ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

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C A P. XLI.

An Act for giving greater Facility in the Prosecution and Abatement of Nuisances arising from Furnaces used and in the working of Steam Engines.

[28th *May* 1821.]

WHEREAS great Inconvenience has arisen, and a great Degree of Injury has been and is now sustained by His Majesty's Subjects, in various Parts of the United Empire, from the improper Construction as well as from the negligent Use of Furnaces employed in the working of Engines by Steam: And whereas by Law every such Nuisance, being of a public Nature, is abateable as such by Indictment; but the Expence attending the Prosecution thereof has deterred Parties suffering thereby from seeking the Remedy given by Law: Be it therefore 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 it shall and may be lawful for the Court by which Judgment ought to be pronounced in case of Conviction on any such Indictment, to award such Costs as shall be deemed proper and reasonable to the Prosecutor or Prosecutors, to be paid by the Party or Parties so convicted as aforesaid, such Award to be made either before or at the Time of pronouncing final Judgment, as to the Court may seem fit. **Court may award Costs.**

Court may make Order for preventing the Nuisance.

II. And be it further enacted, That if it shall appear to the Court by which Judgment ought to be pronounced in case of Conviction on any such Indictment, that the Grievance may be remedied by altering the Construction of the Furnace so employed in the working of Engines by Steam, it shall be lawful to the Court, without the Consent of the Prosecutor, to make such Order touching the Premises, as shall be by the said Court thought expedient for preventing the Nuisance in future, before passing final Sentence upon the Defendant or Defendants so convicted.

Not to extend to Owners of Furnaces erected solely for working of Mines.

III. Provided always, and be it enacted, That the Provisions of this Act, as far as they relate to the Payment of Costs and the Alteration of Furnaces, shall not extend or be construed to extend to the Owners or Proprietors or Occupiers of any Furnaces of Steam Engines erected solely for the Purpose of working Mines of different Descriptions, or employed solely in the smelting of Ores and Minerals, or in the manufacturing of the Produce of such Ores or Minerals on or immediately adjoining the Premises where they are raised.

Commencement of Act.

IV. And be it further enacted, That this Act shall commence and take effect from and after the First Day of *September* One thousand eight hundred and twenty-one.

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