



ANNO QUADRAGESIMO TERTIO

# GEORGI II. REGIS.

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## Cap. 147.

An Act for repealing so much of an Act, passed in the Fourth Year of the Reign of His present Majesty, as relates to the lighting the Streets and Places within the Borough and Soke of *Doncaster*, in the County of *York*; and for more effectually lighting, watching, and otherwise improving the said Borough, and for preventing Nuisances therein.

[12th August 1803.]

WHEREAS an Act was passed in the Fourth Year of the Reign of His present Majesty King *George* the Third, intituled, *An Act for the more easy and speedy Recovery of Small Debts within the Borough and Soke of Doncaster, in the County of York, and for lighting the Streets, Lanes, and other open Passages and Places within the said Borough*: And whereas in pursuance and by virtue of the Powers and Provisions of the said Act, the Mayor, Aldermen, and Capital Burgesses of the said Borough, have proceeded to put the said Act into Execution, so far as the same relates to lighting the Streets, Lanes, and other open Passages and Places within the said Borough, and have done other Acts

[*Loc. & Per.*]

for the Improvement thereof, out of the Funds of the said Corporation; And whereas it would tend greatly to the Convenience, Accommodation, Benefit, and Safety of the Publick, as well as of the Inhabitants of the said Borough, and to all Persons resorting to or passing through the same, if the Streets, Lanes, Ways, Passages, and publick Places, within the said Borough, were more effectually lighted, and the same were watched and regulated, and all Nuisances, Annoyances, and Obstructions therein removed and prevented in future, and all Stalls and Standings for the Sale of Goods on Market and Fair Days held within the said Borough, better regulated and governed, and also if the Pipes laid and to be laid in the Streets, Lanes, Ways, Passages, and publick Places of the said Borough, for the supplying the Inhabitants thereof with Water, and also the Footways in the said Borough, and the Hill called *Hobcrofs Hill*, the Stone Cross, Lamp Posts and Rails, built and fixed thereon, were properly secured from Damage or Injury being done thereto; and if a sufficient Number of Sedan Chairs and Chairmen were licensed and put under proper Regulations: And whereas it is expedient that the Powers and Provisions of the said Act, so far as respects the lighting the said Borough, should be repealed, and further and other Provisions made for that Purpose; and that the same, and all other Powers requisite for the Execution of the several Purposes above mentioned, should be contained in One Act: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, so much of the said recited Act, as relates to the lighting the said Borough of *Doncaster*, and Penalties and Forfeitures, Provisions, Regulations, Matters, and Things therein contained relating thereto, shall be and the same is hereby repealed.

Corporation  
empowered  
to provide  
Lamps.

II. And be it further enacted, That it shall be lawful for the Mayor, Aldermen, and Capital Burgeses of the said Borough for the Time being, or the major Part of them, in Common Council assembled, from Time to Time, if they shall think proper, at the Costs and Charges of the said Corporation, to provide, set up, and fix, at such Places, and against such Houses or other Buildings or Walls, or otherwise, within the said Borough, such a Number of Lamps, with Posts, Irons, and other Furniture thereto, and to cause the said Lamps to be lighted and maintained in such Manner as they the said Mayor, Aldermen, and Capital Burgeses for the Time being, or the major Part of them, assembled as aforesaid, shall think fit; all which Lamps, together with the Posts, Irons, and other Furniture thereunto belonging or therewith used, shall be and the same are hereby vested in the Mayor of the said Corporation for the Time being; and if any Person or Persons shall wilfully and maliciously remove, take away, break, throw down, or otherwise damage any of such Lamps, Posts, Irons, or other Furniture thereof, or extinguish any of the said Lamps when lighted, every Person so offending and being thereof convicted by the Oath of One or more credible Witness or Witnesses, before any One or more Justice or Justices of the Peace for the said Borough and Soke, or upon the Confession of the Party accused, or upon the View of any One or more of the said Justices, shall for the First Offence forfeit any Sum not exceeding Twenty Shillings nor less than Ten Shillings, for each Lamp so extinguished, or for every Post, Iron, or other Furniture thereto belong-  
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ing so removed, taken away, broke, thrown down, or otherwise damaged, and for the Second Offence the Sum of Fifteen Shillings, and for the Third and every other Offence the Sum of Twenty Shillings, and shall likewise make full Satisfaction to the Mayor for the Time being for the Charges and Expences of reinstating such Lamp Posts, Irons, or other Furniture as aforesaid; or in case any Person or Persons shall carelessly, negligently, or accidentally break, throw down, or otherwise damage any of the said Lamps so to be set up or fixed as aforesaid, or the Irons, Posts, or other Furniture thereof, or extinguish any such Lamp, and shall not immediately upon Demand make Satisfaction for the Damage thereby sustained, in every such Case it shall be lawful for any One or more of the said Justices, upon Complaint to him or them made by the Mayor for the Time being, to summon before him or them the Person or Persons so complained of, and upon hearing the Matter of the said Complaint, or upon the Non-appearance of the Party or Parties complained of, to award such Sum or Sums of Money, by way of Satisfaction for such Damage, as such Justice or Justices shall think reasonable; and in case of Refusal or Neglect to pay the Sum or Sums of Money so awarded within Three Days after demanded, to cause the same, by Warrant under his Hand and Seal or their Hands and Seals, to be levied by Distress and Sale of the Goods and Chattels of the Person or Persons who shall so have done such Damage, rendering to him, her, or them, the Overplus, if any shall be, after deducting the Costs and Charges of such Warrant, and of such Distress and Sale, when demanded; and in case no sufficient Distress can be found, such Justice or Justices shall and may, by like Warrant, commit the Person or Persons so neglecting or refusing to the House of Correction, there to remain until he, she, or they, shall make such Satisfaction as aforesaid, or for any Time not exceeding the Space of One Calendar Month, One Moiety of which Penalties, when recovered, shall go to the Person or Persons who shall inform and prosecute for the same, and the other Moiety thereof shall be paid to the Mayor of the said Borough for the Time being, and be applied in the First Place in making good all such Damages as aforesaid, and the Remainder to be distributed amongst the Poor of the said Borough and Soke, in such Manner as the said Mayor shall think fit.

III. And be it further enacted, That all Signs, Sign Posts, Gutters, Screens, and close Fences, which now are or at any Time hereafter shall be placed against any of the Houses or other Buildings now erected or erecting, or hereafter to be erected or built, within the several Streets and other publick Passages and Places within the said Borough, shall be fixed close to the Fronts of the Houses, Shops, Warehouses, and Buildings, to which they shall respectively belong, and not otherwise; and that the respective Occupiers of any such Houses or other Buildings as aforesaid, shall, at their own Charges, within such Time and in such Manner as the said Mayor and Justices, or a Majority of them, shall from Time to Time by Writing under their Hands, to be delivered to such respective Occupiers, or left at their respective Dwelling Houses, order and direct, cause all Signs which may belong to, and shall not be fixed or placed upon such respective Houses or other Buildings in Manner aforesaid, to be taken down, and fixed or placed flat on the Fronts thereof; and all Sign Irons, Sign Posts, and other Posts, Penthouses, Screens, Spouts, Steps, Shop Windows, and Cellar Windows, and other Obstructions or Annoyances,

Projecting  
Signs, &c. to  
be placed  
close to the  
Houses.

Water from  
Houses to be  
carried down  
in Pipes.

Annoyances, standing or projecting upon or over any of the Streets or publick Footways, except ancient Bow Windows, to be removed, altered, or reformed; and also to cause the Water to be conveyed from the Roof, Cornices, and Penthouses, which belong to such respective Houses or other Buildings, by proper and sufficient Pipes or Trunks to be fixed to the Sides of such Houses and other Buildings respectively, and from thence into the common Kennels, Drains, or Sewers; and in case any such Occupier shall neglect or refuse so to do, it shall be lawful for the said Justices, or the major Part of them, to cause the same to be done; and if such Occupier shall refuse to pay the Costs and Charges attending the same, the said Justices shall cause such Costs and Charges to be levied by Distress and Sale of the Goods and Chattels of such Occupier, by Warrant under the Hand and Seal of any One such Justice, rendering the Overplus (if any) when demanded, to the Person whose Goods and Chattels shall be so distrained and sold; and if the Tenant in Possession of any such House or other Building shall remove, alter, or reform any such Obstruction, Projection, or Annoyance as aforesaid, according to the Directions of the said Justices, or a Majority of them (except such as shall be put up or occasioned by such Tenant) it shall be lawful for every such Tenant to deduct or retain the Charges and Expences thereof out of his or her Rents.

Not to authorize the Justices to block up Cellar Windows where there is no other Way.

IV. Provided always, That nothing herein contained shall extend to authorize the said Justices to stop up any Cellar Window or Door where there shall be no other Way from the Street or other publick Passage into such Cellar, unless the said Justices shall make some other commodious Way into such Cellar: Provided always, that nothing herein contained shall empower the said Justices in and for the said Borough, to alter, remove, or intermeddle with any Encroachments made in or upon any of the Streets, Lanes, publick Passages, or Places, in or near the said Borough; any Thing herein contained to the contrary notwithstanding.

Cellar Windows to be shut and repaired.

V. And be it further enacted, That all Window Shutters or Doors of any such Cellars, the Openings of which occupy any Part of any Footway, shall be kept in Repair and shut when not in use, for Convenience of Foot People passing over the same.

Penalties for Annoyances in Footpaths.

VI. And be it further enacted, That if any Person shall run, drive, or place, or cause to be run, driven, or placed, any Coach, Cart, Waggon, Dray, Truck, Sledge, Wheelbarrow, or any Carriage whatsoever, upon or over any of the Foot Pavements or Flag Stones laid for Foot Passengers within the said Borough; or shall wilfully ride, drive, or lead any Horse or other Beast or Cattle along or upon any of the said Foot Pavements (except in crossing to and from their respective Houses and Buildings); or shall, in any Street or other publick Passage or Place within the said Borough, hoop, cleanse, or scald any Cask, or hew or saw any Stone, Wood, or Timber, or lay or put any Cask, Stone, Wood, Timber, or other Thing, or bind or make the Wheel of any Carriages, or shoe, bleed, dress, or farry (except in Cases of Accident); or turn or drive loose any Horse or other Beast (except Horses and Beasts in Drovers travelling upon the High Road leading through the said Borough); or set, place, or expose to Sale any Goods, Wares, or Merchandizes, either  
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in the Footways or Carriageways belonging or to belong to any of the said Streets or other publick Passages or Places; or leave open any Doors or Shutters of any Cellar making Part of any Footway, unless when the same shall be opened for the Purposes of using any such Cellar, so as to endanger Passengers walking in any such Footway, every Person so offending in any such Cases shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings nor less than Ten Shillings; and also that if any Person shall sift, screen, or flake any Lime (except within such Hoard or Inclosure as hereafter is mentioned) in any such Street or other publick Passage or Place, he, she, or they, shall forfeit and pay any Sum not exceeding Twenty Shillings nor less than Ten Shillings, to be recovered and applied as herein-after is mentioned.

VII. Provided always, and be it further enacted, That nothing herein contained shall hinder or prevent any Person from erecting or building any Hoard or other Thing by Way of Inclosure, for the Purpose of making Mortar, or depositing Bricks or Stone, or working, or making up any Lime, Sand, or other Materials for making, building, altering, or repairing any House, Wall, Cellar, or other Building within the said Borough, or to subject him to any Penalty on Account thereof; but so nevertheless as that every such Person shall previously have and obtain a Licence for that Purpose under the Hands of the Justices of the Peace in and for the said Borough, or the Majority of them, which Licence the said Justices are hereby required forthwith to grant to any Person applying for the same, and which Licence shall specify the Dimensions of every such Hoard, and the Time it is to continue for such Purposes as aforesaid; and that the said Mayor, Aldermen, and Burgeses, shall and are hereby required, at their own Expencc, to cause to be fixed against or near such Hoard a Lamp lighted with Oil, to burn in the Night, to give Light to Passengers for preventing Accidents in the Dark, and to continue during all the Time such Hoard shall remain. Hoard's may  
be set up.

VIII. And be it further enacted, That if any Waggon, Cart, or other Carriage, shall be left to stand or remain in any of the said Streets or publick Passages or Places, with or without Horses, for any longer Time than shall be necessary for the loading or unloading thereof, or attending any Fair or Market in the said Borough; or if any Stage Coach, Post Chaise, or other Carriage let for Hire, shall be left to stand or remain in any such Street, or publick Passage or Place, with or without Horses, for any longer Time than shall be reasonable or necessary for taking up or setting down Passengers or their Baggage (except for Repair in case of Accident); or if any Horse or other Cattle shall be suffered to stand at the Door, House, or other Building of any Person, so as to obstruct or incommode the Passage of any of the said Footways; or if any Timber, Bricks, Stones, Wood, Goods, or other Things, shall be laid or placed, and left to remain in any of the said Streets, and other publick Passages and Places, for any longer Time than shall be necessary for removing, carrying away, or housing the same; or if any Person shall slaughter any Cattle, Calves, Sheep, Lambs, Swine, or other Beast; or if any Dung, Ashes, Rubbish, Dust, Dirt, or other Nuisance or Annoyance shall be thrown, cast, or laid, in any of the said Streets, or publick Passages or Places, and suffered to remain for any longer Time than shall be necessary for removing and carrying away the same, then and in every such Obstructions  
in the Streets.

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Case the Owner or Driver of every such Carriage, and the Owner of such Timber or other Things as aforesaid, and the Person who shall throw or lay any Dung, Ashes, Coals, Sand, Rubbish, Dust, Dirt, or other Nuisance or Annoyances as aforesaid, or otherwise offend in the Premises, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings nor less than Ten Shillings, to be recovered and applied as hereafter mentioned.

For removing  
and prevent-  
ing Nuisances,  
&c.

IX. And be it further enacted, That if any Person or Persons shall suffer his, her, or their Pigs to run loose in the Streets, Passages, Lanes, or High Roads, in or near the said Borough, without some Person or Persons to drive the same, or shall keep and feed with Offal and Entrails of Beasts, Blubber, Carrion, Blood, or other unwholesome Foods, so as thereby to cause offensive and unwholesome Smells, either in the publick Streets, Lanes, Passages, or to private Individuals, Inhabitants residing and living in close confined Yards, Passages, or other private Places in the said Borough, every such Person or Persons so offending in any of the said Cases, shall for each and every such Offence forfeit and pay any Sum or Sums of Money not exceeding Ten Shillings nor less than Five Shillings, to be recovered and applied as herein-after mentioned.

Footways to  
be cleansed.

X. And be it further enacted, That all and every Person and Persons inhabiting within the said Borough, shall, from and after the passing of this Act, at least Three Times in every Week, at such Times and at such Hours in the Day as the said Justices, or the major Part of them, shall from Time to Time, direct, scrape, cleanse, and sweep, or cause to be scraped, cleansed, and swept, the flagged and payed Footpaths or Ways in the said Streets, the whole Length of the Front of their respective Houses, Shops, Buildings, Walls, and Premises, and cause the Dirt arising therefrom either to be taken and carried away, or put upon the publick Carriage Roads opposite to their respective Fronts, upon Pain of forfeiting and paying the Sum of Five Shillings for every Neglect therein, to be recovered and applied as hereafter directed.

For preserving  
the Water  
Engine and  
Pipes.

XI. And be it further enacted, That if any Person or Persons shall wilfully or negligently break, injure, or damage the Water Engine set and fixed near the River *Chefwold*, or the Pipes laid in the Streets, Lanes, Yards, Passages, and other Places in the said Borough, for supplying the Inhabitants thereof with Water from the said River, or the Water Cocks, Stop Cocks, or other Utensils thereto belonging, every Person or Persons so offending shall for every such Offence forfeit and pay any Sum or Sums of Money not exceeding Forty Shillings nor less than Five Shillings, to be recovered and applied as hereafter is mentioned.

For regulating  
Stalls, &c.  
in the Market.

XII. And be it further enacted, That it shall and may be lawful to and for the Mayor of the said Borough, as Chief Magistrate thereof, and the other Justices of the said Borough, or any of them, to order and direct the setting, fixing, and placing of Stalls and Standings on the Market and Fair Days in the Streets and Market Places of the said Borough, for the Sale of Goods, Wares, and Merchandize, and also the Standing of all Waggon, Carts, and Carriages, resorting to the said Markets and Fairs, in such Place or Places in the said Borough, during the Continuance of such Markets and Fairs, as he or they shall think most proper,  
for

for the better and more regular conducting such Markets and Fairs; and in case any Person or Persons shall disobey, offend, and act contrary to such Direction, every Person or Persons so offending and acting, shall for every such Offence forfeit and pay any Sum or Sums of Money not exceeding Twenty Shillings nor less than Five Shillings, to be recovered and applied as herein-after is mentioned; any Thing in this Act contained to the contrary thereof notwithstanding.

XIII. And be it further enacted, That it shall and may be lawful to and for the Justices of the said Borough, or the major Part of them, from Time to Time to place and fix Boxes against the Sides of Houses, Buildings, and proper Places in the Streets, Lanes, and Passages in the said Borough, proper for the Use and Accommodation of Watchmen, in case the Corporation of the said Borough shall, at their Expence, think proper to appoint Watchmen for the Safety and Protection of the Inhabitants of the said Borough; and in case any Person or Persons shall interrupt, damage, or injure such Boxes when so fixed, such Person or Persons shall forfeit and pay any Sum or Sums of Money not exceeding Forty Shillings nor less than Twenty Shillings, to be recovered and applied as herein-after mentioned.

Watchmen's  
Boxes.

XIV. And be it further enacted, That it shall and may be lawful to and for the Justices of the said Borough, or the major Part of them, to limit, fix, and ascertain the Rates and Fares to be taken by Sedan Chairmen carrying Persons for Hire both by Day and by Night, and for their Time taken and kept in waiting, in such Manner and for such Sums as they in their Discretion shall think right; and after such Rates shall be so fixed, settled, and ascertained, in case any Sedan Chairmen shall demand or take more or larger Sum than such Rates so fixed, he or they shall forfeit and pay the Sum of Five Shillings for each and every Offence, to be recovered and applied in Manner herein-after mentioned.

Justices to re-  
gulate the  
Fares of Sedan  
Chairmen.

XV. And whereas the shewing of Stonehorses or Stallions in the said Streets has been found very dangerous to the Inhabitants, be it therefore enacted, That if after the said Justices, or the Majority of them, shall have ascertained and appointed a Place within or near the said Borough for the Purpose of shewing Stallions, (and which they are hereby empowered to do), any Person shall shew any Stonehorse or Stallion in any other Part of the said Borough, every such Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings nor less than Ten Shillings, to be recovered and applied as hereafter mentioned.

Stallions not  
to be shewn  
in any other  
Place than  
that to be  
appointed by  
the Justices.

XVI. And whereas there is a certain Piece of Waste Ground called *Hobcross Hill*, Part of the Manor of *Doncaster*, and within the Limits of the said Borough of *Doncaster*, bounded towards the East by the Turnpike Road leading from *Doncaster* towards *Bawtry*; and towards the West by certain Houses and Plots of ancient inclosed Land, and abutting towards the South upon a certain Piece of Waste Ground, and a Road branching from the said Turnpike Road leading to *Carr House*, and towards the North on a certain Waste Ground near the Town of *Doncaster*: And whereas the said Piece of Waste Ground called *Hobcross Hill*, hath, at the Expence of the Mayor, Aldermen, and Burgeses of *Doncaster*, been formed into a regular Walk, and ornamented with a Stone Cross, which

Penalty on  
Persons da-  
maging *Hob-  
cross Hill*.

which is properly lighted at their Costs and Charges, and furnished with Seats for the general Accommodation and Advantage of the Publick: And whereas it is expedient that the said Hill, Walk, Cross, Lamps and Lamp Irons, Seats, and other Accommodations, should be protected from Injury or Damage; be it therefore enacted, That if any Person shall pass upon the said Walk with Horses, Cattle, or Carriages, or shall break, spoil, injure, destroy, damage, remove, or take away the said Stone Cross, or any Lamp or Lamps, or Lamp Iron or Lamp Irons, that now are or shall hereafter be set up on or near the same, or any Post, Rail, or other Fence that now is or hereafter shall be placed as a Fence to the said Walk, or shall injure, deface, damage, destroy, or take away any Seat or Bench, or any Building that shall be erected thereon for the Benefit or Accommodation of the Publick, or shall cut, dig up, injure, or damage the said Hill, or the said Walk, every Person offending in any of the Cases aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Forty Shillings: Provided always, that nothing herein contained shall hinder or prevent the Owners or Occupiers of any House already built or hereafter to be built upon the ancient inclosed Lands adjoining or near the westerly Side of the said Hill, from causing Sedan Chairs to be carried upon or across the said Walk; any Thing herein-before contained to the contrary notwithstanding.

Saving certain Rights.

XVII. Provided also, and be it enacted, That nothing in this Act contained shall interfere with, prejudice, or take away any Right previously possessed by or belonging to the Proprietors of any House or Houses, Plot or Plots of Land, adjoining the said *Hobcross Hill*; any Thing herein contained to the contrary notwithstanding.

Penalties, how to be recovered and applied.

XVIII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed for any Offence against the same, and all Damages, Costs, and Charges, which may be demanded or become due by the Authority of this Act (the Manner of levying and recovering whereof is not hereby otherwise directed), shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Person liable or ordered to pay the same respectively, by Warrant under the Hand and Seal of any One or more Justice or Justices of the Peace acting in and for the said Borough, upon the Conviction of the Offender by his or her Confession, or by the Oath of One or more credible Witness or Witnesses; and the said Penalties and Forfeitures when recovered, shall go and be paid One Moiety thereof to the Informer, and the other Moiety thereof to the Overseer of the Poor of the Township of *Doncaster*, for the Use of the Poor of the said Township, rendering the Overplus (if any) after such Forfeiture or Penalty, together with the Costs and Charges attending such Conviction, Warrant, Distress, and Sale, shall be fully paid, unto the Person whose Goods and Chattels shall have been so distrained as aforesaid; and in case such Distress shall not be found, and such Penalty, or Forfeiture, Damages, Costs, and Charges, shall not be paid forthwith, it shall be lawful for such Justice or Justices, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit such Offender or Person liable and convicted as aforesaid, to the Common Gaol of the said Borough, there to remain, without Bail or Mainprize, for any Time not exceeding Two Calendar Months nor less than Ten Days, unless such Penalty or Forfeitures, Damages,  
Costs,



Costs, and Charges, and all Expences of such Commitment, shall be sooner paid and satisfied.

XIX. And be it further enacted, That all and every Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn in the Form or to the Effect following; (that is to say),

Borough of <i>Doncaster</i> to wit.	}	BE it remembered, That on the of in the	Day Year of	Form of Conviction
the Reign of before for the said Borough, of having we] the said feit and pay for the same the Sum of my Hand and Seal [or, our Hands and Seals] the Day and Year said.		of His Majesty's Justices of the Peace [as the Offence shall be] and I [or, do adjudge him [her, or them] to for- Given under the Day and Year a <sup>fore</sup> re-	A. B. is convicted	

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

XXI. And be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance of this Act such Person may, within Three Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at their Quarter Sessions to be held in and for the said Borough, such Appellant first giving or causing to be given Ten Days Notice at least in Writing of his or her Intention to exhibit such Appeal, and of the Matter thereof, to the Person or Persons appealed against, and within Four Days after giving such Notice, entering into such Recognizance before some Justice of the Peace for the said Borough, with Two sufficient Sureties conditioned to try such Appeal, and to abide by the Order, and pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices at such Sessions, upon due Proof of such Notice being given, and to the entering into such Recognizance as aforesaid, shall hear and finally determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they shall think proper; and the Determination of such Justices shall be binding, final, and conclusive, to all Intents and Purposes whatsoever.

XXII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent the Corporation of the said Borough, or any other Person or Persons, from having or taking any legal Remedy against any Person or Persons for any Encroachments or Nuisances that are or shall be made within the said Borough of *Doncaster*, or for any of the Annoyances or Obstructions herein-before authorized

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to be prevented or avoided, or in any other Manner to prejudice, lessen, or defeat any legal Power, Privilege, Franchise, or Authority of the said Corporation, or any of their Juries or Officers of their Courts or Leet within the said Borough (save only the Power and Authority, if any such there shall be, of preventing or hindering in any Respect the Execution of this Act, or of punishing any Person or Persons who shall have been before punished by virtue of this Act for the same Offence); but that the said Corporation, Juries, and Officers, shall and may exercise and enjoy all and every such Powers, Privileges, Franchises, and Authorities (save only as before is saved), in as full and ample a Manner, to all Intents and Purposes, as they have heretofore used to do, and of Right could or might have done in case this Act had not been made.

Public Act.

XXIII. And be it further enacted, That this Act shall be deemed and taken to be a publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without specially pleading the same.

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