such Door, Lid, Flap, Grating, and Covering shall from Time to Time be repaired, varied, and altered at the like Expence of the Person or Persons for whose Use and Benefit the same shall be possessed and enjoyed, and in such Manner and Form as the said Commissioners shall direct or appoint; and in case any Person or Persons shall cause any such Grating or Covering to be made, repaired, varied, or altered, or shall neglect or refuse to make, repair, vary, or alter such Grating or Covering, contrary to such Direction or Appointment as aforesaid, or shall cause or permit any such Cellar Door, Cellar Lid, Flap or Cover, within the Limits of this Act, to be left open unnecessarily, at any Time between Sun-setting and Sun-rising, on any Pretence whatsoever, without the same being well and sufficiently lighted and guarded, so as to prevent Accidents from happening, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Ten Shillings, and also any further Sum not exceeding Twenty Shillings, for every Week the said Offence shall be continued.

Penalty on obstructing Causeways, &c.

XXXVIII. And be it further enacted, That if any Person or Persons shall, upon any of the Footways or Foot Pavements in any Streets, Lanes, or public Passages within the Limits of this Act, run, draw, drive, or carry thereon, any Truck, Wheelsledge, Wheelbarrow, Handbarrow, Bier or Carriage whatsoever, or roll any Cask or Tub other than for the necessary loading and unloading thereof, unto, upon, from, or out of any Carriage Road or Footway, further than the Extent of the Premises in the Occupation of the Person from or to whose House or Buildings such Cask or Tub shall be rolled; or if any Person shall wilfully drive any Cart or Carriage whatsoever, or shall ride, lead, or drive any Horse or other Beast, or any Cattle whatsoever on any of the said Footways or Foot Pavements, or set up, affix, or use any Stall, Standing, Block, or Working Place thereon or so near thereto as to obstruct the passing thereon, or put or place any Cask, Tub, Pail, Bucket, Stool, Bench, Stall, or any other Matter or Thing, and suffer it to remain so as in any Manner to cause any Obstruction or Impediment in the Footway or on the Foot Pavement; or shall in any Street, Lane, or other public Passage within the Limits of this Act, hoop, fire, cleanse, wash, or scald any

any Cask or Tub, or hew, saw, or cut any Stone, Wood, or Timber, or bore any Timber, or make or repair any Coach, Chaise, Waggon, Sledge, or other Carriage, (except such as may want immediate Repair from any sudden Accident on the Spot, or which cannot be conveniently removed for that Purpose, such unavoidable Repair to be done and completed with all covenient Speed); or if any Person shall hang out or cause to be hung out any Linen or Cloth, or any Article of Wearing Apparel or other Article, for the Purpose of Sale or of airing the same, upon or from any Door or Window within any Street, Lane, or public Passage within the Limits of this Act, or fix or tie up any Line, Rope, or Cord for any such Purpose; or if any Person shall in or upon any such Street, Lane, or public Passage, shoe, bleed, farry, or kill any Horse or other Beast or Cattle, (except in case of Accident); or if any Person shall within any such Street, Lane, or other public Passage, show or expose any Stallion or Stonehorse, or expose to Sale any Horse or other Beast, or turn loose any Horse, Mule, Ass, or other Beast; or if any Person shall make or assist in making of any Bonfire (except by the Permission of some One Justice of the Peace for the said Riding), or shall wantonly let off or fire any Gun, Pistol, Blunderbuss, or other Fire-arms, or shall wantonly let off any Serpent or Rocket, or throw any Cracker, Squib, or other Fireworks, or play at Football, or any other Game or Games; or shall wilfully break, or aid, abet, or assist in wilfully breaking, any Glass Pane or Window, Panes or Windows, in or belonging to any Dwelling House or other Building; or if any Person shall kill or slaughter, or shall scald, singe, dress, or cut up any Animal, either wholly or in Part, in any of such Streets, Lanes, or public Passages, or cause or permit any Blood to run from any Slaughter-house, Butcher's Shop, or Shambles, into the same or any of them, or shall cause any Privy or Necessary House within the Limits of this Act to be emptied, (except between the Hours of Ten of the Clock at Night and Six of the Clock in the Morning), or shall at any Time throw out of any Door or Window, upon any such Footway, or into any such Streets, Lanes, or public Passages, any Filth, or shall lay or deposit, or shall cause or permit to be laid or deposited, the Contents of any such Privy or Necessary House, or any Part thereof, in any Street, Lane, or public Passage, or upon any Footway, within the Limits of this Act, or shall for the Purpose of obtaining or collecting Manure, or for any other Purpose, stop up or impede the Passage of any Common Sewer, Ditch or Watercourse; or if any Person or Persons shall permit or suffer his, her, or their Mastiff, Bull Dog, or any other dangerous Animal to go at large, without being safely and sufficiently muzzled; or if any Person or Persons shall wilfully hinder, obstruct, or prevent the free Passage of any of the said Streets, Lanes, Ways, Passages, or Places, or shall commit or permit any other Kind of Obstruction or Annoyance in or upon any Street, Lane, or public Passage within the Limits of this Act, then and in every such Case every Person so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any Officers appointed by virtue of this Act, or for any Constable, to take away and remove any of the before-mentioned Obstructions, in case the Party occasioning the same shall not remove the same within a reasonable Time after being required so to do by any Person or Persons whomsoever,

and

and it shall and may be lawful to and for any Constable or other Peace Officer, or any One of the said Commissioners, or any Officer or other Person acting by or under their Authority by virtue of this Act, and without any Warrant whatsoever, to seize and apprehend any such Offender or Offenders as aforesaid, and forthwith to convey him, her, or them before some Justice or Justices of the Peace for the said Riding, in order to his, her, or their Conviction of such Offence: Provided nevertheless, that it shall be lawful for the said Commissioners to order and direct and maintain Prosecutions against any Person or Persons, for any Offence committed against this Act, or for any Nuisances, Encroachments, or Obstructions laid, placed, erected, or made, in or upon the said Streets, Lanes, or other public Passages, or upon the Foot Pavements within the said Town, or any Part thereof: Provided also, that nothing herein contained shall extend, or be construed to extend, to prevent or hinder any Person or Persons from placing any Stall, Booth, Stool, Bench, or Form, for the Sale of Goods or Wares, or from exposing to Sale any Meat, Poultry, Vegetables, Fruit, or any other Matter or Thing, in any Street, Lane, or public Passage within the Limits of this Act, so as not to encroach or infringe on any Highway or Foot Pavements.

Commissioners may direct Prosecutions for Obstructions.

XXXIX. And be it further enacted, That if any Sort of Cattle, Swine, or Pigs, shall at any Time be found wandering about any of the Streets, Lanes, or other public Passages, within the Limits of this Act, the Owner or Owners thereof shall for every such Head of Cattle, Swine, or Pig, forfeit and pay any Sum not exceeding Ten Shillings; and moreover it shall and may be lawful to and for the Pindar or Bye-law Men for the Time being of the said Town of *Huddersfield*, appointed or to be from Time to Time appointed at the Court Leet held in and for the Manor of *Almondbury* in the said West Riding of the said County of *York*, if he or they shall think proper, to seize and impound such Cattle, Swine, or Pigs, and to keep the same impounded in the common Pound of the said Town of *Huddersfield*, or in such other Place as the said Commissioners shall appoint, and the same there to remain until the Owner or Owners thereof shall, for every such Head of Cattle, Swine, or Pigs, so impounded pay the Sum of Five Shillings to the Person impounding the same, together with the reasonable Charges and Expences of impounding and keeping the same; and in case the said Sum of Five Shillings and the Charges and Expences shall not be paid within Four Days next after such impounding, it shall be lawful for the said Commissioners to sell or cause the same to be sold, and the Money arising from such Sale, after deducting the said Sum of Five Shillings, and the Charges and Expences of impounding, keeping, and selling such Cattle, Swine, or Pig, shall be paid to the Person or Persons whose Property the Cattle, Swine, or Pig so sold, shall appear to have been: Provided always, that nothing herein contained shall extend, or be construed to extend, to prejudice, abridge, infringe, or affect the Rights of the Lord of the Manor of *Huddersfield* for the Time being, to Waifs and Strays.

Penalty on allowing Beasts to wander in the Streets, &c.

XL. And be it further enacted, That if the Driver of any Waggon, Cart, Car, Dray, or other Carriage, shall ride upon any such

Penalty on Drivers of Carriages for Misbehaviour.

such Carriage in any Street, Lane, or public Passage within the Limits of this Act, not having some other Person on Foot or on Horseback to drive the same, (such Carriages as are usually conducted by some Person holding the Reins of the Horse or Horses drawing the same excepted); or if any Person driving any Carriage whatsoever in any such Street, Lane, or public Passage, shall drive the same furiously, or shall by Negligence or wilful Misbehaviour cause any Hurt or Damage to any Person or Carriage, or shall wilfully be at such Distance from his Carriage whilst it shall be passing in such Street, Lane, or public Passage, that he cannot have the Direction and Government of the Horse or Horses, or other Cattle drawing the same, or shall wilfully prevent, hinder, or interrupt the Passage of any other Carriage, or of any of His Majesty's Subjects, in or along any such Street, Lane, or public Passage; or if any Person driving any Coach, Chariot, Chaise, loaded Waggon, Cart, or other Carriage, upon any such Street, Lane, or public Passage, shall not keep his or her Coach, Chariot, Chaise, loaded Waggon, Cart, or other Carriage, upon his or her Left or Near Side of such Street, Lane, or public Passage, then and in every such Case such Driver so offending, and being convicted of any such Offence, either by his own Confession, the View of a Justice of the Peace, or by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace for the West Riding of the County of *York*, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings, in case the Driver shall not be the Owner of such Carriage, and in case such Driver shall be the Owner of such Carriage, then any Sum not exceeding Forty Shillings, and every such Driver offending in any of the said Cases, shall and may by Authority of this Act, with or without any Warrant, be apprehended by any Person or Persons who shall see such Offence committed; and it shall and may be lawful to and for the Person or Persons so apprehending such Driver, to convey such Driver, or to cause him to be conveyed or delivered to a Constable or other Peace Officer, in order to be conveyed before some Justice of the Peace for the said West Riding, to be dealt with according to Law; and if any such Driver in any of the Cases aforesaid, shall refuse to disclose his Name, it shall and may be lawful to and for the Justice of the Peace before whom he shall be taken, or to whom any such Complaint shall be made, to commit him to the House of Correction, there to remain for any Time not exceeding Three Calendar Months, or to proceed against such Offender for the Penalty aforesaid, by a Description of the Person and the Offence, and expressing in such Proceedings that such Driver or Person refused to disclose his Name.

Penalty for suffering Carts and Carriages to remain in the Street.

XLI. And be it further enacted, That if any Waggon, Cart, Dray, or other Carriage shall be left to stand or remain in or upon any Street, Lane, or public Passage within the Limits of this Act, and with or without Horses or other Cattle, for any Time longer than shall be necessary for unloading or loading thereof, or in case the same shall not be standing during the Time of unloading or loading thereof, as near to the Side of such Street, Lane, or Passage as conveniently may be; or if any Stage Coach, Diligence, or Post Chaise or other Carriage let to hire, shall be left to stand or remain in any of the said Streets, Lanes, or Passages as aforesaid, with or without Horses, for any longer

Time than shall be necessary for the taking up or setting down the Passengers thereof, and for loading and unloading their Baggage; or if any Sacks of Grain, Potatoes, Fruit, or any Timber, Bricks, Lime, Stones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares, or Merchandizes, or other Materials or Things whatsoever, shall be laid or placed, or left to remain in or upon any of the said Streets, Lanes, or public Passages, either in the Carriageway or Footway, for any longer Time than shall be necessary for moving and housing the same; or if any broken Glass, Earthenware, Ashes, Rubbish, Dust, Dirt, Dung, Filth, or any other Nuisance or Annoyance whatsoever, shall be wilfully thrown or cast into or laid in or upon any of the said Streets, Lanes, or public Passages; then and in every such Case, the Driver or other Person so leaving to stand or remain every such Waggon, Cart, Dray, Coach, Diligence, Post Chaise, or other Carriage, and the Person or Persons who shall have so laid, placed, or left such Sacks of Grain, Potatoes, Fruit, or any Timber, Bricks, Lime, Goods, Wares, and Merchandize, Materials, and other Things, in or upon any of the said Streets, Lanes, or public Passages; and the Person or Persons who shall wilfully throw, cast, or lay, or cause to be thrown, cast, or laid, any broken Glass or Earthenware, Ashes, Rubbish, Dirt, Dung, Filth, or any other Nuisance or Annoyance into or upon any of the said Streets, Ways, Lanes, public Passage or Places, shall for every Offence in any of the Cases aforesaid, forfeit and pay any Sum not exceeding Twenty Shillings.

Proviso in favour of Builders.

XLII. Provided nevertheless, and be it further enacted, That no Person shall be subject to any Penalty by virtue of this Act, for or on Account of any Building Materials, Rubbish, or Dirt, being in or upon any of the said Streets, Lanes, or public Passages, before or near the House or Building of such Person, occasioned by the building or pulling down, rebuilding, or repairing such House or Building, so as there be convenient Room left for Carriages to pass, and a sufficient Way kept clear for Foot Passengers, and so as the Owner or Occupier of such House or Building do cause such Materials, Rubbish, and Dirt to be removed out of such Street, Lane, or public Passage, within a reasonable Time after such building, pulling down, or repairing shall be finished, or upon Notice to be given to him or her, signed by the Clerk to the said Commissioners, and so that during the Time the same shall be lying in such Street, Lane, public Passage, or Place, such Owner or Occupier shall guard and fence off the same, either by a temporary Railing or otherwise, and also set up and maintain a sufficient Light or Lights during the whole of the Night-time, to the Satisfaction of the said Commissioners, to prevent Accidents and Mischief happening therefrom.

Recovery and Application of Forfeitures.

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

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

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

Form of Conviction.

Yorkshire to wit. } ‘ BE it remembered, That on the Day of in the Year of our Lord is convicted before me of ‘ His Majesty's Justices of the Peace for the County [*here specify ‘ the Offence or Omission, and the Time and Place when and where committed, as the Case may be.*] Given under my Hand and Seal the ‘ Day and Year first above written.’

XLV. And

Proceedings not to be quashed for want of Form.

XLV. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for want of Form only, or removed by Certiorari or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*, any Law, Statute, or Usage to the contrary notwithstanding.

Distress not unlawful for want of Form.

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

Appeal may be made to the Quarter Seffions.

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

Justices may relieve, on Appeal from

XLVIII. Provided always, and be it enacted, That in any Appeal from the said Rates or Assessments, or any of them, to be made by the said

Rates of Commissioners, without quashing the whole.

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

Inhabitants may be Witnesses.

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

Plaintiff not to recover after Tender of Amends.

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

Limitations of Actions.

LI. And be it further enacted, That no Action or Suit shall be brought against any Person or Persons for any thing done in pursuance of this Act, or in relation to the Matters herein contained, after Three Calendar Months from the Fact committed; and every such Action or Suit shall be brought and tried in the County, Riding, or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit

General Issue.

shall or may at his or their Election plead specially or the General Issue, and give this Act and the Special Matter in Evidence at any Trial, and that the same was done in pursuance and under the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall have been brought before the Expiration of Twenty-eight Days next after such Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same, or shall be brought in any other County, Riding, or Place than as aforesaid, then and in every of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the

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

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

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

LIV. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to reward any Informer or Informers as they shall think proper, so as such Reward shall not exceed the Amount of the Penalty or Forfeiture proved by the Information of such Informer or Informers to have been incurred; any thing herein contained to the contrary notwithstanding. Commissioners may reward Informers.

LV. 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.

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