



ANNO SEXTO

# GEORGIIV. REGIS.

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## *Cap. cxxxviii.*

An Act to amend and enlarge the Powers of an Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, for lighting, watching, and regulating the Streets, Lanes, and other public Passages and Places within the Town of *Beverley* in the County of *York*. [10th *June* 1825.]

**W**HEREAS an Act was passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for lighting, watching, and regulating the Streets, Lanes, and other public Passages and Places within the Town of Beverley in the County of York*, whereby the Commissioners appointed in and by virtue of that Act were authorized and empowered from Time to Time, and at any Time or Times thereafter, to purchase and provide such and so many Glass Lamps, of such Sorts and Sizes, and also such and so many Lamp Irons and Lamp Posts as they shall judge necessary, and to direct the same to be affixed or set up upon or against the Walls or Palisadoes of all or any of the several Houses or Buildings, or upon or against any other Walls, or in or upon such other Places within the said Town, and to be altered, taken down, or renewed in such Manner as they should think fit; and to cause such Lamps or any of them to be lighted at such Times and Seasons of the Year, and on such Evenings, and on such Hours of the Evening, and to be kept burning for so many Hours as to

48 G.3. c. 87.

[*Local.*]

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them

Commis-  
sioners.

them should seem necessary or proper for the well and sufficiently lighting of all or any of the Streets, Lanes, public Passages and Places within the said Town; and the said Commissioners were thereby authorized to levy Rates for defraying the Expences attending the carrying into Execution the several Purposes of the said Act: And whereas it is expedient that the said Commissioners should be empowered to light the said Town with Gas, and that the Powers and Provisions of the said recited Act should be altered, amended, and enlarged, but the same cannot be effected without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor and Aldermen of the Town of *Beverley* for the Time being, together with *John Arden, William Beverley, Robert Mackenzie Beverley, Edward Boghurst, James Brown* Doctor of Physic, *William Brigham, Samuel Bland, Thomas Clubley, Charles Witty Clubley, Joseph Coltman Clerk, Frederick Campbell, Joseph Cam, Thomas Duesbery, William Robinson Gilby Clerk, John Gardham, Samuel Hall, John Hall, Marmaduke Hewitt, Thomas Hull* Doctor of Physic, *John Lockwood, Thomas Lee, Christopher Machell, Henry William Maister, William Richardson, Ebenezer Robertson, Frederick Robertson, Henry John Shepherd, Lawrence Stephenson, Matthew Turner, Richard Vyse, and John Williams*, and their Successors, being duly qualified in the Manner by this Act directed, shall be and they are hereby appointed the Commissioners for putting the said recited Act and this Act in Execution.

Qualification  
of Commis-  
sioners.

II. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this or the said recited Act, who is or shall be a Victualler, or who shall sell Ale, Wine, Cider, or any Spirituous Liquors by Retail, or during the Time he shall hold or enjoy any Office or Place of Profit, under or be concerned in any Contract made by virtue or in pursuance of this or the said recited Act, or in any Case wherein he shall be in anywise personally or beneficially interested in the Matter in question (except a Creditor on the Rates or Assessments imposed, levied, or made payable by virtue of this or the said recited Act, or on the Buildings, Gas Apparatus, and other Materials hereby vested in the said Commissioners), or who shall not in his own Right, or in the Right of his late or present Wife, be in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments, of an Estate of Inheritance, or for Life or Lives, or for any Term of Years exceeding Sixty Years, either absolutely or determinable on any Life or Lives, of the clear yearly Value of One hundred Pounds (above Reprizes and Incumbrances), or possessed of such Estate or Estates as last mentioned and a Personal Estate jointly, or Personal Estate alone, to the Amount or Value of Three thousand Pounds over and above the Amount of his Debts; nor shall any Person be capable of acting as a Commissioner in the Execution of this or the said recited Act (except in administering the Oath or Affirmation to the Chairman of the first Meeting to be held after the passing of this Act) until he shall have taken and subscribed an Oath or Affirmation in the Words or to the Effect following; (that is to say),

‘ I A. B.

I *A. B.* do swear, [*or being one of the People called Quakers, do solemnly* Oath. affirm], That I am really and *bond fide* in my own Right [*or in the Right* of my Wife, late *or* present, *as the Case may be*], now in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments, of an Estate on Inheritance, or for Life, or Lives, or for a Term, or Terms exceeding Sixty Years, either absolute or determinable, on a Life or Lives [*as the Case may be*], of the clear yearly Value of One hundred Pounds above Reprizes and Incumbrances; *or* possessed of such Estate or Estates as last mentioned and a Personal Estate jointly, or Personal Estate alone, to the Amount or Value of Three thousand Pounds over and above what will pay all my just Debts; and that I will truly and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities reposed in me as a Commissioner by virtue of two several Acts, one passed in the Forty-eighth Year of the Reign of His Majesty King George the Third, intituled [*here insert the Title of the said recited Act*], and the other passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled [*here insert the Title of this Act.*]

So help me GOD.

Which Oath shall from Time to Time be entered in the Book of Proceedings of the said Commissioners, and be subscribed by each Person taking the same; and if any Person, not qualified in manner herein before mentioned to act as a Commissioner, shall presume to act as such in the Execution of the Powers hereby or by the said recited Act given, or any of them, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered on the Information or Prosecution of any Person or Persons whomsoever, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, or more than One Imparlanche, 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 had acted as a Commissioner in the Execution of this or the said recited Act; and the Money so to be recovered shall, after Payment of the Costs and Expences attending the Recovery thereof, be paid as follows; (that is to say), one Moiety thereof to the Informer or Prosecutor, and the other Moiety thereof to the Treasurer to be appointed by virtue of this or the said recited Act, to be by him applied to the Purposes of this and the said recited Act; any thing contained in the said recited Act to the contrary thereof in anywise notwithstanding.

III. And be it further enacted, That it shall be lawful for the said Commissioners, by and out of the Monies authorized to be raised by the said recited Act or this Act, from Time to Time to cause the Streets, Lanes, and other public Passages and Places in the said Town and Liberties of *Beuerley*, to be lighted with Gas or Oil or any other Material, at such Times of the Year and in such Manner as they may think proper, and to enter into any Contract or Contracts with any Person or Persons, Company or Corporation, for lighting the same, and for furnishing Pipes, Lamps, Lamp Irons, Lamp Posts, and all other Things necessary for that Purpose,

Commissioners empowered to light the Town with Gas.

Purpose, in such Manner, for such Periods of Time, and upon such Terms and Conditions as the said Commissioners shall think proper.

Commissioners may erect or purchase Apparatus to make Gas;

IV. And be it further enacted, That in case the said Commissioners shall deem it expedient to erect or purchase Gas Apparatus, and light the said Streets, Lanes, and public Passages and Places, without contracting for the same as aforesaid, it shall be lawful for the said Commissioners and they are hereby authorized and empowered, by their Servants, Agents, Workmen, and others, from Time to Time to make and erect or purchase Retorts; Gasometers, Receivers, and other Buildings, Cisterns, Engines, and other Apparatus, and make such Drains, Sewers, Watercourses, Reservoirs, and other Works, and sink and lay or purchase such Pipes, Stopcocks, Syphons, Plugs, Posts, or Pillars, of such Construction and in such Manner as the said Commissioners shall think fit; and for the Purposes aforesaid it shall be lawful for the said Commissioners to purchase or rent or take on Lease for Years any Messuage or Messuages and Buildings, Land, Ground, or Hereditaments, within the said Town of Beverley, which they may think proper.

and for that Purpose purchase or rent Land.

Form of Conveyance to the Commissioners.

V. And be it further enacted, That all Sales, Conveyances, Leases, and Assurances of any Houses, Buildings, Lands, Tenements, or Hereditaments, or any Estate or Interest therein, to be made to the said Commissioners, shall be made in the Form or to the Effect following, *mutatis mutandis*; (that is to say),

in consideration of the Sum of

‘ I to me paid by the Commissioners appointed under or by virtue of an  
 ‘ Act passed in the Forty-eighth Year of His late Majesty King George  
 ‘ the Third, intituled *An Act, &c.* [*here set forth the Title of the said*  
 ‘ *recited Act*], and of another Act passed in the Sixth Year of the Reign  
 ‘ of His Majesty King George the Fourth, intituled *An Act* [*here insert*  
 ‘ *the Title of this Act*], do hereby grant and convey to the said Commis-  
 ‘ sioners for the Time being, all [*here describe the Premises to be conveyed*],  
 ‘ and all my Estate, Right, Title, Term, and Interest to and in the same,  
 ‘ and every Part thereof, to hold to the said Commissioners and their  
 ‘ Successors from henceforth for ever. In witness whereof I have here-  
 ‘ unto set my Hand and Seal, this                      Day of                      in the  
 ‘ Year of our Lord                      .’

And every such Sale, Conveyance, Lease, Assignment, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

Commissioners may sell Materials:

VI. And be it further enacted, That the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of all or any of the Articles, Matters, and Things hereby vested in the said Commissioners, or any Part or Parts of the same respectively, for the Purposes of this and the said recited Act, to such Person or Persons, at such Time or Times, and in such Manner as they the said Commissioners shall think proper.

And may let out Gas Lights, &c.

VII. And be it further enacted, That in case the said Commissioners shall deem it expedient to erect or purchase such Gas Apparatus, and to light

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

VIII. And be it further enacted, That in case any Person or Persons contracting with the said Commissioners, or any Body or Bodies Politic or Corporate, or Person or Persons contracting with the said Commissioners for lighting such Streets, public Passages and Places, or otherwise, agree to take or shall use or enjoy the Benefit of the said Gas in their private Dwellings, Shops, Inns, Taverns, Manufactories, or other Buildings, shall refuse or neglect, for the Space of Fourteen Days after Demand, to pay the Sum or Sums then due for the same to the said Commissioners according to the Terms and Stipulations agreed upon, it shall be lawful for the said Commissioners or their Clerk or Clerks, or any Person or Persons acting by or under their Authority, by Warrant under the Hand and Seal of any Justice of the Peace for the said Town and Liberties of *Beverley*, to levy the said Sum or Sums of Money in respect whereof such Neglect or Refusal shall happen, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing to pay the same, rendering the Overplus (if any) to such Person or Persons so refusing or neglecting, after the necessary Charges of making such Distress and Sale shall be first deducted.

Recovery of  
Rent.

IX. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, by and with the Consent and Approbation of the Mayor, Aldermen, and Burgeses of the Town of *Beverley* aforesaid, by their Servants, Agents, Contractors, Workmen, and others, from Time to Time to break up the Soil and Pavements of any Streets, Highways, Roads, Ways, Lanes, Passages, and other Places in the said Town and Liberties of *Beverley*, or any Part of them, and to dig and sink Trenches and Drains, and lay Mains or Pipes, and put Stopcocks, Syphons, Plugs, or Branches from such Pipes in, under, across, and along such Places as aforesaid, and in such Manner as shall be necessary for the Purpose of carrying this Act into Execution, and from Time to Time to alter the Position of and repair, relay, and maintain such Pipes, Stopcocks, Syphons, and Plugs or Branches, and also to carry, fit up, and furnish any Pipe or Pipes, Cocks or Branches, or other necessary Apparatus, from any Main or Pipe laid in any Street, Road, Highway, Lane, Passage, or other Place, for the Purpose of lighting any Dwelling House, Manufactory, public or private Building, or any public or private Lamp, from any of such Mains or Pipes, and to erect and set up any other Apparatus necessary or requisite for securing to

Power to  
break up the  
Soil and  
Pavements of  
Streets, &c.

[Local.]

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any

any Dwelling House, Manufactory, public or private Building, a proper and competent Supply of Gas, or for measuring and ascertaining the Extent of such Supply, and also to alter or amend any bad or imperfect Work which shall have been placed, or which shall be injured or damaged in such Dwelling House, Manufactory, public or private Building, and to do all such other Acts, Matters, and Things as the said Commissioners shall from Time to Time think necessary and convenient for completing, amending, repairing, improving, supplying, and using the same, provided a proper Compensation be made for any Damage which may be done thereby; but nothing herein contained shall authorize or empower the said Commissioners to carry or lay any Pipe or Pipes through, or to affix the same to any Dwelling House, Manufactory, or public or private Building, Hereditaments, and Premises, or to continue the same, without the Consent in Writing of the Owner and Occupier of every such Dwelling House, Manufactory, public or private Building, Hereditaments, and Premises, through which any Pipe or Pipes may be carried or laid for the Purposes aforesaid.

Pavements,  
&c. to be  
made good  
without  
Delay.

X. And be it further enacted, That after laying or repairing any such Mains, Pipes, Plugs, Cocks, Syphons, or Branches, or other Works, by the said Commissioners, or any Body Politic or Corporate, or any Person or Persons whosoever, the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever, shall forthwith cause all the Trenches to be filled in, and all the Pavements and Footways within the said Town from Time to Time to be repaired with Flag Stones or other Materials, and the Pavement thereof to be kept in good Repair, and all the Rubbish, Soil, and Materials occasioned thereby to be removed, taken, and carried away, and any Damage arising from any Drains, Sewers, or Cuts which may be made for the Purposes of this Act, to be repaired without any Delay, and shall in the meantime fence or guard, and light by Night, and all Night, the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages: Provided always, that if there shall be any unnecessary Delay in filling in any such Ground, or removing the Rubbish, Soil, or Materials, or making good any such Pavements or Footways, or in well and sufficiently guarding and lighting the same as aforesaid, then and in every such Case it shall be lawful for the Mayor, Aldermen, and Burgesses of the Town of *Beverley* aforesaid, or any other Person or Persons acting by or under their Authority, to fill in such Ground, and remove such Rubbish, Soil, and Materials, and to repair and make good the Pavement of any Street, Highway, Way, Lane, Passage, or Place so broken up as aforesaid, and to guard and light the same, and the reasonable Costs and Charges thereof shall be paid by the said Commissioners, or their Treasurer, or by the Body Politic or Corporate, or Person or Persons as aforesaid; and in case the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, shall neglect or refuse to pay the same on Demand by the said Mayor, Aldermen, and Burgesses of the Town of *Beverley* aforesaid, or their Surveyor, or other Person as aforesaid (Proof of such Demand being made by the Oath of One credible Witness before One or more Justice or Justices of the Peace for the said Town and Liberties of *Beverley*), all such Costs and Charges shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Commissioners, or of the said Body Politic or Corporate,

Corporate, or Person or Persons as aforesaid, together with the Charges of such Distress and Sale, by a Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices of the Peace for the said Town and Liberties of *Beverley*, and which Warrant such Justice or Justices is and are hereby empowered to grant; and such Costs and Charges shall be paid to the said Mayor, Aldermen, and Burgesses of the said Town of *Beverley*.

XI. And be it further enacted, That the Branch or Service Pipes which shall be put down for lighting the said Streets, Lanes, and other public Passages and Places, shall be kept fully charged with Gas, and the Stop-cocks shall be so turned as not to impede or prevent the said Branch or Service Pipes being completely filled with Gas during the Time the same shall be lighted.

Service Pipes to be kept fully charged with Gas.

XII. And be it further enacted, That in case the said Commissioners, or any Body Politic or Corporate, or Person or Persons whosoever, shall at any Time hereafter break up the Soil, Pitching, or Pavement of any private Road or Way, for the Purpose of laying any Main or Pipe along, under, or across the same, with the Consent of the Owner or Owners of the Soil for the Time being, and after the same shall have been so laid and placed, such Owner or Owners shall be desirous of having the same removed, it shall be lawful for such Owner or Owners, at any Time or Times thereafter, if he, she, or they should deem it necessary or expedient, and at his, her, or their own Costs and Charges, to alter and vary the Position of such Pipe or Pipes, Main or Mains, and to relay the same, so that no Damage be done thereby to the said Commissioners, or any Body Politic or Corporate, or Person or Persons whosoever, and so that they be not thereby prevented from or obstructed in lighting any public or private Lamp, unless such Damage or Obstruction be unavoidable.

Owners of private Roads may vary the Position of Pipes.

XIII. Provided always, and be it further enacted, That the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, shall at their own Expence, on the Expiration or Determination of the Tenancy or Tenancies of any such Occupier or Occupiers so giving Consent as aforesaid, or within Fourteen Days of the Expiration or Determination of such Tenancy or Tenancies, upon receiving Notice in Writing for that Purpose for or on behalf of the Owner or Owners or the succeeding Occupier or Occupiers of any such Dwelling House, Manufactory, or public or private Building as aforesaid, remove, take, and carry away, or cause to be removed, taken, or carried away, any Pipe or Pipes, Cocks or Branches from any Main or Pipe, which shall have been placed or laid by the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever, for lighting such Streets, public Passages and Places, for the Purpose of lighting any Dwelling House, Manufactory, or public or private Building as aforesaid, pursuant to the Power for that Purpose herein-before contained, and repair and make good such Dwelling House, Manufactory, or public or private Building to or against which the same shall have been so placed or laid, any thing herein contained to the contrary thereof in anywise notwithstanding; and in default thereof, it shall be lawful for such Owner or Owners, or for such new Occupier or Occupiers,

Commissioners to remove Pipes when Tenants quit if required.

piers, as the Case may require, or any Person or Persons acting under his, her, or their respective Authority or Authorities, to cause such Pipes or Cocks or Branches to be removed, taken, or carried away, and the said Dwelling House, Manufactory, or public or private Building, to or against which the same shall have been so placed or laid, to be repaired and made good, and the reasonable Costs and Charges of doing the same shall be immediately paid by the said Commissioners, or their Treasurer for the Time being, or by the Body Politic or Corporate, or Person or Persons as aforesaid lighting such Streets, public Passages and Places, to such Owner or Owners, Occupier or Occupiers, as the Case may require; and if such reasonable Costs and Charges shall not be paid within Ten Days next after Demand thereof shall be made by such Owner or Owners, Occupier or Occupiers, or other Person or Persons as aforesaid, Proof of such Demand being made by the Oath of One credible Witness, before One or more Justice or Justices of the Peace for the said Town and Liberties of *Beverley*, such reasonable Costs shall and may be levied and recovered by Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices of the Peace for the said Town and Liberties of *Beverley*, which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs and Charges shall be paid to such Owner or Owners, Occupier or Occupiers, as the Case may be.

For stopping  
the Escape of  
Gas.

XIV. And be it further enacted, That whenever any Gas shall be found to escape from any of the Pipes which shall be laid down or set up by the said Commissioners, or any Body Politic or Corporate or Person or Persons whatsoever, for lighting any Street, public Passage or Place within the Limits of this Act, or any House, Manufactory, or other Premises therein, the said Commissioners, or Body Politic or Corporate, or Person or Persons whatsoever, shall at their own Expence, immediately after receiving Notice by Parol or in Writing to be left or given at their Office or usual Place of transacting their Business, of any such Escape of Gas, from any Person or Persons whomsoever, cause the most speedy and effectual Measures to be taken to stop or prevent such Gas from escaping; and in case the said Commissioners, or Body Politic or Corporate, or Person or Persons whatsoever so lighting as aforesaid, shall not, within Twenty-four Hours next after such Notice by Parol or in Writing being given of any such Escape of Gas, effectually stop and prevent the Gas from escaping, and wholly and satisfactorily remove the Cause of Complaint, then and in every such Case the said Commissioners, or the Body Politic or Corporate, or Person or Persons whatsoever so lighting as aforesaid, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds for each and every Day, after the Expiration of Twenty-four Hours from the Time of giving any such Notice, during which the Gas shall be suffered to escape as aforesaid, which Penalty shall from Time to Time be recoverable in a summary Way, on the Oath or Affirmation of One or more credible Witness or Witnesses before One or more Justice or Justices of the Peace for the said Town and Liberties of *Beverley*, and shall and may be recovered, with all reasonable Charges, by Distress and Sale of the Goods and Chattels of the said Commissioners, or Body Politic or Corporate, or Person or Persons whatsoever so lighting as aforesaid, by the Warrant of any such Justice or Justices of the Peace as aforesaid, to be granted



granted in like Manner and subject to the like Provisions as are herein directed touching other Penalties to be recovered by virtue of the said recited Act or this Act.

XV. And be it further enacted, That if the said Commissioners, or any Body Politic or Corporate, or any Person or Persons whatsoever, making, furnishing, or supplying any Gas for lighting any Street, Highway, or Place within the Limits of this Act, or any House, Manufactory, or other Premises therein, shall at any Time drain or convey, or cause or suffer to be drained or conveyed, or to run or flow, any Washings or other waste Liquids, Substances, or Things whatsoever, which shall arise or be made in the Prosecution of the said Gas Works, into any River, Brook, or running Stream, Reservoir, Canal, Aqueduct, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating therewith, or do or cause to be done any Annoyance, Act, or Thing to the Water contained in any of them, whereby the Water contained therein, or any Part thereof, shall or may be soiled, fouled, or corrupted, then and in every such Case the said Commissioners, or such Body Politic or Corporate, or Person or Persons as aforesaid, shall forfeit and pay for every such Offence the Sum of Two hundred Pounds; and such Penalty or Forfeiture shall and may be sued for and recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, nor more than One Imparlance shall be allowed; and such Penalty shall be paid to the Person or Persons who shall inform or sue for the same: Provided always, that no such Penalty or Forfeiture shall be recoverable unless the same be sued for within Twelve Calendar Months after the Time when such Annoyance, Injury, Damage, Act, or Thing shall have ceased: Provided also, that over and above and in addition to the said Penalty of Two hundred Pounds, and whether such Penalty shall or shall not be sued for or recovered, in case any of the said Washings or other waste Liquids, or noisome or offensive Liquids, Substances, or Things, shall be drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, into any River, Brook, or running Stream, or any Reservoir, Canal, Aqueduct, Waterway, Feeder, Pond, or Springhead, or into any Drain, Sewer, or Ditch communicating therewith, or any such Annoyance, Nuisance, Injury, Damage, Act, or Thing shall be done or caused to be done as aforesaid, and Notice thereof in Writing shall have been given by any Person or Persons whomsoever, to the said Commissioners or any of them, or to any such Body Politic or Corporate, or Person or Persons as aforesaid, and the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, shall not, within Twenty-four Hours after such Notice given, stop and prevent all and every such Washings, waste Liquids, noisome or offensive Liquids, Substances, or Things, from being drained, conducted, or conveyed, or from running or flowing in manner aforesaid, and every such other Annoyance, Nuisance, Injury, Damage, Act, or Thing from being done as aforesaid, then and in every such Case the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid so offending, shall forfeit and pay the Sum of Twenty Pounds for each and every Day such Washings, waste Liquids, or noisome or offensive Liquids, Substances, or Things shall be so drained, conducted, or conveyed, or caused or suffered to run or flow in manner aforesaid, or

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

[*Local.*]

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such

such other Annoyance, Nuisance, Injury or Damage, Act or Thing, shall be so done or caused to be done as aforesaid; and such last-mentioned Penalty shall and may be recovered and levied in like Manner as any other Penalty or Forfeiture is in and by the said recited Act or this Act directed to be recovered and levied, and shall be paid to the Informer or to the Person or Persons who, in the Judgment of the Justice or Justices before whom the Conviction shall take place, shall have sustained any Annoyance, Injury, or Damage by any such Act so done or committed.

Gas Pipes to be laid Four Feet from Water Pipes, &c. and in a particular Manner.

XVI. And be it further enacted, That all and every the Pipes or other Conduits to be laid or used for the Conveyance of Gas in, under, through, across, or round any Street, Lane, or other Passage or Place within the said Town and Liberties of *Beverley*, shall be so laid at the greatest practicable Distance, and whenever the Width of the Carriageway in such Street or Place will allow thereof, at the Distance of Four Feet at the least from the nearest Part of any Water Pipe already laid down, or hereafter to be laid down for the Conveyance of Water in, under, through, along, across, or round any of the said Streets, Lanes, or other Passages or Places, excepting in Cases where it shall be unavoidably necessary to lay the Gas Pipes across the said Water Pipes, in which Cases the said Gas Pipes shall be laid over and above the said Water Pipes at the greatest practicable Distance therefrom, and shall form therewith a Right Angle; and in such Case the said Gas Pipes so crossing the said Water Pipes shall be at least Nine Feet in Length, so that no Joint of any of the said Gas Pipes shall be nearer to any Part of the said Water Pipes than Four Feet at least; and in laying down the said Gas Pipes the said Commissioners, or Body Politic or Corporate, or Person or Persons as aforesaid, so making, furnishing, or supplying any Gas as aforesaid, within the Limits of this Act, shall in no Case join Two or more Gas Pipes together previous to their being laid in the Trench, but shall lay each Pipe as near as may be in its Place in the Trench, and shall in such Trench properly form the Jointing with the other Pipes to be added thereto, with proper and sufficient Materials, and shall also make and keep all and every such Pipes, and all Pipes connected or communicating therewith, and all the Screws, Joints, Inlets, Apertures, or Openings therein respectively air-tight, and in all and every respect prevent the said Gas from escaping therefrom, upon pain of forfeiting for every Offence the Sum of Five Pounds.

To prevent Escape of Gas and Contamination, &c. of Water.

XVII. And be it further enacted, That whenever the Water of any Company of Proprietors, or Persons supplying the Inhabitants of the said Town with Water, shall be contaminated by Gas, the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever, so making, furnishing, or supplying such Gas, shall forfeit and pay the Sum of Twenty Pounds, to be sued for and recovered, and shall be applied to and for the Use and Benefit of the said Company or Persons supplying Water as aforesaid; and in case any such Water shall be contaminated or affected by Gas in any Way whatsoever, then and in every such Case the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever making, furnishing, or supplying such Gas, shall within Twenty-four Hours next after Notice thereof in Writing signed by the Treasurer or other Officer of and for such Water Company or Persons as aforesaid, or by any Person interested in such Water by using the same, to be left at the usual Office or Place of transacting Business of the said Commissioners,

sioners, or Body Politic or Corporate, or Person or Persons whosoever making, furnishing, or supplying such Gas, cause the most proper and effectual Measures to be taken to stop and prevent Gas from escaping from their Mains, Works, or Pipes, or contaminating or affecting the Water of such Company or Persons as aforesaid; and in case the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever making, furnishing, or supplying such Gas, shall not, within Twenty-four Hours next after each and every such Notice so left as aforesaid, effectually stop and prevent the Gas from so escaping, and wholly and satisfactorily remove the Cause of every such Complaint, and prevent all and every such Contamination whereof Notice shall be given as aforesaid, then the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever making, furnishing, or supplying such Gas, shall on each and every Complaint forfeit and pay to the Treasurer or other Officer for the Time being of such Water Company, or Persons as aforesaid, for the Use and Benefit of the same Company or Persons, over and above the before-mentioned Penalty of Twenty Pounds, the Sum of Ten Pounds for each and every Day during which the Water of the said last-mentioned Company shall be and remain contaminated or affected by such Gas; and in default of Payment thereof as aforesaid, such Penalty or Penalties shall and may be recovered by Information to be exhibited on the Oath of One credible Witness, by and in the Name of the Treasurer or other Officer for the Time being of the Water Company, or Persons as aforesaid, or by and in the Name of any One or more of the Directors of any such Company, or of such Persons, at the Option of the Parties prosecuting such Information against the said Commissioners, Body or Bodies Politic or Corporate, or other Person or Persons whosoever making, furnishing, or supplying such Gas; before any Justice of the Peace for the said Town and Liberties of *Beverley*, with Costs to be assessed by such Justice, and to be levied by Distress and Sale of the Goods and Chattels of the said Commissioners, or of the Goods and Chattels of the Body Politic or Corporate, or Person or Persons whosoever making, furnishing, or supplying such Gas; together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal of such Justice, which Warrant such Justice is hereby empowered to grant; and such Penalty or Penalties, and Costs, when so levied, shall be paid to the Treasurer or other Officer for the Time being of such Water Company, or such Persons, for the Use of such Company or Persons.

XVIII. And whereas it may be or become a Question upon such Complaint as aforesaid whether the said Water be contaminated or affected by the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever, making, furnishing, or supplying such Gas as aforesaid; be it therefore enacted, That in every such Case it shall be lawful for the Company of Proprietors, or other the Owners or Proprietors of any Waterworks, to dig to and about, and search and examine the Mains, Pipes, Conduits, and Apparatus of the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever making, furnishing, or supplying such Gas, for the Purpose of ascertaining whether such Contamination proceed or be occasioned by the Gas of the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever making, furnishing, or supplying such Gas as aforesaid; and if it shall appear that the said Water has been contaminated by any Escape of Gas

For ascertaining if the Water be contaminated.

Gas as aforesaid, the Cost and Expences of the said Digging, Search, and Examination, and Repair of the Pavement of the Street or Streets or Place which shall be taken up or disturbed, shall be borne and paid by the said Commissioners, or the Body Politic or Corporate, or Person or Persons whosoever making, furnishing, or supplying such Gas as aforesaid, which Costs and Expences shall be ascertained and determined, if necessary, by such Justice as aforesaid, and be recovered in like Manner as any Penalty may be recovered by virtue of the said recited Act or this Act: Provided always, that if upon such Examination it shall appear that such Contamination has not arisen from any such Escape of Gas from any of the Mains, Pipes, or Conduits of the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever making, furnishing, or supplying such Gas as aforesaid, then and in such Case the said Company of Proprietors, or other the Owners or Proprietors of any Waterworks, shall bear and pay all the Costs and Expences of such Examination, Repair, and Search, and shall also make good to the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever making, furnishing, or supplying such Gas as aforesaid, any Loss, Injury, or Damage which may be occasioned to the said Mains, Pipes, Conduits, or Apparatus of the said Commissioners, or Body Politic or Corporate, or Person or Persons whosoever making, furnishing, or supplying such Gas as aforesaid, in and by such Search and Examination, and also to the Pavement of the said Streets or other public Places so broken up or disturbed in such Search or Examination; the Amount of such Injury, Loss, or Damage to be ascertained and determined, if necessary, by such Justice or Justices of the Peace as aforesaid.

Commissioners liable to be indicted for a Nuisance.

XIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prevent any Person from proceeding by Indictment or otherwise against the said Commissioners, or any Body Politic or Corporate, or any Person or Persons whosoever, making, furnishing, or supplying any Gas within the said Town and Liberties of *Beverley*, or against any of their, his, or her Officers, Servants, or Workmen lighting with Gas as aforesaid, in respect of any Works, or the Means which shall be employed by them or any of them in making the said Gas, or using the same in furnishing such Light as aforesaid, as a public or private Nuisance; or from bringing any Action against the said Commissioners, or any Body Politic or Corporate, or Person or Persons whosoever, making, furnishing, or supplying Gas as aforesaid, or any of their, his, or her Officers, Servants, or Workmen, for any Injury sustained by reason of any such Works, or the Use of the said Gas, or the Method of lighting therewith, whether such Injury shall proceed from the Preparation or the Use of the same Gas, or Method of lighting, or the Carelessness or Want of Skill of any of the Persons employed therein, or from any other Cause whatsoever.

Penalty for damaging Pipes, &c.

XX. And be it further enacted, That if any Person or Persons shall wilfully or maliciously remove, take away, destroy, damage, or injure any or any Part of any Pipe, Plug, or other Apparatus, Matter, or Thing belonging to the said Commissioners, or any Body Politic or Corporate, or Person or Persons whosoever, for lighting such Streets, Lanes, public Passages and Places, or shall wilfully or maliciously waste any of the Inflammable Air or Gas supplied by the said Commissioners, or any Body Politic

Politic, or Corporate, or Person or Persons as aforesaid, every Person so offending in any of the respective Premises shall forfeit and pay for every such Offence any Sum not exceeding Ten Pounds, and Three Times the Amount of the Damage done or occasioned by such Conduct, which shall be recovered in like Manner and as Part of the said Penalty.

XXI. And be it further enacted, That all Watchmen appointed or to be appointed by virtue of this or the said recited Act, shall be sworn in as Constables before any Justice or Justices of the Peace for the said Town of *Beverley*, and act as such whilst in the Execution of the Powers and Authorities of this Act, and they are hereby invested with and shall have and enjoy the like Powers and Authorities, Privileges and Immunities, as any Constable or Constables is or are invested with, or have and enjoy by Law.

Watchmen  
invested with  
the Powers of  
Constables.

XXII. And be it further enacted, That if any Person or Person shall, in any of the present or future Streets, Lanes, Ways, Roads, and Passages or other public Places in the said Town, expose for Sale or sell any Horse, Cattle, Swine, or other Beast, or shall bring or shew any Stallion or Stone Horse (except in such Places as the said Commissioners shall for that Purpose appoint); or fodder any Cattle; or shoe, bleed, kill, or farry any Horse or Beast (except in Cases of Accident), or clean or dress or exercise any Horse or Beast; or bait or cause to be baited any Bull, Bear, Badger, or other Animal, or fight or set on to fight any Dogs or Cocks, or throw at any Cock or Fowl in the Manner called Cock-throwing; or turn loose or suffer to be at large any Horse or Beast, or any Bulldog, Mastiff, or other ferocious Dog of any other Species, not being muzzled, or permit or suffer any Dog whatsoever to go at large, after any public Notice given by the Mayor for the Time being of the said Town, or by any Constable, Town Crier, or Bellman, by his or their Order or Direction, or that of the said Commissioners, during such Time as such Notice shall direct Dogs to be confined on account of any Suspicion of the Existence of Canine Madness or Hydrophobia; or being or acting as the Driver of, shall ride on the Shafts or any Part of any Waggon, Dray, Cart, or other such like Carriage or Part of a Carriage, or on any of the Horses or Cattle drawing the same, without holding the Reins, or be at such a Distance from the same as not to possess the complete Direction over the Horses or Cattle drawing the same; or when driving any Waggon, Dray, Cart, Sledge, or other like Carriage, shall refuse or neglect, when overtaken by any Coach, Chaise, or other Carriage, to turn the same aside to make way for any Coach, Chaise, or loaded Carriage of any Description; or if any Person on Horseback, or driving any Coach, Waggon, Wain, Dray, Cart, Sledge, or other Carriage, and meeting another Horse, Coach, Waggon, Wain, Dray, Cart, Sledge, or other Carriage, shall not keep on the Left or Near Side of the said Streets, Lanes, Ways, Roads, Passages, or other public Places, so as to leave proper and sufficient Quarter for such Horses and Carriages; or if the Driver of any empty or unloaded Waggon, Cart, or other Carriage shall refuse or neglect to turn aside and make way for any Coach, Chariot, Chaise, loaded Waggon or Cart, or other loaded Carriage; or if any Person shall in any Manner wilfully prevent any other Person or Persons from passing him or her, or any Carriage under his or her Care, or when riding any

For prevent-  
ing Annoy-  
ances and  
Nuisances.

Horse or Beast, or driving any Carriage of any Sort or Kind, shall ride or drive the same furiously, or so as to endanger the Life or Limb of any Person; or damage any Foot Pavement or Causeway; or suffer any Waggon, Wain, Dray, Cart, Sledge, or other Carriage, with or without Horses, to stand or remain longer than may be necessary for loading or unloading thereof, or suffer the same, during such Time of loading or unloading, to be placed or remain so as to interrupt the public Passage (the same not being drawn up as near as may be to the Side of such Street, Lane, Way, Road, Passage, or Place), or suffer to stand or remain any Waggon, Cart, or other Carriage with Hay, Straw, or Vegetables therein for Sale, or any Waggon, Cart, Coach, Post Chaise, or other Carriage intended to be let out or worked for Hire, or suffer any Stage Coach, Diligence, Chaise, or other Carriage to remain longer than may be necessary for the taking up or setting down of any Passenger or Passengers, or for loading or unloading their Baggage; or draw or haul any Tree or Piece of Timber, Block or Blocks of Wood or Stone, Metal, or other heavy Materials, or Wheel of any Cart or Carriage separated therefrom (except in or on or suspended under some Carriage), or suffer any Part of any Tree or other Piece of Timber to drag upon any Part of the said Streets, Lanes, Ways, Roads, and Passages, or other public Places; or wantonly let off or fire any Musket, Gun, Pistol, or other Firearms, or make or assist in making any Bonfire, or set fire to or let off or throw any Crackers, Squibs, Rockets, or other Fireworks; or trundle or turn any Hoop or Hoops, or play at Football or any other Game, or fly any Kite, to the Annoyance of any Inhabitant or Inhabitants, Passenger or Passengers; or having a Smith's Shop with a Window or Windows fronting any of the said Streets, Lanes, Ways, Roads, Passages, or other public Places, shall not by good and close Shutters, every Evening after it becomes Twilight, and every Morning until after Twilight, bar and prevent the Light from shining into or upon the said Streets, Lanes, Ways, Roads, Passages, or other public Places; or wilfully break, aid or abet or assist in wilfully breaking any Glass or Window Panes or Windows; or burn, dress, or cleanse any Cork, or hoop, fire, cleanse, wash, or scald any Cask or Tub, or hew, saw, bore, or cut any Timber or Stone, or beat or shake any Carpet in or over any Thoroughfare, or put down or empty out of any Waggon, Cart, or other Carriage, or otherwise throw or lay down any Coal, Coke, Stones, Slates, Lime, Bricks, Sand, Gravel, Timber, Boards, Iron, or other Materials or Substances on any of the Footways or Foot Pavements; or wet, slack, or mix any Lime, or wet, mix, or make any Mortar; or shall throw, cast, lay, or place any Coal, Coke, Stones, Slates, Lime, Bricks, Timber, Boards, Iron, or other Materials or Substance, and continue the same for a longer Time than may be absolutely necessary for the removing or housing thereof (except Materials used for building, or Dirt or Rubbish occasioned thereby, which shall be placed or inclosed in such Manner as the said Commissioners or their Surveyor shall direct, so as to prevent any Mischief happening to Passengers); or sift, throw, cast, or lay out Ashes (except in Times of Frost so as to prevent Accidents), or any Dust, Dirt, Dung, Soil, Sink, Float, Water, or other Filth, Carrion, Fish, or Parts of Fish, Blood, Offal, or any Sort of Rubbish, or throw or cast any such Matters or Things, or any Rubbish, into any Common Sewer, Drain, Sink or Water-course, or throw or cast any Animal or Carcase, or Parts of any Animal or Carcase, or any noxious or offensive Materials, Ingredients, Offal, or  
Filth

Filth into any Well, Pump, Watercourse, or Reservoir for Water, Brook, or Stream within the said Town; or wash any Linen, Vegetables, or other Things at any of the public Pumps of the said Town; or shall, for the Purpose of collecting or obtaining Manure, or for any other Purpose, stop up or impede the Passage of any Common Sewer, Ditch, or Watercourse, or sell or assist in selling by Auction or public Sale any Goods, Wares, or Merchandizes, or Thing or Things whatsoever, in any of the said Streets, Lanes, Ways, Roads, Passages, or other public Places, without the Leave of the said Commissioners for that Purpose first had and obtained; or hang out, place, or expose to Sale or otherwise therein, the Carcase of any Calf, Sheep, Swine, Cattle, or Beast, or any Part or Parts thereof, or any Linen, Cloth, Wearing Apparel, Goods, Wares, or Merchandizes whatsoever, or any Fruit, Vegetable, or Garden Stuff, or other Matter or Thing, in or upon or so as to project over or upon any Footway or Carriageway, or beyond the Line of or on the Outside of any House or Shop at which the same shall be so hung or placed or exposed to Sale; or kill or slaughter, or singe, scald, or dress any Beast, Swine, Ox, Cow, Calf, Sheep, Lamb, or other Cattle, either wholly or in part, in any of such Streets, Lanes, Ways, Roads, Passages, or other public Places; or keep or feed any Pigs with Offal and Entrails of Beasts, Blubber, Carrion, Horse Flesh, or cause or permit any Offal, Blood, Filth, or other offensive Matter, to run from any Slaughter House, Butcher's Shop, or Dunghill, into any of the said Streets, Lanes, Ways, Road, Passages, or other public Places; or wilfully make or drop Ordure in any of the said Streets, Roads, Ways, Lanes, Passages, or public Places; or fix up or place any Flower Pot, Basket, or Box at any Window or Windows, without sufficiently guarding the same, so as to prevent their falling; or place or erect any Pole or Poles, Line or Lines, projecting from any Window or Windows, Parapet, or other Part of any Dwelling House or other Place, and extending into, over, or across any or any Part of any of the said Streets, Lanes, Ways, Roads, Passages, Footways, or Causeways, or other public Places in the said Town, or shall suspend or hang thereon or therefrom any Bed Clothes, Linen, Woollen, Wearing Apparel, or any other Thing, or leave open (after Sunset) or leave defective or without being properly secured the Door, Hatchway, or Flap Window, Grate, Stone, Plate, Board, or other Covering giving Light or Air to or securing any Cellar, Coal Hole, Vault, Office, or other under-ground Room or Apartment, or of any Area or Sewer, without having placed and kept a sufficient Light to warn and prevent Persons from falling into such Cellars, Coal Holes, Vaults, Offices, or other under-ground Rooms or Apartments, or Areas, or Sewers; or run, draw, drive, or carry any Truck, Wheel, Sledge, Wheelbarrow, Bier, Handbarrow, or other Carriage whatsoever, or any Furniture, Goods, or Merchandize upon any Footway or Causeway (except only for the Purpose of loading or unloading, or of crossing such Footway or Causeway), or roll thereon any Cask or Tub (other than for the necessary loading or unloading thereof) into, upon, from, or out of any Cart or Carriage, or set or place thereon any Furniture, Goods, or Merchandize, or any Cask, Tub, Barrel, Box, Basket, Bucket, Bench, or Stall, or erect, set up, or place, or cause to be erected, set up, or placed, any Blind, Shade, Coverlet, or Awning, or any other Matter or Thing, in the Front of or before any House, Shop, or other Building, or so as in any way to cause any Obstruction or Annoyance in any such Footway or Causeway, or erect or continue to use any Scraper which shall project into or over any such  
Footway

Footway or Causeway, or obstruct or prevent the free Passage of any such Footway or Causeway, or annoy any Person or Persons passing or going thereon, or residing in the immediate Neighbourhood, or wilfully ride, lead, or drive, on any Footway or Causeway, any Horse, Beast, or Cattle of any kind whatsoever, or tie up or fasten any Horse, or other Beast or Cattle, to any Door, Wall, Post, Tree, Fence, or other Thing whatsoever, so as that such Horse, Beast, or Cattle can go or stand across or upon any Footway or Causeway, or shall in Frosts or snowy Weather slide, or make any Slides, or skait upon any Flagging, Footway or Causeway, or Street, or commit any public Nuisances or Annoyances whatsoever within the said Town; each and every Person so offending in any of such Cases within the said Town, or the Owner or Proprietor of any such Horse, Beast, Cattle, Carriage, Goods, Matter or Thing aforesaid, as the Case may be (in any of such Cases where the Person actually offending cannot be found or discovered), or the Person causing any such Offences, Matters, and Things to be committed or done, shall for each and every such Offence respectively forfeit and pay any Sum not exceeding Five Pounds; and it shall be lawful for any Officer appointed by virtue of this Act, or for any Constable, to take away and remove any of the before-mentioned Obstructions, in case the Party occasioning the same shall not remove the same within such Period as the said Commissioners, according to the Nature of the Case, shall deem a reasonable Time for so doing, after having been requested so to do by any Person or Persons whomsoever; and it shall be lawful for any Constable, or any One of the said Commissioners, or any Officer or 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 Town and Liberties, in order to his, her, or their Conviction of such Offence: Provided nevertheless, that nothing herein contained shall extend or be construed to extend so as to prevent or hinder any Person or Persons from selling or exposing to Sale any Horse, Beast, Cattle, Sheep, or Swine, or placing any Cart or Waggon, for the loading or unloading thereof, or 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 Market Place within the said Town, or in the usual appointed or to be appointed Place of holding the annual Fairs, on the usual Days of such Markets or Fairs, but so as that the same be exposed to Sale and placed in such Situations, and under and subject to such Orders, Rules, and Regulations, as the said Commissioners shall from Time to Time appoint, make, establish, and direct.

Regulations  
as to Privies  
and Soil  
Holes.

XXIII. And be it further enacted, That if any Person or Persons shall hereafter empty or cause to be emptied any Privy or Necessary House within the said Town, or carry or cause to be carried any of the Soil thereof through any of the Streets, Lanes, Ways, Roads, Passages, or other public Places within the said Town, at any Time of the Year between *Lady Day* and *Michaelmas*, except between the Hours of Eleven of the Clock in the Evening and Four of the Clock in the Morning, or at any Time of the Year between *Michaelmas* and *Lady Day*, except between the Hours of Eleven of the Clock in the Evening and Five of the Clock in the Morning, or shall at any Time lay, cast, or empty, or cause to be laid,



laid, cast, or emptied, any of the Soil from any Privy or Necessary House, or any Night Soil, either by itself or mixed with any Ashes, Muck, Dung, or other Materials, or lay or cast any Manure, Dung, or Filth from any Manure or Soil Hole (except for the Purpose of immediately removing the same, and then only between the Hours of Eleven of the Clock at Night and Seven of the Clock in the Morning between *Lady Day* and *Michaelmas*, and Eleven of the Clock at Night and Nine of the Clock in the Morning between *Michaelmas* and *Lady Day*), in or near any of the said Streets, Ways, Roads, Passages, or other public Places, or into any Drains or public Sewers, or shall erect or continue any Privy or Necessary House so as to annoy the Passengers passing along the same, every Person offending in any of the Cases aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and if any Person or Persons shall wilfully or negligently spill, strew, or scatter any of the Soil of any Privy or Necessary, or any Ashes, Muck, Dung, or other Materials mixed or not mixed therewith, in or near any of the said Streets, Lanes, Ways, Roads, Passages, or other public Places, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XXIV. And be it further enacted, That the Owner or Owners, or Proprietor or Proprietors, or Occupier or Occupiers, for the Time being, of each House or Building fronting or next adjoining any Street, Lane, Way, Road, Passage, or other public Place in the said Town, which has not already a Pipe or Trunk of the Description herein-after mentioned, shall within Six Calendar Months after the passing of this Act put up and place, and for ever afterwards keep in Repair and good Condition, a Gutter or Water Shoot of the whole Length of such Front or next adjoining Part, with a Pipe or Trunk to be affixed to the Front or Side of such House or Building, from the Roof down to the Ground, to carry off or conduct all the Water from the Roof of such House or Building, in such a Manner that such Water shall pass into the common Channel under the Footway, and so as not to drip from the Eaves of such House or Building upon or to incommode Persons passing such House or Building; and every Tenant or Occupier of any such House or Building (except Houses or Buildings held on Lease granted for any Term of Twenty-one Years or upwards, of which Seven Years shall be unexpired) who shall put up or place any such Gutter, Water Shoot, Pipe, or Trunk, or keep the same in Repair, in default of the same being done by his, her, or their Landlord or Landlords, shall be entitled to deduct and retain out of the Rent payable to the Owner or Proprietor, or Owners or Proprietors of such House or Building, so much Money as such Tenant or Occupier shall have expended in putting up or placing, or in keeping in Repair any such Gutter, Water Shoot, Pipe, or Trunk, and the Payment of such Expences by any such Tenant or Occupier shall be a sufficient Discharge to him, her, or them, for so much of his, her, or their Rent as the Amount of such Expences shall be equal to, and shall be abated and allowed to him, her, or them, by the Owner or Owners, or Proprietor or Proprietors of such House or Building, out of such Rent; and if any such Owner or Owners, Proprietor or Proprietors, or Occupier or Occupiers, shall at the Expiration of the said Six Calendar Months before mentioned neglect to put up or place, or neglect to repair any Gutter, Water Shoot, Pipe, or Trunk, or shall neglect to prevent the Water from dripping from

Water from  
Roofs of  
Buildings to  
be carried off  
by Trunks or  
Pipes.

the Eaves of such House or Building as aforesaid, then and in any and in every such Case such Owner or Owners, Proprietor or Proprietors, Occupier or Occupiers, so neglecting, shall forfeit and pay the Sum of Five Shillings for each and every Week during the Continuance of such Neglect, to be recovered in like Manner as other Penalties or Forfeitures are by this Act authorized to be recovered, and when received the same shall be paid to the Treasurer or Treasurers of the said Commissioners, to be applied to the Purposes of this Act: Provided always, that the Person or Persons who for the Time being shall be entitled to any Term of Years in any such House or Building originally granted for Twenty-one Years or upwards, and having an unexpired Term of Seven Years, shall, as to the Payment of such aforesaid Expences, be considered the Owner or Owners of such House or Building.

Penalty on  
firing Chim-  
neys.

XXV. And be it further enacted, That if any Person or Persons shall wilfully or negligently set fire to, or cause or permit or suffer the Chimney of any House, Workshop, Outhouse, or other Building in the said Town to be set on fire, the Person setting fire to the same, or the Occupier of every such House, Workshop, Outhouse, or other Building, or of any Part or Parts thereof from whence such Fire shall commence or happen, shall forfeit and pay, for every such Offence, any Sum not exceeding Five Pounds.

Directions  
for the Re-  
moval of  
Signs, &c.

XXVI. And be it further enacted, That the several and respective Occupiers of Houses and other Buildings, situate in or adjoining to the several Streets, Lanes, Ways, Roads, Passages, and other public Places within the said Town, and every of them, are hereby authorized and required, at their own respective Costs and Charges, within Seven Days next after their receiving Notice in Writing, signed by the Clerk to the said Commissioners, in pursuance of an Order at any Meeting of the said Commissioners, to cause all Signs, Sign Irons, Sign Posts, Barbers Poles, Stalls, Blocks, Bulks, Scrapers, Show Boards, and Butchers Hooks, which now are or hereafter shall be in anywise affixed or set up, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances, by reason of their projecting into, or encroaching upon, or otherwise annoying or endangering the public Passage along any of the Streets, Lanes, Ways, Roads, Passages, or other public Places within the said Town and Liberties, to be taken down, removed, and carried away, or otherwise altered or reformed in such manner as shall be directed by the said Commissioners; and in case the Occupier of any such House or Building as aforesaid shall neglect or refuse to cause any such Sign, Sign Iron, Sign Post, Barber's Pole, Stall, Block, Bulk, Scraper, Show Board, or Butchers Hooks, which shall be so considered any Annoyance or Nuisance as aforesaid, to be taken down, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done, and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace for the said Town and Liberties, shall and may be recovered from the Occupier of such House or Building, in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when received the same shall be paid to the Treasurer or Treasurers of the said Commissioners, to

be applied to the Purposes of the said recited Act and of this Act; and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his Rent, and the Proprietor or Landlord of such House or other Building so held at such Rack Rent, is hereby required to allow the same accordingly, except only in Cases where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered, shall have been originally occasioned by such Occupier, in which Case he or she shall bear the Costs and Expences of altering or removing the same.

XXVII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to take down and remove, or cause to be taken down and removed, all or any Posts, Rails, Pales, Trees, or Fences in or near the Streets, Lanes, Ways, Roads, Passages, or other public Places, or any of them; within the said Town; as they the said Commissioners shall judge useless, or to be a Nuisance or Obstruction to Passengers, Horses, or Carriages, and also from Time to Time to cause all and every or any of the Penthouses, Porches, Sheds, Dripping Eaves, projecting Windows, Pallisades, Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways, Gratings, Frontsteads, Court Yards, and other Obstructions and Projections whatsoever, and of what Nature or Kind soever, which are already created, affixed, set up, laid down, or being against or in front of or belonging to any Houses or other Buildings whatsoever in any of the Streets, Lanes, Ways, Roads, Passages, or other public Places within the said Town and Liberties, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances, by reason of their projecting into, or encroaching upon, or otherwise obstructing, annoying, or endangering the public Passage along any of the aforesaid Streets, Lanes, Ways, Roads, Passages, or other public Places, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed by the said Commissioners, or any other Person or Persons acting under their Authority, in such Manner as shall be thought most proper and expedient by the said Commissioners; they the said Commissioners nevertheless first causing Fourteen Days Notice in Writing, under the Hands of Five or more of the said Commissioners, to be given to the respective Owners or Occupiers of such Houses or other Buildings of their Intention to take down, fill up, remove, alter, or reform such Obstructions, Projections, Annoyances, or Nuisances respectively, and causing as little Damage to be done in effecting every such Removal or Alteration as the Nature of the Case will allow, and also defraying the whole Costs and Charges of executing the same.

Commissioners may remove existing Nuisances and Projections.

XXVIII. And be it further enacted, That the several Occupiers of Houses and other Buildings situate in the several Streets, public Roads, Passages, or other public Places within the said Town, and every of them, are hereby authorized and required, at their own respective Costs and Charges, within Fourteen Days next after their respectively receiving Notice in Writing from the said Commissioners in that Behalf, signed by any Five or more of the said Commissioners, to cause all and every the Penthouses, Porches, Sheds, Dripping Eaves, Projections, Windows, Pallisades, Rails, Posts, Fences, Steps, Cellar Windows, Cellar Doors, Hatchways,

For removing future Projections.

Hatchways, Gratings, Frontsteads, Court Yards, and other Obstructions and Projections whatsoever within the said Town, which shall in future be erected, set up, affixed, laid down, or be against or in front of or belonging to their respective Houses or other Buildings, and which in the Judgment of the said Commissioners shall be considered public Annoyances or Nuisances, by reason of their projecting into, or encroaching upon, or otherwise obstructing, annoying, or endangering the public Passage along any of the Streets, Lanes, Ways, Roads, Passages, or other public Places within the said Town, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed in such Manner as shall be directed by the said Commissioners; and in case the Occupier of any such House or other Building as aforesaid shall neglect or refuse to cause any such Penthouse, Porch, Shed, Dripping Eave, projecting Window, Pallisade, Rail, Post, Fence, Step, Cellar Door, Cellar Window, Hatchway, Grating, Frontsead, Court Yard, or other Projection or Obstruction whatsoever, which shall in future be so erected, set up, affixed, laid down, or be against or in front of or belonging to his or her House or other Building, and which shall be considered an Annoyance or Nuisance as aforesaid, to be taken down, filled up, removed, and carried away, or otherwise altered or reformed, within such Time and in such Manner as in such Notice shall be directed, then and in every such Case it shall be lawful for the said Commissioners to cause the same to be forthwith done by some Person or Persons acting under their Authority, and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace for the said Town and Liberties, shall and may be recovered from the Occupier of such House or Building, in like Manner as any Penalties or Forfeitures are by this Act authorized to be recovered, and when received, the same shall be paid to the Treasurer or Treasurers of the said Commissioners, to be applied to the Purposes of this Act; and it shall be lawful for the Occupier of any such House or other Building, being a Tenant at Rack Rent, and having either paid such Costs and Charges in the first Instance, or having repaid the same to the said Commissioners, to deduct and retain the Amount thereof out of his or her Rent, and the Proprietor or Landlord of every such House or other Building so held at Rack Rent, is hereby required to allow the same accordingly, except only in case where the Encroachment, Obstruction, Annoyance, or Nuisance so removed or altered shall have been originally occasioned by such Occupier, in which Case he or she shall bear and pay the Expence of altering or removing the same.

No fresh Notice necessary on a Nuisance being renewed.

XXIX. And whereas the said Commissioners are empowered by the said Act to order certain Nuisances therein and herein-after mentioned to be removed, and the Person or Persons who ought to remove the same are made subject to a Penalty not exceeding Five Shillings daily for every Day that the same shall continue unremoved after the Expiration of the Time mentioned in the Notice to be given of the Order for the Removal of the same: And whereas Doubts are entertained whether, in case of the Removal of the Nuisance pursuant to such Notice, and of such Nuisance being replaced or created afresh, it be not necessary to make a fresh Order for Removal, and to give fresh Notice to the Offender before he can be subjected to any Penalty, in which Case the Nuisance complained of could not be effectually abated, and the Intent of the said Act would be evaded; be it therefore enacted, That in case any Slaughter House,

House, Hogstye, Necessary House, or other noisome or offensive Building or Place in or near any of the Streets, Ways, Lanes, Passages, or public Places within the said Town of *Beverley*, shall by the said Commissioners be deemed a Nuisance to any of the Inhabitants residing therein, it shall be lawful for the said Commissioners, upon Complaint thereof to them made by any such Inhabitants, by Notice in Writing under their Hands, or under the Hands of their Clerk for the Time being, to order any such Nuisance or Offence to be removed, and if the same shall not be removed within Fourteen Days after such Notice given to the Person or Persons who ought to remove the same, or left at his, her, or their last or usual Place of Abode, or after the same shall have been removed, if the same shall be replaced or created afresh by such Person or Persons as aforesaid; and in case such Notice shall not be appealed against at any General or Quarter Sessions of the Peace to be holden for the said Town and Liberties, within Four Calendar Months after such Notice shall have been given as aforesaid, such Person or Persons shall forfeit and pay any Sum not exceeding Five Shillings daily for every Day that the same shall continue unremoved, or having been removed shall have been replaced or created afresh, after the Expiration of the said Four Calendar Months from the Time of giving such Notice.

XXX. And whereas there are already flagged Foot Pavements in several of the principal Streets in the said Town of *Beverley*, but such flagged Foot Pavements stand greatly in need of repair: And whereas it is expedient not only to repair and amend the said old flagged Foot Pavements, but also to have the Power of making new flagged Foot Pavements in the other Streets in the said Town; be it therefore further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized, empowered, and required from Time to Time, when and so often and in such Manner as they shall think proper and necessary, to make or cause to be made in the present and the future Streets, Lanes, Roads, Passages, and other public Places of the said Town, flagged Foot Pavements or Footways, and to cause the same from Time to Time to be repaired and amended, and the same and the Flagging and other Materials thereof to be taken up and relaid, and the Ground or Soil thereof to be raised, lowered, or altered from Time to Time, and in such Manner and with such Materials as they the said Commissioners shall think fit; and to erect or set up, or cause to be erected or set up, any Posts, Rails, Pales, or Fences in or near any Place or Places which they the said Commissioners shall think proper, for the better Security of Passengers, Cattle, or Carriages, or of the said Flagging or Curb Stones, from Damage by Waggon, Carts, or other Carriages: Provided always, that nothing in this Act contained shall extend or be construed to extend to release, exonerate, or discharge any Person or Persons, Bodies Politic or Corporate, from the Custom or Liability to which they have been or may be exposed of repairing or maintaining the said Streets, Lanes, Roads, Passages, and other public Places: Provided also, that nothing herein contained shall extend or be construed to extend to authorize or empower the said Commissioners to take up, remove, or alter, or cause to be taken up, removed, or altered, any Part of the Flags or other Materials of the Carriageways or Footways in the public Streets, Lanes, Passages, or other public Places within the said Town, or to renew, relay, repair, or amend the same Flags or other Materials, or to lay down any other

The Commissioners may flag Streets;

but not without Consent of the Inhabitants.

Flags or other Materials, without the Consent thereto of a Majority of the Inhabitants of the said Town of *Beverley*, who for the Time being shall be rated to the Relief of the Poor of the respective Parishes in the said Town at the Sum of Fifteen Pounds or upwards, for or in respect of such Property as shall be rateable for the Purposes of the said recited Act, and who shall be present at a Special Meeting of such Inhabitants to be held for that Purpose at the Guildhall of the said Town, and of which Meeting Seven Days previous Notice at the least shall be given or affixed by the said Commissioners or their Clerk on the Door of each of the Parish Churches in *Beverley* aforesaid, and on the Market Cross in *Beverley* aforesaid.

Not to occasion an Increase in the Rates beyond Two Shillings in the Pound.

XXXI. And be it further enacted, That the Charges and Expences which shall be incurred by the said Commissioners in and about such flagging, or the relaying, repairing, or amending of such flagging in the said Streets, Lanes, Roads, Passages, and other public Places in the said Town, shall and may from Time to Time be paid out of the Monies raised or to be raised by virtue of this or the said recited Act; provided that the Payment of such Charges and Expences, together with the Charges and Expences of lighting and watching the said Town, shall not in the whole occasion an Excess in any one Year beyond the Sum of Two Shillings in the Pound upon the annual Rent or Value of the Houses, Lands, Tenements, and Hereditaments by the said recited Act made subject and liable to a Rate or Assessment to that Amount.

Streets may be watered.

XXXII. And be it further enacted, That it shall be lawful for the said Commissioners from Time to Time to cause all or any of the Streets, Lanes, Ways, Roads, Passages, and other public Places within the said Town, to be watered at such Seasons and Times and in such Manner as the said Commissioners shall direct.

Commissioners and their Surveyor may cleanse or alter Drains, if Persons neglect after Notice.

XXXIII. And be it further enacted, That it shall be lawful for the said Commissioners and their Surveyor and Surveyors for the Time being, and the Person or Persons appointed by them, and they are hereby respectively authorized and empowered from Time to Time to open, scour, cleanse, widen, straighten, make deeper, turn, alter, vary, cover in or stop any of the present or future Tunnels, Gutters, Sinks, Drains, Ditches, Sewers or Watercourses running into, under, or through the said Town of *Beverley*, or any Part thereof, in case the Person or Persons who are by Law bound to open, scour, cleanse, widen, straighten, maintain, and repair the same shall neglect or refuse so to do for Ten Days next after Notice in Writing signed by the said Commissioners, or any Three or more of them, and delivered to or left at the last or usual Place or Places of Abode of such Person or Persons requiring them so to do; and the Costs, Charges, and Expences of the Works so to be done or executed by Order of the said Commissioners as aforesaid, after such Costs, Charges, and Expences shall have been ascertained by any Justice or Justices of the Peace for the said Town and Liberties, shall be reimbursed to the said Commissioners by the several Person or Persons who are by Law so bound to open, cleanse, repair, scour, and maintain the same as aforesaid; and in case of Nonpayment of such Costs, Charges, and Expences, within Fourteen Days after the same shall have been demanded by or on behalf of the said Commissioners, the same shall be levied by

Distress

Distress and Sale of the Goods and Chattels of such Person or Persons who are such Owner or Owners, or Occupier so liable as aforesaid, by Warrant under the Hand and Seal or Hands and Seals of any Justice or Justices of the Peace for the said Town and Liberties, together with the Expences of such Distress and Sale, returning the Overplus, if any, to the Person or Persons whose Goods shall have been so distrained as aforesaid.

XXXIV. And whereas the Mayor for the Time being of the Town of *Beverley* aforesaid is Clerk of the Market within the same Town and the Precincts thereof, and all Marts, Fairs, and Markets held and kept within the said Town and Precincts are held and kept in such Place or Places as to the Mayor and Aldermen for the Time being or the major Part of them (of whom the Mayor for the Time being shall be One) shall seem most expedient: And whereas the Mayor for the Time being is empowered, under and by virtue of the said recited Act, to direct the placing of Stalls and Standings, and the Standings of Carriages on the Market and Fair Days, in the Streets and Market Places of the said Town during the Continuance of such Markets and Fairs, as he shall think most proper for the better and more regular conducting such Markets and Fairs, but neither the Commencement nor Duration of such Markets or Fairs is fixed, nor is any one empowered to fix the same by the said Act: And whereas it would be a Convenience and Advantage to the Inhabitants of the said Town of *Beverley*, as well as to the Persons frequenting the Markets and Fairs there, that the Commencement and Duration of the same should be fixed and enforced; be it therefore enacted, That it shall be lawful for the Mayor and Aldermen for the Time being of the said Town, or the major Part of them (of whom the Mayor for the Time being shall be One), to order and direct the Hours of Commencement and Continuance of such Markets and Fairs (as well as the Places where the same shall be held, and the placing of the said Stalls and Standings), as they shall think most proper for the better and more regular conducting such Markets and Fairs, and for more effectually carrying into Execution the Powers and Provisions contained in the said recited Act and this Act; and in case any Person or Persons shall disobey and act contrary to such Order and Direction, every such Person or Persons so offending shall for every such Offence forfeit and pay any Sum or Sums of Money not exceeding Five Pounds.

The Mayor and Aldermen to fix the Hours of Commencement and Continuance of Markets and Fairs.

XXXV. And for the more speedily enabling the said Commissioners to discharge the Costs, Charges, and Expences of and attending and incident to the obtaining and passing of this Act, and for the several Purposes thereof, and of executing the several Powers in the said recited Act and in this Act vested in them, be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized and empowered, from Time to Time, when and so often as they shall think fit and expedient, to borrow and take up at Interest any Sum of Money not exceeding in the whole the Sum of Fourteen thousand Pounds, upon the Credit of the said Buildings, Gas Apparatus, and other Materials which may be vested in the said Commissioners for the Time being, and upon the said Rates or Assessments authorized to be made, levied, and collected by virtue of the said recited Act, and by any Writing or Writings under the

Power to mortgage Rates, &c.

Hands

Hands and Seals of the said Commissioners, or any Five or more of them, to mortgage, grant, or assign the said Buildings, Gas Apparatus, and other Materials, Rents, Profits, Rates, and Assessments, or any Part or Parts thereof, to the Person or Persons who shall advance or lend such Money, or to his, her, or their Trustee or Trustees, as a Security or Securities for the Money so to be borrowed, together with such Interest as the said Commissioners and the Parties lending such Money shall agree upon; and the Charges and Expences of such Security or Securities respectively shall be from Time to Time defrayed by the said Commissioners out of the Money advanced upon such respective Security; and every such Mortgage or Security shall be in the Words or to the Effect following; (that is to say),

Form of  
Mortgage.

‘ BY virtue of an Act passed in the Sixth Year of the Reign of His  
 ‘ Majesty King *George* the Fourth, intituled *An Act* [*here set forth the*  
 ‘ *Title of this Act*] we whose Names and Seals are hereunto subscribed  
 ‘ and set (being \_\_\_\_\_ of the Commissioners acting in the  
 ‘ Execution of the said Act) in consideration of the Sum of \_\_\_\_\_  
 ‘ advanced and lent by \_\_\_\_\_ upon the Credit  
 ‘ of \_\_\_\_\_ for the Purposes of the said Act, and also of another  
 ‘ Act passed in the Forty-eighth Year of His late Majesty King *George* the  
 ‘ Third [*here set forth the Title of the said recited Act*], and paid by him  
 ‘ [*or her, or them, as the Case may be*] to the Treasurer to the said Com-  
 ‘ missioners, do hereby grant and assign unto the said \_\_\_\_\_ [*or to*  
 ‘ his, her, *or their* Trustee or Trustees, *as the Case may be*] his [*her or*  
 ‘ their] Executors, Administrators, and Assigns, the said Buildings, Gas  
 ‘ Apparatus, and Materials by the said recited Act or this Act vested in  
 ‘ the said Commissioners, and the Rents and Profits thereof, or the Rates  
 ‘ and Assessments authorized to be raised, levied, and collected by virtue  
 ‘ of the said recited Act, or all or any of them, to be had and holden  
 ‘ from the Day of the Date of these Presents until the said Sum of \_\_\_\_\_  
 ‘ with Interest for the same after the Rate  
 ‘ of \_\_\_\_\_ *per Centum per Annum*, to be paid Half-yearly,  
 ‘ shall be fully paid and satisfied. In witness whereof we have hereunto  
 ‘ set our Hands and Seals the \_\_\_\_\_ Day of \_\_\_\_\_ in the  
 ‘ Year of our Lord \_\_\_\_\_

And every such Mortgage or Security shall be good, valid, and effectual in the Law to all Intents and Purposes whatsoever.

Money may  
be raised by  
Annuities.

XXXVI. Provided always, and be it further enacted, That in case the said Commissioners shall think it advisable to raise all or any Part of the Money necessary for the Purposes of the said recited Act or this Act, or hereby authorized to be raised as aforesaid, by the granting of Annuities for the Life or Lives of any Person or Persons, then it shall be lawful for the said Commissioners, or any Five or more of them, and they are hereby authorized and empowered, by Writing under their Hands and Seals, to grant One or more Annuity or Annuities to any Person or Persons, being a Subject or Subjects of this Realm, who shall advance and pay into the Hands of the Treasurer to the said Commissioners any Sum or Sums of Money for the absolute Purchase of any such Annuity or Annuities, to be paid and payable during the natural Life of such Purchaser or Purchasers, or the natural Life of such Person or Persons as shall be nominated by or on the Behalf of such Purchaser or Purchasers at the Time of paying his, her, or their Purchase Money; and the Grant of every such



such Annuity may be in the Form or to the Effect following; (that is to say),

‘ **BY** virtue of an Act passed in the Sixth Year of the Reign of King  
 ‘ *George* the Fourth, intituled *An Act, &c.* [*here insert the Title of this*  
 ‘ *Act*], we whose Names and Seals are hereunto subscribed and set, being  
 ‘ of the Commissioners acting in the Execution of the said  
 ‘ Act, in consideration of the Sum of  
 ‘ advanced and lent by upon the Credit and for the  
 ‘ Purposes of this Act, and also of another Act passed in the Forty-eighth  
 ‘ Year of the Reign of His late Majesty King *George* the Third, intituled  
 ‘ [*here set forth the Title of the said recited Act*], and paid by him [*or her,*  
 ‘ *or them, as the Case may be*] to the Treasurer to the said Commissioners,  
 ‘ do hereby grant unto the said his, *or her,*  
 ‘ Executors, Administrators, and Assigns, One Annuity or yearly Sum of  
 ‘ out of the Rents and Profits of the said Build-  
 ‘ ings, Gas Apparatus, and Materials vested in the said Commissioners,  
 ‘ or out of the Rates and Assessments authorized to be raised, levied, and  
 ‘ collected by virtue of the said recited Act, which Annuity or yearly Sum  
 ‘ of shall be paid to the said  
 ‘ Executors, Administrators, and Assigns, at the House or Office of the  
 ‘ Clerk to the said Commissioners, by Half-yearly Payments, upon the  
 ‘ Day of and the Day  
 ‘ of in every Year during the natural Life of the said  
 ‘ [*or during the natural Life or Lives of*  
 ‘ *as the Case may be*]; the first Payment  
 ‘ thereof to be made upon the Day of  
 ‘ next ensuing the Date hereof. In witness whereof we have hereunto  
 ‘ set our Hands and Seals this Day of  
 ‘ in the Year of our Lord

Form of the  
Grant of  
Annuity.

And every such Grant shall be a good, valid, and effectual Security in the Law for the Payment of such Annuity; and the several Annuities to be granted as aforesaid shall be and are hereby charged upon, and shall be paid and payable, free from all Charges and Deductions, out of the said Rents, Profits, Rates, and Assessments, according to the Grant of such Annuity; and a proportionate Part of every such Annuity shall be paid from the last Half-yearly Payment to the Day of the Death of the Annuitant or Annuitants, or his, her, or their Cestuique Vie or Cestuique Vies.

XXXVII. And for preventing any improvident Grants of Annuities, For prevent-  
 be it further enacted, That the Amount of every Annuity to be granted ing improvi-  
 by virtue of this Act shall be regulated according to the Price of the dent Grants  
 Three Pounds *per Centum* Consolidated Bank Annuities at the Time of of Annuities.  
 granting the same, in the Manner and according to the Rate prescribed by  
 Two several Acts, One passed in the Forty-eighth Year of the Reign of  
 His late Majesty King *George* the Third, intituled *An Act to enable the* 48G.3.c.142.  
*Commissioners for the Reduction of the National Debt to grant Life Annui-*  
*ties*, and the other passed in the Fifty-second Year of the Reign of His  
 said late Majesty, intituled *An Act for amending Two Acts, passed in the* 52G.3.c.129.  
*Forty-eighth and Forty-ninth Years of His present Majesty, for enabling*  
*the Commissioners for the Reduction of the National Debt to grant Life*  
*Annuities.*

[Local.]

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XXXVIII. And

Money may be borrowed at lower Interest to pay off existing Mortgages.

XXXVIII. And be it further enacted, That in case the said Commissioners shall at any Time be able to borrow or take up any Sum or Sums of Money at a lower Rate of Interest than shall happen to be payable upon any of the original or other Mortgages which may have been granted by the said Commissioners, and which may happen to be then existing, it shall be lawful for the said Commissioners from Time to Time to charge the said Rents, Profits, Rates, Assessments, and Premises in manner aforesaid with any Sum or Sums of Money so borrowed at such lower Rate of Interest, and the Interest thereof at such lower Rate as aforesaid, and therewith to pay off and discharge any of the said original and other Mortgages bearing a higher Rate of Interest, according to the Directions and Regulations herein-after described for paying off Mortgages.

Power to transfer Securities.

XXXIX. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money to be borrowed, or the Annuities to be granted as aforesaid, and their respective Executors, Administrators, and Assigns (as the Case may be), at any Time or Times, by Writing under their respective Hands and Seals, to transfer the same respectively to any Person or Persons whomsoever, in the Form or to the Effect following; (that is to say),

Form of Transfer.

I *A. B.* [or *I C. D.* of *Executor*  
 or Administrator of *A. B.*, late of [or otherwise,  
*as the Case may happen to be*], in consideration of the Sum of  
 to me paid by *E. F.* of do hereby  
 assign and transfer unto the said *E. F.*, his Executors, Administrators,  
 and Assigns, a certain Security bearing Date the  
 Day of in the Year of our Lord  
 under the Hands and Seals of of the Commissioners  
 for putting in Execution an Act passed in the Forty-eighth Year of the  
 Reign of His late Majesty, intituled *An Act, &c.* [here insert the Title  
 of the said recited Act], and also another Act passed in the Sixth Year  
 of the Reign of King George the Fourth, intituled *An Act, &c.* [here  
 set forth the Title of this Act], and the Principal Sum of  
 thereby secured, and all Interest now due and hereafter to grow due  
 thereon, or the Annuity or yearly Rent of thereby  
 secured, and all Arrears due thereon, with all my Right, Title, and  
 Interest in and to the same. Dated this Day of  
 in the Year of our Lord

No Preference in Payment of Mortgages.

XI. And be it further enacted, That the several Persons to whom any such Mortgages shall have been made shall be severally entitled to their respective Quota of the said Rents, Profits, Rates, and Assessments respectively, in proportion to the annual Amount of the Interest of the Monies borrowed on Mortgage, without any Preference by reason of the Priority in Date of any such Mortgage, or on any other Account whatsoever.

Provision for Payment of Mortgages by Ballot.

XII. And in order that no undue Preference may be given in paying off the aforesaid Mortgages, be it further enacted, That when and so often as the said Commissioners shall, under the Provisions of this Act, be enabled and think it expedient to pay off one or more of the said Mortgages, they shall cause the several Numbers of all Mortgages granted and

and then in force to be written upon distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled or folded up in the same Form, and be put into a Box, and the Clerk of the said Commissioners shall, in the Presence of Five or more of the said Commissioners, draw separately out of the said Box One of the said Numbers for each Mortgage then intended to be paid off by the said Commissioners, and thereupon the Mortgage or Mortgages corresponding with the Number or Numbers which shall be so drawn, shall be accordingly paid off by the said Commissioners; and after every such Ballot the said Commissioners shall cause Notice, signed by their Clerk, to be given to the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, which Notice shall express the Principal Sum to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified in such Notice, at the Expiration of Three Calendar Months from the Date of giving such Notice, and the Interest of the Principal Money to be paid off shall, from and after the End of the said Three Calendar Months, cease and be no longer paid or payable, unless the Money shall be demanded pursuant to such Notice and not paid, but the Principal Money in respect whereof such Notice shall be given, and also the Interest thereof to the End of the said Three Calendar Months, shall nevertheless be payable on Demand.

XLII. And be it further enacted, That a Book shall be provided by the said Commissioners, and kept by their Clerk, in which Book shall be entered and registered Copies of all Mortgages and other Securities made in pursuance of this Act, and of every Transfer thereof; which Book shall be open to the Inspection of the several Holders of Mortgages and Securities made by virtue of this Act, and their respective Executors, Administrators, and Assigns, at all reasonable Times, without Fee or Reward; and for the Entry of every such Mortgage, Security, or Transfer, the Clerk shall be paid, by the Person or Persons to whom such Mortgage, Security, or Transfer shall be made, the Sum of Two Shillings and Sixpence, and no more; and every such Mortgage, Security, or Transfer, after such Entry as aforesaid, but not before, shall entitle the Person to whom the same shall be made, and his, her, or their Executors, Administrators, and Assigns, to the Benefit of the Security thereby made or transferred, and the Person or Persons to whom such Mortgage, Security, or Transfer shall or may be made, his, her, or their Executors, Administrators, or Assigns, may from Time to Time transfer such Security for Money or Annuity to any other Person or Persons whomsoever in a similar Way.

Register  
Book to be  
kept.

XLIII. Provided always, and be it further enacted, That the said Rates, Profits, Rents, and Assessments, and the said Buildings, Gas Apparatus, and Materials, by the said recited Act or this Act vested in the said Commissioners, shall not at any one Time be charged with any greater Sum or Sums of Money to be borrowed by virtue of the Powers and Provisions of this Act, than the Sum of Fourteen thousand Pounds in the whole.

Monies bor-  
rowed under  
this Act not  
to exceed  
14,000*l.* at  
any one  
Time.

XLIV. And whereas the Mayor, Aldermen, and Burgesses of *Beverley* aforesaid have for many Years past made and kept in repair the Wells and Pumps in the said Town for the common Use and Advantage of

Pump Rate  
authorized,  
not exceed-  
ing 1*d.* in  
the Pound.

the Inhabitants thereof, and in order to reimburse themselves the Mayor and Aldermen for the Time being have from Time to Time laid an Assessment at One Penny in the Pound upon the said Inhabitants: And whereas there are Doubts whether the said Mayor and Aldermen are authorized by Law to lay and collect an Assessment for the Purposes aforesaid; be it therefore enacted, That the Mayor and Aldermen for the Time being of the said Town of *Beverley*, or any Two of them, may and shall and they are hereby authorized and empowered, when necessary, to lay an Assessment upon the Inhabitants of the said Town in respect of their Houses and Tenements therein, not exceeding One Penny in the Pound upon the annual Value thereof, for the Purpose of discharging the Expences incurred in repairing any Wells or Pumps in the said Town used in common by the Inhabitants thereof, and to authorize, by Writing under their Hands and Seals, any Person to collect such Rates, with the usual Powers in Cases of Nonpayment to distrain for the same.

Treasurer  
and Clerk not  
to be the  
same Person.

XLV. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who has been or may be appointed their Clerk in the Execution of this Act or the said recited Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of this Act or the said recited Act, or to continue or appoint any Person who has been or may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Commissioners; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act or the said recited Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall act as Treasurer, or being the Partner of such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer, or the Clerk or other Person in the Service or Employ of the Partner of such Treasurer, shall act as Clerk in the Execution of this Act or the said recited Act, or if any Treasurer shall hold any Place of Profit or Trust under the said Commissioners other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person 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, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Limitation of  
Actions.

XLVI. And be it further enacted, That no Action, Suit, or Information shall be commenced against any Person or Persons for any thing done or to be done under or by virtue of this Act, until Twenty-one Days Notice thereof shall be first given in Writing to the said Commissioners, signed by the intended Plaintiff or Plaintiffs, of the Cause and Intention of and for commencing such Action or Suit, nor at any Time whatsoever, after sufficient Satisfaction or Tender thereof shall have been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits, shall be brought; and in case there shall be a Continuation of Damages, then  
not

not after Six Calendar Months next after the doing or committing such Damage shall cease; and in case no such Tender as aforesaid shall be made before an Action brought, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court wherein such Action shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court; and all such Actions and Suits shall be laid and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Actions, Suit or Suits, shall be so brought, was done in pursuance and by the Authority of this Act; and if the same Matter or Thing shall appear to have been so done, or if it shall happen that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time herein-before for that Purpose limited, or shall be laid or brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of such Action or Actions, or Judgment, after the Defendant or Defendants shall have appeared thereto, or if Judgment shall be given for the Defendant or Defendants therein, or if any Verdict shall pass upon the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or may have for his, her, or their Costs in any other Case by Law.

XLVII. And be it further enacted, That it shall be lawful for any Collector, Surveyor, or other Officer of the said Commissioners, and such Person or Persons as he shall call to his Assistance, to seize and detain any Person or Persons, being unknown to such Collector, Surveyor, or other Officer, who shall commit any Offence or Offences against this Act or the said recited Act; and to convey him, her, or them before any One or more of the Justice or Justices of the Peace for the said Town of *Beverley*, without any other Warrant or Authority than this Act for so doing, and such Justice or Justices of the Peace respectively is and are hereby respectively empowered and directed to proceed immediately to the Conviction or Acquittal of such Offender or Offenders.

For securing transient Offenders.

XLVIII. 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 the Purposes of this and the said recited Act, and of the several Articles, Matters, and Things for which any Sum 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, and any Cre-

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

ditor or Creditors on the Rates or Tolls hereby granted, without Fee or Reward; and the said Commissioners and Creditors 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 such Creditors, or any of them, to inspect the same Book or Books, or to take such Copies or Extracts as aforesaid, every such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in manner herein-after mentioned.

In case of  
Nonpayment  
of Compens-  
ation for  
Damages,  
&c.

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

Recovery and  
Application  
of Penalties.

L. And be it further enacted; That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act or the said recited Act, the Manner of levying and recovering whereof is not hereby particularly directed, may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Justice or Justices of the Peace for the said Town and Liberties, on Complaint to him or them for that Purpose exhibited, and afterwards be levied, as well as the Costs of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable

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 to hear and determine the same, and the Overplus, if any, of the Money raised or recovered after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owner or Owners of the said Goods and Chattels so seized and distrained; all which Penalties not herein directed to be otherwise applied shall be paid to the Treasurer of the said Commissioners for the Time being, to be applied for the general Purposes of this Act, unless such Penalties shall be incurred by the said Commissioners, in which Case the same shall be paid to the Overseers of the Poor of the Parish where the Offence shall be committed, to be by them applied for the Relief of the Poor of the said Parish; and it shall be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody, until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice or Justices for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Ten 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, or in case it shall appear to the Satisfaction of any such Justice or Justices, upon the Confession of the Offender or Offenders or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress, and thereupon 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 the Common Gaol or House of Correction of the said Town and Liberties, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, or until such Offender or Offenders shall have fully paid such Penalty or Penalties, and all Costs and Charges incident to and attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law; any thing in the said recited Act contained to the contrary thereof in anywise notwithstanding.

LI. And be it further enacted, That the said recited Act passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, and all and every the Powers, Provisions, Penalties, Forfeitures, Remedies, Matters, and Things therein contained, save and except such Parts thereof as are expressly varied, altered, or otherwise provided for by this Act, shall respectively be as good, valid, and effectual for carrying

Powers of  
48 G. 3. ex-  
tended to this  
Act.

ing this Act into Execution, as if the same had respectively been repeated and re-enacted in the Body of this Act.

Expences of  
Act how to  
be paid.

LII. And be it further enacted, That all the Costs, Charges, and Expences incident to or attending the applying for, obtaining, and passing this Act and relating thereto, shall be paid by the said Commissioners out of the Monies to be received by virtue of the said recited Act and this Act, in preference to all other Payments whatsoever.

Public Act.

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

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