



ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

Cap. cxvii.

An Act for enabling the Local Board of Health for the District of *Rotherham* and *Kimberworth* in the West Riding of the County of *York* to construct and maintain an improved System of Waterworks for the Supply of the District and adjacent Places with Water; and for enabling the Board to purchase the existing Markets and Fairs within the District, and to establish new Markets and Fairs within the District, and to purchase and extinguish Dues and Duties paid and collected within the Town of *Rotherham*; and for amending Acts relating to the District; and for other Purposes. [13th July 1863.]

WHEREAS the existing Water Supply under the Control of the Local Board of Health for the District of *Rotherham* and *Kimberworth* in the West Riding of the County of *York* is insufficient for the Purposes of the Public Health Acts and for private
[Local.] 19 P Use,

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Use, and is otherwise inadequate to the Requirements of the District, and it is expedient that the Board should be enabled to construct and maintain an improved System of Waterworks to supply the District with Water : And whereas divers Parishes, Townships, and Places situate without the District, but adjacent thereto, and on or near the Lines of the proposed Pipes or Conduits and other Waterworks of the Board, could be supplied with Water therefrom, with great Advantage to the Inhabitants of those Parishes, Townships, and Places, and also to the Board : And whereas the existing Markets and Market Place in the Town of *Rotherham* are incommodious and insufficient for the Requirements of the Inhabitants, and it is expedient that the Board should have the Control and Management of all Markets and Fairs within the District, and that for that Purpose the Board should be enabled to acquire the Ownership of the Market now existing established under an Act of the Session of the Forty-first Year of King *George* the Third, intituled *An Act for enlarging and improving the Market Place within the Town of Rotherham in the West Riding of the County of York, and for widening and rendering more commodious the Streets and Avenues leading thereto ; and for cleansing, lighting, and regulating the Streets and other public Passages and Places within the said Town, and hereinafter called "the Act of 1801,"* and of the Tolls of the Market now existing, called the Crofts or Cattle Market, making proper Compensation to the Proprietors, Mortgagees, or other Persons interested therein respectively : And whereas it is expedient that the Board should be enabled to establish, construct, maintain, and manage such other Markets and Fairs within the District as they may from Time to Time think requisite : And whereas it is expedient that for the Relief and Benefit of the Inhabitants of the District the Board should be enabled to acquire the Right to all such Rents, Tolls, Dues, Produce, and Profits as are taken or received by the Right Honourable the Earl of *Effingham*, or his Lessees, or others the Owners or Lessees thereof, for or in respect of any Market or Fair within the District, or for the Sale of Horses, Sheep, Beasts, or other Cattle within the District, and to all other Dues and Duties which are paid and collected within the Precincts of the Town of *Rotherham*, and which belong to the said Earl or his Lessees, with a view to the Extinguishment of all such Rents, Tolls, Dues, Produce and Profits, Dues and Duties, on the Right to the same being acquired by the Board : And whereas it is expedient that for the Purposes aforesaid, or some of them, the Board should be enabled to take Lands, Springs, Streams, and other Property and Rights compulsorily or by Agreement : And whereas the Objects aforesaid cannot be effected without the Authority of Parliament : And whereas Plans and Sections showing the Lines, Situation, and Levels of the proposed Waterworks and other Works to be authorized by this Act, and describing the Lands and Streams required to be taken for such Waterworks and other Works,

and

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and for the other Purposes of this Act, including the Lands held in connexion with the said existing Markets, and a Book of Reference thereto describing all such Lands as aforesaid, and containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers thereof respectively, have been deposited with the Clerk of the Peace for the West Riding aforesaid, herein-after referred to as the deposited Plans, Sections, and Book of Reference: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as "The *Rotherham and Kimberworth Local Board of Health Act, 1863.*" Short Title.

2. In this Act—

The Term "the Board" means the Local Board of Health for the District of *Rotherham and Kimberworth* in the West Riding of the County of *York*:

Interpreta-
tion of
Terms.

The Term "the District" means the District of the Board as defined in the Provisional Order relating to the Board, dated the Second Day of *February* One thousand eight hundred and fifty-two, and confirmed by the First "Public Health Supplemental Act, 1852:"

The Term "the Public Health Acts" means and includes "The Public Health Act, 1848," the Acts passed before the Year One thousand eight hundred and fifty-eight amending the same, and "The Local Government Act, 1858," and the Acts subsequently passed amending the same:

The Term "Owner" means an Owner within the Meaning of that Term as defined in "The Public Health Act, 1848:"

The Term "Court of competent Jurisdiction," or any other like Expression in this Act, shall be read and have effect as if the Debt or Demand with respect to which the Expression is used were a common Simple Contract Debt, and not a Debt or Demand created by Statute:

The several Terms to which Meanings are assigned by the Acts incorporated by this Act have in this Act the same respective Meanings: In the Construction, for the Purposes of this Act, of any Act incorporated herewith, the Term "Quarter Sessions" used in the incorporated Act means the Court of General or Quarter Sessions of the Peace for the West Riding aforesaid, wherever held.

3. Subject to the express Provisions of this Act, this Act shall be executed by the Board, with the Powers and Indemnities and according to Act to be
executed by
Board.
to

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to the Provisions of the Public Health Acts; and those Acts shall in relation to the Board and the several Purposes of this Act be read and construed as if the Purposes and Provisions of this Act were Purposes and Provisions of the Public Health Acts, and those Acts shall be incorporated with this Act.

Lands.

Power to Board to take Lands.

4. Subject and according to the Provisions of this Act, and of the Acts incorporated herewith, the Board may, with or without the Consent of the respective Owners or Occupiers of any Lands described in the deposited Plans and Book of Reference, enter upon, purchase, take, and use those Lands or any of them, or any Right or Easement in or over the same or any of them.

As to Purchase of Lands of Sir G. Reresby Sitwell.

5. Provided always, That nothing in this Act contained shall authorize the Board to purchase (except by Agreement) any Lands now of Sir *George Reresby Sitwell* Baronet, except such of those Lands within the Limits of Deviation as they may require for the Construction of the Reservoir thirdly described, and the Preservation of the *Pinch Mill Spring*, not exceeding in the whole Two Acres.

Purchase of Easements, &c.

6. Any Person empowered under this Act to sell and convey or release Lands shall, subject and according to the Provisions of this Act, and for the Purposes thereof, have Power to grant any such Right or Easement in or over those Lands as the Board may think requisite for the Purposes of this Act, but such Power shall not extend to any Right or Easement in or over any Water.

8 & 9 Vict. cc. 18. & 20. and 23 & 24 Vict. c. 106. incorporated.

7. "The Lands Clauses Consolidation Act, 1845," and "The Lands Clauses Consolidation Acts Amendment Act, 1860," and Section 58 of "The Railways Clauses Consolidation Act, 1845," with respect to the Repairs of Roads, and the Clauses of the last-mentioned Act (except Section 75) with respect to Works for the Accommodation of Lands adjoining the Railway, shall be incorporated with this Act: In the Construction of those Acts in connexion with this Act the Terms "the Promoters of the Undertaking" and "the Company" respectively therein used shall mean the Board, and the Expression "the Railway" shall mean the Works by this Act authorized.

Powers for compulsory Purchases limited.

8. The Powers of the Board for the compulsory Purchase or taking of Lands for the Purposes of this Act shall not be exercised after the Expiration of Seven Years from the passing of this Act: Provided always, that such Power as to the Lands now of Sir *George Reresby Sitwell* shall not be exercised after the Expiration of Three Years from the passing of this Act.

9. The

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9. The Board may from Time to Time purchase by Agreement for extraordinary Purposes, and may hold in addition to the Lands described in the deposited Plans and Book of Reference, any Quantity of Land not exceeding in the whole at any One Time Ten Acres, and may also from Time to Time purchase by Agreement any such Right or Easement over any such additional Lands as they may think requisite for the Purposes of this Act.

Additional
Lands.

10. All Lands, Rights, Easements, and Property purchased or acquired by the Board under this Act shall be conveyed, demised, or assured to and shall be vested in the Board and their Successors in trust for the Purposes of this Act, and shall be accepted, taken, and held by the Board and their Successors as a Body Corporate.

Property to
be vested in
Board as a
Body Corpo-
rate.

11. All such Lands, Rights, Easements, and Property may be retained and used, and any Portion thereof not required for the Purposes of this Act may, subject to the Provisions of this Act and the Acts incorporated therewith, be sold and disposed of for the Benefit of the District, as the Board may from Time to Time direct.

Property to
be used or
may be sold.

12. On any Sale by the Board under this Act or any Act incorporated herewith of any such Lands, Rights, Easements, or Property, the Board may reserve to themselves all or any Part of the Water or Water Rights, and other Easements belonging thereto, and may make such Sale subject to such Reservation accordingly, and also subject to such other Reservations, special Conditions, Restrictions, and Provisions with respect to Use of Water, Exercise of noxious Trades, or Discharge or Deposit of Manure, Sewage, or other impure Matter, as they may think fit.

On Sale of
Land by
Board,
Restrictions
may be
imposed.

Waterworks.

13. Subject and according to the Provisions of this Act, the Board may, except as herein-after provided, on any Lands taken by them under this Act, and in the Lines and according to the Levels shown on the deposited Plans and Sections, construct and maintain the Lines of Pipes or Conduits, Reservoirs and Waterworks, and Street or Road, and Works connected therewith respectively, shown on the deposited Plans, comprising the following; namely,

Power to
Board to
construct and
maintain
Waterworks.

First. A Line of Pipes or Conduit commencing at or near a Spring near *Pinch Mill* called *Pinch Mill Spring* in the Township of *Wickersley* in the West Riding aforesaid, and passing thence from, in, through, and into the Parishes, Townships, or Places of *Wickersley*, *Whiston*, and *Rotherham* (detached), or some of them, and terminating by a Junction with the Reservoir next herein-after mentioned:

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Second.

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Second. A Reservoir in a Close of Land in the Township of *Whiston* on the South Side of the *Bawtry and Tinsley* Turnpike Road, and on the West Side of *Long Lane* :

Third. A Reservoir situate in Two Closes of Land in the Parishes, Townships, or Places of *Whiston* and *Rotherham* (detached), one of which Closes is called *Far Cow Field* and the other *Far Hemsell Field* ; provided that such Reservoir shall be constructed so as not to obstruct or interfere with the Course of the *Whiston Brook* :

Fourth. A Reservoir, with a Dam or Embankment across the present Bed or Channel of the *Ulley Brook* and adjoining Lands, such Dam or Embankment to be constructed at a Point about One hundred and ninety Yards from the East Side of *Packman's Bridge* measured along the Course of the said Brook, and to be for the Purpose of receiving and impounding the Waters of the *Ulley Brooks*, the *Morthen Brook*, and the Tributaries thereof respectively, and to commence in One of the *Ulley Brooks* at or near the Point where such Brook is crossed by *Ulley Lane*, near to a Plantation called *Ulley Holt*, and to terminate at the said Dam or Embankment, which Reservoir will be situate in certain Closes of Land in the Townships of *Whiston* and *Ulley* in the West Riding aforesaid, and in the Parish or Township of *Aston-cum-Aughton* in the County of *York* :

Fifth. A Line of Pipes or Conduit commencing from and out of the last-mentioned Reservoir, and thence passing in, through, and into the several Parishes or Places of *Aston*, *Aston-cum-Aughton*, *Whiston*, *Treeton*, and *Rotherham* (detached), and terminating at the first-mentioned Reservoir :

Sixth. A Line of Pipes or Conduit commencing from and out of the first-mentioned Reservoir, and thence passing from, in, through, and into the Parishes, Townships, or Places of *Whiston* and *Rotherham*, and terminating in a Close of Land situate between *Canklow Lane* and the River *Rother* in the said Township of *Rotherham* :

Seventh. A Reservoir, with a Dam or Embankment extending across the present Bed and Channel of *Dalton Brook*, and across *Far Dalton Lane* at a Point about Three hundred and eighty-five Yards from the *Doncaster and Tinsley* Turnpike Road measured along *Far Dalton Lane*, and also across the Lands adjoining thereto, such Reservoir to be for the Purpose of receiving and impounding the Waters of *Dalton Brook*, *Dalton Dean Stream*, and *Blacking Mill Stream*, and the several Tributaries thereof respectively ; and to commence on the Bed of *Dalton Brook* at a Point about Thirty Yards from the Fence on the North Side of a Close of Land called the *Low Upper Ing*, and to terminate at the said Dam or Embankment :

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Eighth. A Line of Pipes or Conduit commencing at the last-mentioned Reservoir, passing from, in, through, and into the several Parishes, Townships, or Places of *Dalton, Dalton Parva, Dalton Magna,* and *Rotherham*, or some of them, in the West Riding aforesaid, and terminating in a Plantation in the Township of *Rotherham* between the *Tinsley and Doncaster* Turnpike Road and the River *Don*:

Ninth. A Line of Pipes or Conduit commencing at a Spring in or near a certain Ruin, and in a Close of Land in the Townships of *Dalton* of which *Jacob Ward* is the Occupier, and passing from, in, through, and into the Parishes of *Rotherham, Dalton, Dalton Parva, Dalton Magna*, or some or one of them, and terminating by a Junction with the Reservoir next herein-after mentioned:

Tenth. A Reservoir in the last-mentioned Close of Land:

Eleventh. A Line of Pipes or Conduit in the Parishes, Townships, or Places of *Dalton, Dalton Parva, Dalton Magna,* and *Rotherham*, or some or one of them, commencing in a Brook or Stream which forms the Boundary between the Townships of *Dalton* and *Rotherham* at or near the Point at which the *Tinsley and Doncaster* Turnpike Road crosses the said Brook or Stream, and terminating by a Junction with the last-mentioned Reservoir:

Twelfth. A new Street or Road in the said Township of *Rotherham*, commencing at or near the Blacksmith's Shop in the Occupation of *William Kitching*, and lying on the Southern Side of the Site formerly occupied by the *Rotherham* Foundry Yard, thence proceeding in a Southerly Direction, and terminating by a Junction with the Road reputed to belong to the *South Yorkshire* Railway and River *Don* Company at a Point about Forty Yards, measured along such last-mentioned Road, from the East Side of the River *Don*:

with all necessary or proper Weirs, Embankments, Sluices, Aqueducts, Filtering Beds, Machinery, Waste Gates, Gauges, Regulating Basins, Works, Roads, Approaches, and Conveniences connected with the before-mentioned Pipes, Conduits, Reservoirs, Waterworks, Street, and other Works, or any of them.

14. For the Purposes of this Act the Board may from Time to Time take the Water of any Spring, Stream, or Brook shown on the deposited Plans comprising the following, namely, *Pinch Mill Spring, Aldwark Spring, Tinker's Well Spring, Ulley Brooks, Morthen Brook, Dalton Brook, Blacking Mill Stream, Dalton Dean Stream,* and the Stream forming the Boundary between the Townships of *Rotherham* and *Dalton* aforesaid, and of the several Tributaries thereof respectively, and all other Water which now, directly or derivatively, flows or proceeds into or supplies the said several Springs, Streams, or Brooks when and as such Water is intercepted or collected by any of the said Works, and

Power to Board to take and impound Water, and divert Streams.

impound

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impound the same in the said Reservoirs and Works, and draw off and use the Water so impounded; and for the Purposes aforesaid the Board may divert and alter the Course of any such Spring, Stream, Brook, or Tributary as aforesaid to the Extent and in the Manner shown on the deposited Plans.

Not to take certain Lands shown on the deposited Plans.

15. Nothing in this Act contained shall be deemed or construed to empower the Board to take or enter upon any of the Lands shown on the said deposited Plans as being required for the Purposes of constructing and laying down the Conduits numbered 4 and 5 thereon, or to take or use the Waters of the *Gullingwood* or *Silverwood* Stream, the *Hooton Brook* or *Ravenfield Brook*, or of any of the Brooks or Streams tributary thereto, or lying on the Course of the said Conduits, or either of them.

Mode of laying Conduits, &c., in Sir George Reresby Sitwell's Lands.

16. All Pipes and Conduits by this Act authorized to be made and maintained in Lands now of Sir *George Reresby Sitwell* shall be covered over and laid under Ground in such a Manner as not to interfere with the Cultivation of the Surface, and the Surface shall in every Case, so far as practicable, be restored to its former Condition.

Drainage of certain Lands.

17. The Board shall not make the Works by this Act authorized so as permanently to impede the good and efficient Drainage of the Lands now of Sir *George Reresby Sitwell*, and for the Purposes of such Drainage the Owners, Lessees, and Occupiers for the Time being of those Lands shall have Power, under the Superintendence of the Board or their Surveyor, and according to the Plan approved of by the Board or their Surveyor, or in case of Difference respecting such Plan then according to the Plan determined by Arbitration, to lay and construct, either above or below any Conduits, Pipes, or Works of the Board in the Parishes of *Whiston* and *Wickersley*, all such Drains, Drain Pipes, and other Works as shall be necessary and proper for such good and efficient Drainage, and from Time to Time to repair, enlarge, alter, renew, or remove the same, but not so as to damage such Conduits, Pipes, or Works; and all Works and Things by this Clause authorized shall be constructed and done, and the Surface, when and where broken, filled in and restored to its former Condition, under the Superintendence of the Board or their Surveyor.

Pinch Mill Stream and Whiston Brook and their Tributaries not to be taken.

18. Nothing in this Act contained shall authorize the Board to take or in any way interfere with the Stream and Brook commonly called or known as the *Pinch Mill Stream* and *Whiston Brook*, or either of them, or the several Tributaries of the same respectively, or any of the Water now directly or derivatively flowing or proceeding into or supplying the said Stream and Brook respectively, at any Point in or
Eastward

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Eastward of the Village of *Whiston*: Provided always, that nothing herein contained shall in any way interfere with the Right of the Board at all Times hereafter to take and use the Waters of *Pinch Mill Spring*.

19. The Board shall at all Times hereafter, so long as they shall take the Water from the *Pinch Mill Spring*, supply to and for the Use of the Parish of *Whiston* from their Conduit, at a Place adjoining the present Highway near *Whiston* opposite a Cottage late the Property of Mr. *John Booth*, or as near thereto as practicable, Twenty thousand Gallons of *Pinch Mill Spring Water per Diem*, such Water to be supplied in such Manner as to constitute a constantly flowing Stream of Water from Six o'Clock in the Forenoon to Six o'Clock in the Afternoon, and so that the Parishioners of *Whiston* aforesaid may take and use the same Water without any Interference from the said Board.

Supply for
Use of
Parish of
Whiston

20. Should the Board at any Time hereafter wilfully fail to supply the said daily Quantity of Water to and for the Use of the Parishioners of *Whiston*, they shall for every such Failure or Omission forfeit and pay to the Surveyors of the Highways of *Whiston* for the Time being a Sum not exceeding Twenty Pounds for each and every Day or Part of a Day during which any such Failure or Omission shall continue; and such Forfeitures or Sums may be recovered in a summary Way before Two Justices in the Manner provided by "The Railways Clauses Consolidation Act, 1845," for the Recovery of Penalties or Forfeitures imposed by that Act, the Recovery of which is not otherwise provided for.

Penalty on
Board for
not supply-
ing Water to
Whiston.

21. Subject to the express Provisions of this Act, "The Waterworks Clauses Act, 1847," with the Exception of the Clauses with respect to the Amount of Profit to be received by the Undertakers when the Waterworks are carried on for their Benefit, shall be incorporated with this Act.

10 & 11 Vict.
c. 17. incor-
porated.

22. The Clauses of "The Railways Clauses Consolidation Act, 1845," with respect to the temporary Occupation of Lands near the Railway during the Construction thereof shall be incorporated with this Act, but shall apply only to the Reservoirs by this Act authorized to be made and the Works immediately connected therewith, and the said Clauses shall, for the Purposes of the present Provision, be read as if such Reservoirs and Works were therein mentioned instead of "the Railway," and as if the Boundaries of such Reservoirs and Works were therein mentioned instead of "the Centre of the Railway."

Provisions of
8 & 9 Vict.
c. 20. as to
temporary
Occupation
of Lands in-
corporated.

23. In the Construction of any of the said Works the Board may deviate vertically from the Level thereof, as shown on the deposited Plans

Vertical
Deviation.

[*Local.*]

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and Sections, to any Extent not exceeding Three Feet in Cases of Reservoirs, and not exceeding Five Feet in other Cases.

Time for
Completion
of Water-
works.

24. The Works shown on the deposited Plans and herein-before authorized shall be completed within Ten Years after the passing of this Act, and on the Expiration of that Time the Powers by this Act given to the Board for the Construction of those Works, or in relation thereto, shall cease to be exercised except as to so much thereof as is then completed, but nothing herein shall be taken to restrict the Board from executing Works for the Distribution of Water, or extending, enlarging, altering, or removing any of their Mains and Pipes from Time to Time as Occasion may require.

Security of Reservoirs.

Power for
Justices to
inquire as to
Danger of
Reservoir.

25. Whenever any Person interested complains to Two Justices that any Reservoir constructed under this Act is in a dangerous State, such Justices shall forthwith make Inquiry into the Truth of the Complaint, or any Two Justices on their own View, and without Complaint by any Person, may proceed under the present Provision as if a Complaint had been so made to them.

Order of
Justices for
immediate
Repair.

26. If on any such Inquiry the Justices are satisfied that the Complaint is well founded, and that the Reservoir is in a dangerous State, and that the Danger is so imminent as not to admit of Delay in removing the Cause of Complaint, they shall order such Person as they think fit to enter on the Property of the Board held under this Act, and to lower the Water in the Reservoir, and to do all such Works and Things as the Justices think requisite and proper for removing the Cause of Complaint.

Order of
Justices after
Summons on
Board to
repair
Reservoir.

27. If on such Inquiry the Justices are satisfied that there is good Cause for further Inquiry, but are not satisfied that the Reservoir is in such an imminently dangerous State as not to admit of Delay in removing the Cause of Complaint, they shall issue their Summons to the Board to answer the Complaint, and upon hearing the Parties the Justices may, or upon Default of Appearance of the Board then in their Absence the Justices shall, by Order in Writing under their Hands, order the Board, within such Period as the Justices think reasonable and specify in the Order, to lower the Water in the Reservoir, and to do all such Works and Things as the Justices think requisite and proper for removing the Cause of Complaint.

Order of
Justices on
failure of
Board to
obey Order.

28. If the Board fail to do, within the Period specified in that Behalf in the Order, all such Works and Things as are thereby ordered for removing the Cause of Complaint, the Justices who made the Order, or any other Two Justices, on being satisfied of such Failure, shall order such

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such Persons as the Justices think fit to enter on the Property of the Board held under this Act, and to lower the Water in the Reservoir, and to do all such other Works and Things as are specified in the Order, and not done by the Board, and all such further or other Works and Things (if any) as the Justices think requisite and proper for removing the Cause of Complaint.

29. Any such Order of Justices may be in the Form or to the Effect following: Form of Order.

‘ To the Local Board of Health for the District of Rotherham and
‘ Kimberworth [*or To A.B. of* *&c.*]
‘ **WE** the undersigned, Two of Her Majesty’s Justices of the Peace
‘ acting for the West Riding of the County of York, do hereby order
‘ and direct you [and such Person or Persons as you may require to
‘ aid and assist you therein] forthwith to lower the Water in the [*here*
‘ *describe the Reservoir in which the Water is to be lowered*], and to do all
‘ such Works and Things as are requisite to repair and make good the
‘ said Reservoir, [and you shall do as little Injury as possible to the
‘ Property of the said Local Board,] and in acting in obedience to the
‘ Premises this shall be your sufficient Warrant.
‘ Given under our Hands this Day of
‘ in the Year of our Lord One thousand eight hundred and
‘ (Signed) A.B.
‘ C.D.’

30. Any Person acting under and in pursuance of any such Order shall not be deemed a Trespasser; and if any Person wilfully obstructs any Person lawfully acting in obedience to the Order, or wilfully does or instigates or suffers to be done anything in contravention of the Order, he shall for every such Offence be liable to a Penalty not exceeding Fifty Pounds. Persons acting under Order of Justices not to be Trespassers.

31. If the Justices so think fit, they may by any such Order impose on the Board for not carrying any such Order into effect any Penalty not exceeding Ten Pounds for every Day’s Default, but such Penalty shall not be incurred during any Period in which the Justices have ordered any other Person to remove the Cause of Complaint. Justices may impose Penalty on Board for not obeying Order.

32. The Justices may order all or such Part as they think fit of the Costs of and incident to the applying for and obtaining of any such Order, and also all or such Part as the Justices think fit of the Expenses of the Works and Things done in pursuance of any such Order by any Person other than the Board, to be paid by the Board, and every Amount so ordered to be paid shall be paid by the Board to such Person as the Justices appoint, and may be recovered accordingly in any Court of competent Jurisdiction. Order of Justices on Board for Payment of Costs.

33. If

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Costs may be ordered against Persons making unfounded Complaint.

33. If the Justices before whom any such Complaint is made think that there is no sufficient Ground for such Complaint, they may, if they think fit, order the Complainant to pay the whole or any Part of the Costs of or incident to such Complaint (the Amount thereof to be determined by the Justices), and the Costs so ordered to be paid shall be recoverable in the same Way as Damages are recoverable under "The Waterworks Clauses Act, 1847."

Appeal by Board.

34. If the Board feel aggrieved by any such Order or by any Determination by the Justices on any such Complaint, the Board shall have the like Power of Appeal as by "The Railways Clauses Consolidation Act, 1845," is given to Parties aggrieved by the Determination of Justices with respect to the Repair of Roads, but the Order appealed against shall, pending any such Appeal, and except only so far, if at all, as on the Appeal it is quashed or altered, continue in force.

Board not to be responsible for Consequences of Order.

35. Notwithstanding anything herein-before contained, the Board shall not be liable to pay any Damages, Penalties, Costs, Charges, or Expenses for or in respect of or be answerable or accountable for any Diminution or Cessation in the Supply of Water, or any other Breach or Nonperformance of their or any of their Duties, Liabilities, or Obligations under this Act or any Act incorporated herewith which may be occasioned by or result from the Execution of any such Order.

Water Supply.

Limits of Act as to Water Supply.

36. The Limits of this Act for the Supply of Water shall be the District of the Local Board of Health for *Rotherham and Kimberworth*; and it shall be lawful for the Board, if they shall think fit so to do, to extend their Mains and other Pipes and Works into such Parts of the Townships and Places of *Brinsworth, Whiston, Greasborough, Rawmarsh, Dalton, and Aldwark*, all in the West Riding of the County of *York*, as lie within a Radius of One Mile and a Half measured in a direct Line from the Pumping Station as shown on the deposited Plans, upon the same Terms and Conditions, for domestic Purposes and additional Waterclosets and Baths, as Water is supplied for those Purposes within the District, and upon such Terms for Supply for public or other private Purposes as may be agreed upon.

Power to Board to supply Water.

37. Subject and according to the Provisions of this Act, the Board may, by means of the existing Waterworks now under their Control and the Waterworks by this Act authorized, supply Water within the Limits of this Act, and within those Limits may sell and dispose of the Water as they from Time to Time think fit.

38. The

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38. The Term "Rent" used in this Act in relation to the Payment for Water supplied shall mean the Charge payable for and in respect of the Water supplied to or for the Use or on the Responsibility of any Person under the Authority of this Act.

Meaning of "Rent" as applied to Water Supply.

39. The Board shall, at the Request of the Owner or Occupier of any House or Part of a House in any Street within the Limits of this Act in which any Pipe of the Board is laid (except as hereafter mentioned), or of any Person who, under the Provisions of this Act or any Act incorporated herewith, is entitled to demand a Supply of Water for domestic Purposes within the Limits of this Act, furnish to such Owner or Occupier or other Person a sufficient Supply of Water for domestic Purposes at a Rate not exceeding the yearly Sum of Six Pounds in the Hundred on the annual Value of the Dwelling House or Part of a Dwelling House supplied.

Water to be supplied for domestic Purposes, Rates to be charged.

40. Provided always, That the Board shall not be entitled to demand or receive for any One Dwelling House or Part of a Dwelling House any greater yearly Sum than Ten Pounds, nor shall Houses rated to the Poor at a less Sum than Six Pounds *per Annum* be charged a greater yearly Sum than Four Shillings.

Maximum and minimum Rates.

41. A Supply of Water for domestic Use shall include a Supply for One Watercloset within or adjacent to or immediately connected with any Dwelling House, but shall not include a Supply for more than One Watercloset, or, for Baths, or for Cattle or Horses, or washing Carriages, when such Horses or Carriages are kept for Hire or are the Property of a Dealer, or for any Trade, Manufacture, or Business whatsoever, or for watering Gardens, or for Fountains, or for any ornamental Purpose.

Definition of "domestic Use."

42. In addition to the Rent for the Supply of Water for domestic Use which the Board may demand under this Act, the Board may, in all Cases in which there shall be more than One Watercloset or a Bath in any Dwelling House or Part of a Dwelling House, or Shop or Building used as a Dwelling House, the Occupier of which may be liable to pay Rent for a separate Supply of Water, charge in respect of every Watercloset therein beyond the first, and for every Bath, any Sum not exceeding Four Shillings, and such additional Rents may be recovered with and as Part of or by the same Means as the Rent for the domestic Supply from such Occupier.

Charge for several Water-closets, &c.

43. Notwithstanding anything herein contained, the Board may from Time to Time lessen or remit the Rents for supplying any Hos-

Power to Board to remit Charges.

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pitals, Infirmaries, or other Buildings devoted to public or charitable Purposes.

Supply for other than domestic Purposes within District.

44. The Board shall from Time to Time frame and publish within the District a Scale of Charges and Terms for the Supply of Water for other than domestic Purposes within the District: All Persons within the District shall be entitled to such a Supply according to such Scale.

Supply for other than domestic Purposes by Agreement.

45. Subject to the last foregoing Provision, the Board may within the District supply any Person with Water for other than domestic Purposes at such Rent and on such Terms as may be agreed on between the Board and such Person, every such Agreement to be determinable by the Board on Three Months Notice in Writing.

Such Supply not to interfere with Supply for domestic Purposes.

46. No Person shall be entitled to a Supply of Water under either of the last Two foregoing Provisions whenever and as long as the Board are of opinion that such Supply would interfere with the proper Supply of Water for domestic Purposes under this Act.

Such Supply not obligatory in case of Frost, &c.

47. The Board shall not be liable under this Act, or any Agreement for the Supply of Water for other than domestic Purposes, to any Penalty or Damages for not supplying such Water if the Want of such Supply arises from Frost, unusual Drought, or other unavoidable Cause or Accident.

Level at which Supply obligatory.

48. The Board shall not be bound to supply Water in any House at a Level above that at which Water can be supplied from the Service Reservoir for the District in which such House is situate.

Exception to constant Supply.

49. The Water supplied in Places without the District need not be constantly laid on under Pressure.

Power to Board to let for Hire Meters.

50. The Board may let for Hire to any Consumer of the Water supplied by the Board any Meter or Instrument for measuring the Quantity of Water supplied and consumed, and any Pipes and Apparatus for the Conveyance, Reception, or Storage of such Water, for such Remuneration in Money as shall be agreed upon between the Board and the Consumer, which shall be recoverable in the same Manner as Rents due to the Board for Water; and such Meters, Instruments, Pipes, and Apparatus shall not be subject to Distress for Rent of the Premises where the same are used, or be attached or taken in execution under any Process of any Court of Law or Equity, or under or in pursuance of any Adjudication or Order in Bankruptcy, or other legal Proceeding, against the Person or Goods of the Person in whose Possession the same shall be.

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51. The Officers of the Board may enter any House, Building, or Lands to, through, or into which Water is supplied by the Board by Measure in order to inspect the Meters, Instruments, Fittings, Apparatus, and Works for conveying, measuring, and regulating the Supply of Water, or for the Purpose of ascertaining the Quantity of Water supplied or consumed, and may from Time to Time enter any House, Building, or Lands for the Purpose of removing or carrying away any Meter, Instrument, Pipes, Fittings, Apparatus, or other Works, the Property of the Board; and if any Person hinders any such Officer from entering and making such Inspection or effecting such Removal he shall for every such Offence be liable to a Penalty not exceeding Five Pounds; but, except with the Consent of a Justice, such Power of Entry shall be exercised only between the Hours of Ten in the Forenoon and Four in the Afternoon.

Power to Board for ascertaining Quantity consumed by Meter, and for removing Meters, &c.

52. If any Person supplied with Water by the Board wrongfully does or causes or permits to be done anything in contravention of any of the Provisions of the incorporated Acts and this Act respectively, or wrongfully fails to do anything which under any of those Provisions ought to be done for the Prevention of the Waste, Misuse, undue Consumption, or Contamination of the Water of the Board, the Board may cut off any of the Pipes by or through which Water is supplied by them to him or for his Use, and may cease to supply him with Water so long as the Cause of Injury remains or is not remedied, and may also recover from him the Amount of any Loss, Damage, or Injury sustained by them by or in consequence of any such Act or Failure by Action at Law in any Court of competent Jurisdiction.

Power to cut off Water in certain Cases.

53. For the Purpose of preventing the Waste, Misuse, or undue Consumption or Contamination of the Water of the Board, the Board may from Time to Time make such Rules and Regulations as they may think necessary to be observed by the Persons supplied with such Water, and may thereby direct the Use, and prescribe the Size, Nature, Strength, and Materials, and the Mode of Arrangement, Alteration, and Repair of the Pipes, Valves, Cocks, Cisterns, Baths, Soilpans, Waterclosets, and other Apparatus or Receptacles, or any of them, to be used by such Persons respectively for conveying, delivering, and receiving such Water, and may thereby interdict any Arrangement and the Use of any Pipes, Valves, Cocks, Cisterns, Baths, Soilpans, Waterclosets, and other Apparatus or Receptacles which in their Judgment will be likely to occasion any such Waste, Misuse, undue Consumption, or Contamination, and shall not be bound to supply or continue to supply Water to any such Person unless such Rules and Regulations be and continue to be duly observed by him; and the Pipes, Valves, Cocks, Cisterns, Baths, Soilpans, Waterclosets, and other Apparatus and Receptacles used or to be used

Regulations for preventing Waste, &c. of Water.

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used shall be made of such Size, Nature, Strength, and Materials, and shall be so arranged, kept, and repaired, as the Board shall from Time to Time so prescribe or otherwise approve; and in case of the Neglect or Refusal of any such Person to observe such Rules and Regulations, or any of them, the Board may, after Twenty-four Hours Notice in Writing, and by or under the Direction of their duly authorized Officer, repair, replace, or alter, or cause to be repaired, replaced, or altered, any Pipe, Valve, Cock, Cistern, Bath, Soilpan, Watercloset, or other Apparatus or Receptacle of any Person supplied by them; and the Expense of every such Repair, Replacement, or Alteration shall be repaid to the Board by the Person on whose Credit the Water is supplied, and may be recovered by them as Damages for the Recovery of which no special Provision is made.

Penalty for
Waste, &c.
of Water by
Non-repair
of Pipes, &c.

54. If any Person supplied with Water by the Board wrongfully causes or suffers any Pipe, Valve, Cock, Cistern, Bath, Soilpan, Watercloset, or other Apparatus or Receptacle to be out of Repair, or to be so used or contrived as that the Water supplied to him by the Board is or is likely to be wasted, misused, unduly consumed, or contaminated, or so as to occasion or allow the Return of foul Air or other noisome or impure Matter into any Pipe belonging to or connected with the Pipes of the Board, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall forthwith remove, replace, or alter, or permit to be removed, replaced, or altered, any such Pipe, Valve, Cock, Cistern, Bath, Soilpan, Watercloset, or other Apparatus or Receptacle to the Satisfaction of the Board or their duly authorized Officer.

Penalty for
Application
of Water
contrary to
Agreement.

55. If any Person—
First, not having agreed with the Board for a Supply of Water for other than domestic Purposes, uses for other than domestic Purposes any Water supplied to him by the Board; or,
Secondly, having agreed with the Board for a Supply of Water for any other than domestic Purposes, uses for any Purposes other than those agreed for any Water supplied to him by the Board,
he shall for every such Offence be liable to a Penalty not exceeding Forty Shillings, without Prejudice to the Right of the Board to recover from him the Value of the Water misused.

Penalty on
Use of Water
without
Agreement.

56. If any Person, not having agreed to be supplied with Water by the Board, wrongfully takes or uses any Water from any Reservoir, Watercourse, Conduit, or Pipe belonging to the Board, or from any Pipe leading to or from any such Reservoir, Watercourse, Conduit, or Pipe, or from any Cistern or other like Place containing Water belonging to the Board, or supplied by them for the Use of any Consumer of the Water of the

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the Board, he shall for every such Offence be liable to a Penalty not exceeding Five Pounds; and the Board shall be entitled in addition to recover from him the Amount of any Loss, Damage, or Injury sustained by them by or in consequence of any such wrongful Act by Action at Law in any Court of competent Jurisdiction.

Rates for Expenses of Water Supply.

57. All Costs, Charges, and Expenses of and incident to the executing by the Board of this Act so far as it relates to the Supply of Water, and all Monies from Time to Time borrowed by the Board, and the Interest thereon, and all other the Expenses and Liabilities of the Board under and with respect to this Act, and the Purposes and Execution thereof, so far as it relates to the Supply of Water, are by this Act charged on and shall be paid from and out of Money to be raised or received under this Act. Expenditure by Board under Act as to Water Supply.

58. The Board shall keep a separate Account of all their Receipts, Credits, Payments, and Liabilities in and about the Execution of this Act so far as it relates to the Supply of Water, and from or on account of the Rents for Water supplied under this Act and the Acts incorporated herewith, to be called "The Waterworks Account," which Account shall be subject to the same Provisions as to Audit, Examination, Report, Inspection, Copies and Extracts, and Production of Vouchers, as other Accounts of the Board under the Public Health Acts, except that any additional Remuneration to be paid to the Auditors in respect of the Audit of the Waterworks Account shall be paid out of the Monies carried to the Credit of that Account. Waterworks Account.

59. The Board may from Time to Time, when and as often as Occasion requires, and according to the Powers, Provisions, and Limitations of the Public Health Acts, make and levy a General District Rate, to be called "The Improved Waterworks Rate," for defraying the Charges and Expenses of executing the several Waterworks and Works connected therewith by this Act authorized to be executed by the Board, and of otherwise carrying the Powers of this Act into execution so far as it relates to the Purchase of Land, Easements, and Construction of Works for the Supply of Water; but the Board shall not for these Purposes levy in any One Year a greater Rate than One Shilling and Sixpence in the Pound upon the annual Rental of the District according to the Assessment of the Property within the District to the Relief of the Poor. Power to levy "Improved Water Rate."

60. The Amount of any Rate made by the Board under this Act shall be such Amount as in their Judgment will be sufficient to raise or discharge not only the Sum in respect of which the Rate is made, but Amount of Rate to include Expenses of recovering it.

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also such a Sum as will meet the Expenses, or what is in their Judgment a due Proportion of the Expenses, incurred and to be incurred in and about making and recovering the Rate.

General District Rates and Estimates to include Sums payable on Mortgage under this Act.

61. After any Money is borrowed under the Powers of this Act the Amount of the General District Rates, and of the Estimates to be prepared of the Amount required for the Purposes of the General District Rates, shall respectively include all Sums required for Payment of any Monies from Time to Time due or accruing due upon or in respect of such Mortgages, inclusive of any Sinking Fund to be set apart in accordance with the Provisions of this Act and the Public Health Acts.

Improved Rate may be collected with General District Rates.

62. For the Purpose of diminishing the Expense of assessing, making, levying, and collecting the Improved Waterworks Rate, the Board may, if they think fit, include the same in any General District Rate under the Public Health Acts, and make, levy, collect, and recover the same as Part of any such General District Rate.

Mode of Rating.

Value of Property to be according to Poor Rate.

63. For the Purposes of this Act the annual Value of Property rateable under this Act or the Acts incorporated herewith shall be ascertained according to the last preceding annual Assessment for the Relief of the Poor within the several Parishes, Townships, and Places within the District, unless a Valuation is made as herein-after mentioned.

Power to levy Rates on Property not included in the Poor Rate.

64. If any House, Building, or Lands rateable under this Act or the Acts incorporated herewith is omitted from the Poor Rate, the Board may cause a Valuation to be made of the annual Rent or Value thereof, and may cause the proper Rates or Assessments to be made upon the Owner or Occupier thereof as they could have done if such House, Building, or Land had not been so omitted.

Owner may be rated without stating his Name.

65. Whenever the Name of any Owner liable to be rated under the Provisions of this Act or the Acts incorporated herewith is not known to the Board or to the Person making any Rate, it shall be sufficient to rate such Owner in the Rate Book of the Board as the Owner of the Property to be rated by the Designation of "the Owner," without stating his Name.

Rates or Rents may be amended.

66. The Board may from Time to Time amend any Rate or Rent made or charged by virtue of this Act or the Acts incorporated herewith by inserting therein the Name of any Person who ought to have been rated or charged, or by striking out the Name of any Person who ought

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ought not to have been rated or charged, or by increasing or reducing the Sum at which any Person is rated or charged, if it appears to the Board that such Person has been underrated or undercharged, or overrated or overcharged, or by making such other Amendments therein as will make such Rate or Rent conformable to this Act, and no such Amendment shall be held to avoid the Rate or Rent.

67. When the Owner of any rateable Property has been rated or charged in respect thereof, and the Rate or Water Rent remains unpaid for the Space of Three Months, the Board or their Collector may recover the Amount of such Rate or Rent from the Occupier of such Property by Distress and Sale of his Goods and Chattels in like Manner as Rates may be recovered from the Occupier of any Property liable to be rated, but an Occupier shall not be required to pay nor shall his Goods and Chattels be distrained for any further Sum than the Amount of Rent due from him at the Time of the Demand made upon him for such Amount of Rate, or which shall, after such Demand and Notice not to pay the same to his Landlord, at any Time accrue and become payable by him, unless he refuses, on Application being made to him for that Purpose by or on behalf of the Board, truly to disclose the Amount of his Rent, and the Name and Address of the Person to whom such Rent is payable; the Burden of Proof that the Sum demanded from him is greater than the Rent due by him at the time of such Notice, or since accrued, shall nevertheless be upon such Occupier.

Rates or Rents due from Owner may be recovered from Occupier.

68. If, on the Request of the Board or their Collector, the Occupier of any Property refuses or wilfully omits to disclose, or wilfully misstates to the Board or Collector making such Request, the Name of the Owner of such Property or of the Person receiving or authorized to receive the Rents of the same, any Justice, on Oath made before him of such Request and of such Refusal or wilful Omission or Misstatement, may summon such Occupier to appear at the Time and Place mentioned in such Summons before such Justice, or before some other Justice, and if he refuses or neglects to attend at such Time and Place, or if he attends and does not show good Cause to the Justice then present for such his Refusal or wilful Neglect or Misstatement, such Justice (upon Proof, in case of Neglect or Refusal to attend, of due Service of the Summons,) may impose upon him a Penalty not exceeding Five Pounds.

Occupier refusing to give Name of Owner liable to Penalty.

69. If the Amount of any Rate or Rent which, under this Act or the Acts incorporated herewith, ought to be borne and paid by the Owner of any rateable Property, is paid by the Occupier of such Property, or levied on his Goods and Chattels, then the Owner of such Property at the Time of such Payment or Levy shall reimburse the Occupier, and the Occupier may deduct the Sums paid or levied, together with the Costs of the Distress (if any) paid by him, from any Rent due or to become due from him

Occupier may recover Money paid for Rates or Rents due from Owner, or deduct it from Rent.

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him in respect of such Property, and the Payment shall be a good and sufficient Discharge for such Occupier against such Owner for so much Money as he pays in the Manner directed by this Act, or sustains the Loss of by reason of any such Distress, or such Occupier may recover the same from such Owner by Action in any Court of competent Jurisdiction.

Owners of certain Classes of Houses may compound for Rates or Rents.

70. If the Owner of any Dwelling House within the District the yearly Rent or Value whereof does not exceed Six Pounds, or which, whatever may be the annual Value thereof, is let to weekly or monthly Tenants or in separate Apartments, is desirous of paying reduced Rates or Rents by the Year for the same, whether occupied or not, the Board may compound with such Owner for the Payment of all the Rates, Rents, and Charges payable by virtue of this Act or the Acts incorporated herewith in respect of such Dwelling House at any Sum not being less than Two Thirds of the annual Rates, Rents, or Charges for the same; and all such Compositions shall be entered in the Books of the Board, and shall be recoverable in like Manner as any Rate authorized by this Act may be recovered.

Borrowing Powers.

Power to Board to borrow on Mortgage of Rates.

71. The Board may from Time to Time under the Authority of this Act, in addition to any Monies they have borrowed or are authorized to borrow under any other Act, borrow at Interest on Mortgage of the Water Rents and other Revenue of the Board arising from the Works by this Act authorized for the Supply of Water, and of the Improved Waterworks Rate under this Act, and of the General District Rate under the Public Health Acts, or of any of such Securities, either together or separately, all such Sums as they may from Time to Time think requisite for all or any of the Purposes of this Act, so far as it relates to the Supply of Water, not exceeding in the whole the Sum of Thirty-five thousand Pounds.

Provisions of 10 & 11 Vict. c. 16. as to Mortgages incorporated.

72. The Clauses of "The Commissioners Clauses Act, 1847," with respect to Mortgages to be executed by the Commissioners, except Section Eighty-four, shall be incorporated with this Act, and shall be applicable to the Board and to their Mortgages under the present Provisions of this Act.

Instalments of Sinking Fund.

73. The Board shall, after the Expiration of Seven Years from the passing of this Act, out of the Monies carried to the Credit of the Waterworks Account, either pay off the Sums so borrowed by annual or other Instalments within Forty Years after the Expiration of the said Term of Seven Years, or else appropriate and set apart every Year a Sum equal to One Fortieth Part of the Sums so borrowed as a Sinking Fund, to be applied in paying off the Principal Monies so borrowed; and any such Sinking Fund shall be laid out, invested, accumulated, and applied according

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according to the Provisions of "The Commissioners Clauses Act, 1847,"
Section Eighty-four.

74. The due Observance by the Board of any of the present Provisions of this Act or the Acts incorporated herewith with reference to any Mortgage or the issuing thereof, or the Application of the Monies advanced upon the Security thereof, or any Contract or Arrangement between the Board and any Person in any way relating to any Mortgage or the issuing thereof, shall not form any Part of the Title at Law or in Equity to the Benefit of any Instrument purporting to be a Mortgage issued under this Act or any of the Acts incorporated herewith; and every such Instrument appearing on the Face thereof to be a Mortgage issued by the Board under this Act or any of the Acts incorporated herewith shall, in favour of every Person claiming in good Faith the Benefit thereof, be as against the Board absolutely valid at Law and in Equity to all Intents and Purposes whatsoever.

For Security
of Mort-
gagees in
their Title.

75. The Mortgagees of the Board, under the present Provisions of this Act, may enforce the Payment of the Arrears of Principal and Interest due to them by the Appointment of a Receiver, and the Amount to authorize a Requisition for a Receiver shall be Four thousand Pounds.

Arrears may
be enforced
by Appoint-
ment of a
Receiver.

76. As between the Waterworks Account and the General District Rate, the Rates, Rents, and Charges under the foregoing Provisions of this Act and the Acts incorporated herewith shall be primarily liable to be applied in satisfaction of all Monies borrowed under the present Provisions of this Act and the Acts incorporated herewith, and the Interest thereon, and in setting apart a Sinking Fund; and all Sums paid out of the General District Rate under the Powers or for the Purposes of the foregoing Provisions of this Act shall from Time to Time be reimbursed and repaid out of any Balance from Time to Time standing to the Credit of the Waterworks Account, after Application to the Objects to which Monies carried to that Account are, under the Provisions of this Act, to be first, secondly, thirdly, fourthly, and fifthly applied; but nothing herein contained shall prejudice the Security of any Person or Corporation lending Money to the Board under the Powers of this Act, and every such Person and Corporation may enforce all his or their Rights and Remedies as if this present Section had not been inserted in this Act.

Waterworks
Account to
be primarily
liable.

77. The Board may from Time to Time reborrow any Amount borrowed under the present Provisions, and from Time to Time paid off by them respectively, unless it is paid off by means of annual Instalments or a Sinking Fund, in which Case, and to the Extent of the Amount paid off

Power to
reborrow.

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by means of annual Instalments or a Sinking Fund, their Powers of borrowing and reborrowing shall cease.

Certain
Restrictions
on borrow-
ing not to
apply.

78. The Powers of borrowing Money by the present Provisions given shall not be restricted by any of the Provisions of the Public Health Acts, and in calculating the Amount which the Board may borrow under the Public Health Acts any Sums which they may borrow under the present Provisions of this Act shall not be reckoned.

Appropriation of Revenue.

Application
of borrowed
Monies.

79. All Monies borrowed by the Board under the Provisions of this Act shall be applied in the Construction of the Works thereby authorized.

Application
of Receipts.

80. All Monies received by the Board under the foregoing Provisions of this Act (other than Sums raised by the Board by Mortgage) shall be applied as follows :

First, in paying the Interest from Time to Time due upon all Monies borrowed by the Board under the foregoing Provisions, and for the Time being remaining due :

Secondly, in paying off the Monies so borrowed by annual Instalments, or appropriating and setting apart a Sinking Fund, as is herein-before mentioned, after Seven Years from the passing of this Act :

Thirdly, in maintaining and extending the Waterworks and other Works herein-before authorized from Time to Time as Occasion shall require, and carrying into execution this Act, so far as it relates to the Supply of Water :

Fourthly, in repaying any Monies advanced out of the General District Rates under the Powers and for the Purposes of this Act, so far as it relates to the Supply of Water, and not previously repaid :

Fifthly, in paying off, by means of any Surplus remaining after the foregoing Purposes are satisfied, the Principal Monies borrowed by the Board under the foregoing Provisions, and not paid off by means of annual Instalments or a Sinking Fund :

And lastly, in the Reduction of the Rates and Charges by the foregoing Provisions of this Act or any of the Acts incorporated herewith authorized to be levied and made.

Water Committee of Board.

Power to
Board to
appoint
Water
Committee.

81. For more conveniently carrying this Act and the several Powers thereof into execution, so far as it relates to the Supply of Water, the Board may appoint out of their own Body from Time to Time a Committee, to be called a Water Committee, consisting of such Number of Persons as the Board think fit, to manage, transact, and carry into effect

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effect all or any of the Matters and Purposes which the Board are herein-before directed or authorized expressly or by reference to do, execute, or perform, and to fix the Quorum of such Committee, which Committee shall have such Discretion and so many of the Powers and Authorities by this Act given to or reposed in the Board as the Board shall think proper to delegate to such Committee.

82. Every Committee so appointed may meet from Time to Time, and may adjourn from Place to Place, as they may think proper for carrying into effect the Purposes of their Appointment, but no Business shall be transacted at any Meeting of the Committee unless the Quorum of Members (if any) fixed by the Board, and if no Quorum be fixed, unless Three Members be present; and at all Meetings of the Committee One of the Members present shall be appointed Chairman; and all Questions shall be determined by a Majority of the Votes of the Members present, and in case of an equal Division of Votes the Chairman shall have a Casting Vote in addition to his Vote as a Member of the Committee.

Quorum of
Committee.

83. All the Minute and other Books of the Water Committee, and all Documents, Writings, and Papers in the Custody of or belonging to such Committee, shall at all Times be open to the Inspection of any Member of the Board.

Books of
Water
Committee
to be open to
Inspection.

Markets and Fairs.

84. Subject and according to the Provisions of this Act and of "The Lands Clauses Consolidation Act, 1845," herewith incorporated, the Board may, with or without the Consent of the Company of Proprietors of the *Rotherham* Market Place, or of the Right Honourable the Earl of *Effingham*, or his Lessees, or of other the Owners of or Persons interested (under any Mortgage or otherwise) in the Properties and Things herein-after mentioned respectively, or of or in any of them, or any Part of any of them, purchase, take, and use the following Properties and Things; namely,

Power to
Board to
purchase
existing
Markets and
Fairs, and
all Tolls,
Dues, &c.

First, the Market called the *Rotherham* Market Place, together with all Tolls, Rents, Stallages, Rights, and Privileges vested in or acquired by the said Company, Owners, or Persons under or by virtue of the Act of 1801, or under or by virtue of any other Act of Parliament, or any Grant, Charter, Prescription, Custom, or otherwise:

Secondly, the Tolls of the Market called the Crofts or Cattle Market:

Thirdly, all Rents, Tolls, Dues, Produce, and Profits whatsoever taken or received by the said Earl or his Lessees for or in respect of any Market or Fair within the District, or for the Sale
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of Horses, Sheep, Beasts, or other Cattle within the District, and all other Dues and Duties which are paid and collected within the Precincts of the Town of *Rotherham* aforesaid, and which belong to the said Earl or his Lessees.

Powers for compulsory Purchases limited.

85. The Powers of the Board for the compulsory Purchase or taking of the said Rents, Tolls, Dues, Produce, and Profits of the said Earl or his Lessees shall not be exercised after the Expiration of Three Years from the passing of this Act.

Restriction on Power of Board to purchase Land in connexion with Markets.

86. Notwithstanding anything in this Act, it shall not be lawful for the Board (as between the Board on the one hand and the Owners and Ratepayers of the District on the other) to purchase or take for any Estate or Interest whatever any of the Lands described in the deposited Plans and Book of Reference, except (first) such Lands as are authorized and intended to be taken for the Purposes of or connected with the Supply of Water and the Formation of the new Street or Road under this Act, and except (secondly) such Lands as belong to the Company of Proprietors of the *Rotherham* Market Place, or their Mortgagees or Assigns, without the Consent first obtained of the Owners and Ratepayers of the Township of *Rotherham*, to be expressed by Resolution in the Manner provided in "The Local Government Act, 1858," with respect to Resolutions for the Adoption of that Act; but no Person whatever, except an Owner or Ratepayer of the Township of *Rotherham* as such, shall for any Purpose whatever be bound or entitled to inquire whether such Consent has or has not been obtained, or to object to the Want or alleged Want thereof.

Extinguishment of Dues, &c. so acquired.

87. When and as the Rents, Tolls, Dues, Produce and Profits, Dues and Duties herein-before authorized to be purchased from the said Earl or his Lessees, or any of them, become by virtue of this Act vested in the Board, the same shall be thereby and thenceforth absolutely extinguished, without Prejudice nevertheless to the Right of the Board to recover any Arrears thereof, or to continue Proceedings, or exercise any Right vested in the said Earl or his Lessees in respect of any then past Transaction, or to the Power of the Board under this Act or any Act incorporated herewith to impose and levy Tolls, Dues, or Rents in respect of any Market or Fair within the District.

Power to Board to change Sites of Markets, establish new Markets, take Tolls, &c.

88. The Board may from Time to Time, after the same shall have become vested in them, as Occasion may require, extend and enlarge or change the Sites of the existing Markets, or any or either of them, within the District, and remove the existing Markets and Fairs, Houses, Buildings, and other Conveniences respectively used in connexion therewith, or some one, or more of them, to more convenient Sites, or
discontinue

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discontinue the same, and appropriate the existing Sites or some one or more of them, or Parts thereof respectively, to some public or useful or remunerative Purpose, as the Board may from Time to Time think fit, and may from Time to Time establish, construct, maintain, and manage such new Markets and Fairs within the District as they may think requisite, with all necessary and proper Market Places, Market Houses, Weighing Houses or Places, Slaughter-houses, Approaches, Conveniences, and Things connected with such Markets and Fairs, and may for such Purposes purchase or take on Lease Land not exceeding in Extent Five Acres, in addition to any Land authorized to be purchased or taken by the Board under any of the foregoing Provisions, and may take such Stallages, Rents, and Tolls in respect of any existing Market or Fair when the same becomes vested in them under this Act, and also in respect of any such new Market or Fair, as the Board shall from Time to Time think proper, not exceeding the several Sums specified in the Schedule to this Act annexed.

89. For the Purposes of the Maintenance, Management, and Protection of the existing Markets and Fairs when and as the same become vested in the Board under this Act, and for the Purposes of the Establishment, Construction, Maintenance, Management, and Protection of any new or other Market or Fair within the District, "The Markets and Fairs Clauses Act, 1847," shall be incorporated with this Act: In the Construction of that Act in connexion with this Act the Term "the prescribed Limits" therein used shall mean the District as herein-before defined. 10 & 11 Vict. c. 14. incorporated.

90. From and after the Time when the said Market called the *Rotherham* Market Place becomes vested in the Board under this Act the following Sections of the Act of 1801 shall be repealed, namely, Sections Twenty-nine to Thirty-six, both inclusive. Certain Sections of 41 G. 3. c. lxvi. repealed.

91. The Expenses of the Board of and connected with the Purchase from the said Earl or his Lessees authorized by this Act shall be borne by a General District Rate to be levied on the Township of *Rotherham* exclusively under the Public Health Acts. Expenses of Purchase from the Earl of Effingham.

92. The Expenses of the Board of and connected with the Purchase under this Act of the *Rotherham* Market Place, and of the Tolls of the Crofts or Cattle Market, and of the Expenses of and connected with the Maintenance and Management of all existing Markets or Fairs when vested in the Board, and of and connected with the Establishment, Construction, Maintenance, and Management of any new Market or Fair under this Act, and generally of and connected with the Execution of the present Provisions of this Act, except so far as they relate to the Purchase Expenses of Markets and Fairs how to be borne.

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from the said Earl or his Lessees, shall be borne primarily by the Stallages, Rents, Tolls, and Income for the Time being taken or derived by the Board in respect of or from the existing Markets and Fairs when they become vested in the Board under this Act, and of or from any new Market or Fair under this Act, and from the Land and other Property held or connected with such existing Markets and Fairs, or any new Market or Fair respectively when and as soon as they become vested in the said Board; and in the event of such Stallages, Rents, Tolls, and Income being insufficient for that Purpose, then such Expenses as in the present Section are mentioned shall, to the Extent of such Insufficiency, be borne by a General District Rate to be levied by the Board upon the Township of *Rotherham* exclusively under the Public Health Acts.

Power to Board to borrow for Market and Fair Purposes.

93. For the Purpose of defraying any such Expenses in the last foregoing Section provided for, the Board may from Time to Time borrow and take up at Interest, on Bond or Mortgage, on the Credit and Security of the Stallages, Rents, Tolls, and Income in the last foregoing Section mentioned, or any Parts or Part thereof, or in the event of such Insufficiency as in the same Section mentioned, then on the Credit and Security of a General District Rate upon the said Township of *Rotherham* exclusively, any Sums of Money necessary for defraying any such Expenses; and for the Purpose of securing the Repayment of any Sums so borrowed, with Interest, the Board may mortgage to the Persons by or on behalf of whom such Sums are advanced the Stallages, Rents, Tolls, and Income aforesaid, and also the Rights and Property in respect of or from which the same are or is received or derived, and in the event of such Insufficiency as aforesaid, then the General District Rate for the said Township of *Rotherham* exclusively; but the Power of borrowing given by this present Section shall not be exercised without the Sanction of One of Her Majesty's Principal Secretaries of State, and shall only be exercised subject to such Conditions and in such Manner as he may prescribe and direct; and as far as regards any Mortgage to be made of the said General District Rate under the Power of the present Section, according and subject to the Provisions and Restrictions of the Public Health Acts.

Sinking Fund.

94. The Board shall set apart and appropriate every Year out of the Stallages, Rents, and Tolls a Sum equal to One Thirty-fifth Part of the Sums to be borrowed under the Powers of this Act upon the Security of the said Stallages, Rents, and Tolls of the said Markets as a Sinking Fund, to be applied in paying off the Principal Monies so borrowed in the same Manner as is herein-before provided with respect to other Monies to be borrowed under the Powers of this Act.

95. The

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95. The Board shall keep a separate Account of all their Receipts and Expenditure in and about the Execution of this Act, so far as relates to the Markets, Fairs, and Tolls, but the entire Management and Control of the said Markets and Fairs shall be in the Hands of the Members of the Board for the Time being representing the Township of *Rotherham* exclusively.

Separate Account to be kept of Markets, Fairs, and Tolls.

96. All such Stallages, Rents, Tolls, and Income as last aforesaid, after the Payment thereof of any such Sum set apart for a Sinking Fund, and of any Interest which may for the Time being be payable by virtue of any such Mortgage as last aforesaid, shall be carried by the Board to the Credit of the General District Rates made by the Board upon the Township of *Rotherham* exclusively.

Appropriation of Markets and Fairs Revenue.

General Provisions.

97. All Rates, Rents, and Sums due to the Board on any Account whatsoever under this Act, or otherwise howsoever, and all Costs, Damages, Penalties, and Expenses by this Act or any Byelaw of the Board directed to be paid to them respectively, may be made, or levied and recovered, in the same Manner in all respects as any other Rates, Rents, or Monies payable to the Board under the Public Health Acts may be made, levied, or recovered respectively, and Proceedings for the Recovery thereof may be taken in the Name of any Officer of the Board; and the Remedies of the Board under this Enactment shall be in addition to their other Remedies for the Recovery of any such Rates, Rents, Sums, Costs, Damages, Penalties, and Expenses respectively.

As to Recovery of Monies by Board.

98. Whenever any Person neglects to pay any Rate, Rent, or Sum due under this Act or otherwise to the Board, the Board may recover the same, with full Costs of Suit, in any Court of competent Jurisdiction; and the Remedies of the Board under this Enactment shall be in addition to their other Remedies for the Recovery of such Rate or Sum.

As to Recovery of Sums owing to Board.

99. Nothing contained in this Act, or in any Act incorporated herewith or referred to herein, shall prevent the Board from recovering any Sum of Money not exceeding Fifty Pounds which shall be due to them for Water Rates or Rents, Damages, Costs, or Expenses, in such Manner as is by Law provided for the Recovery of Debts not exceeding Fifty Pounds.

As to Recovery of Sums under 50l.

100. Penalties imposed by several Acts for the same Offence shall not be cumulative, and for this Purpose this Act and the Acts incorporated herewith or referred to herein shall be deemed several Acts.

Penalties not cumulative.

101. The

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Application
of Penalties.

101. The Justices by whom any pecuniary Penalty is imposed under this Act shall, where the same is payable by any Person or Corporation other than the Board, and the Application thereof is not otherwise provided for, award the same to the Board.

Several
Names in One
Warrant, &c.

102. Any Number of Names or Sums may be included in any Information, Summons, Warrant of Distress, or Notice obtained or given by the Board for any of the Purposes of this Act or of any of the Acts incorporated herewith, and may be stated either in the Body of the Information, Summons, Warrant, or Notice, or in a Schedule thereto.

Costs of
Distress.

103. Any Warrant of Distress may order that the Costs of the Proceedings for the Recovery of the Water Rate, Rent, or Sum to be paid shall be paid by the Person liable to pay such Water Rate, Rent, or Sum, and such Costs shall be ascertained by the Justice issuing such Warrant, and shall be included in the Warrant of Distress for the Recovery of such Water Rate, Rent, or Sum.

Forms of
11 & 12 Vict.
c. 63. may be
used.

104. The Forms given in Schedule D. and Schedule E. to "The Public Health Act, 1848," may be used for the Purposes of this Act, with such Variations as may be necessary for referring to this Act, and to render them applicable to those Purposes.

Authentica-
tion of
Notices.

105. Any Summons, Demand, or Notice, or other such Document under this Act, may be in Writing or Print, or partly in Writing and partly in Print, and if the same requires Authentication by the Board the Signature of the Clerk of the Board shall be a sufficient Authentication.

Books to be
Evidence.

106. The Books of the Board, and all Entries made therein in manner by this Act or any of the Acts incorporated herewith directed, shall be received as Evidence by virtue of this Act.

Contracts for
Supply of
Water, &c.
not to dis-
qualify
Members of
Board.

107. No Person shall be disqualified for being, continuing, or acting as a Member of the Board by reason of his being concerned in any Contract entered into by the Board for a Supply of Water under this Act or any of the Acts incorporated herewith, or for the Sale of any Land for the Purposes of this Act, or of his being a Proprietor of or interested in any Newspaper in which Advertisements are inserted for the Board, unless he shall discuss, act, or vote as a Member of the Board on any Question touching any Matter in which he is directly or indirectly concerned; in such event, and immediately thereupon, he shall become disqualified and cease to be a Member of the Board; but the Validity of any Act of the Board shall not be affected by any Person becoming or having become so disqualified.

108. No

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108. No Person shall be incapable of acting as a Justice in the Execution in any respect of this Act by reason of his being interested in any Contract under this Act for a Supply of Water, or being liable under this Act to the Payment of any Rate or other Money.

Liability to Rates not to disqualify Justices.

109. Nothing in this Act shall prejudicially affect any of the Powers, Rights, Privileges, or Authorities vested in the Board by the Public Health Acts, but all such Powers, Rights, Privileges, and Authorities may be exercised and enjoyed by the Board in as full and ample a Manner as if this Act had not been passed.

Saving Rights of Board under Public Health Acts.

110. Notwithstanding anything contained in or to be done under this Act or any Act incorporated herewith, *George Savile Foljambe* Esquire, his Heirs and Assigns, shall at all Times have the sole and exclusive Right of Fishing, Shooting, and Sporting in, over, and upon all or any Part of the proposed impounding Reservoir by this Act authorized to be constructed across *Dalton Brook*, with all usual Powers and Privileges incidental to the proper Enjoyment of such Rights, and may also construct a Boat House or Shed on the Side of such Reservoir; so, nevertheless, that in the Exercise of the foregoing Powers he or they do not injure the Embankments of the Reservoir, or wilfully do any other Act whereby the Water in such Reservoir shall be fouled.

Privileges of Sporting on Reservoir to G. S. Foljambe, Esquire.

111. And whereas the Works proposed by the Bill are intended to be made through Lands in *Thrybergh* belonging to *John Fullerton* Esquire, and also through Lands in the Township of *Dalton*, and Parish of *Rotherham*, belonging to the *Doncaster and Tynsley* Turnpike Road Trustees, and to *George Savile Foljambe* Esquire, and the *South Yorkshire* Railway and River *Dun* Company: And whereas the *South Yorkshire* Railway and River *Dun* Company have contemplated an Improvement of the Navigation of the River *Dun* which would require a Diversion of the Flood Channel of the said River, and would pass through some of the said Lands: Be it enacted, That before the said Board proceed to execute their Works in the said Parishes or Places of *Thrybergh* and *Dalton*, the Engineers of the said Board and of the said *South Yorkshire* Railway and River *Dun* Company shall mutually deliver to each other a Plan of the Works contemplated by the said Company and the said Board, and if any Difference shall arise as to the Direction to be taken by the Works of the said Board the Plan so delivered shall be submitted to an Engineer to be mutually chosen by the said Two Engineers, and the Works of the said Board shall be executed on the Lands defined on the Plan agreed upon or to be settled by such Umpire, as the Case may be; and if the said Board shall be put to extra Expense by the Alteration of such Works the same shall be

The Works of the Board not to interfere with Improvement of Navigation of River Dun.

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paid by the said Company; and if the said Board shall have purchased any Land which may be requisite for the Improvement of the said Navigation, and which shall on such Plan so settled or agreed upon be defined as the Site of such Improvement, the said *South Yorkshire Railway* and the *River Dun* Company shall pay to the Board the Cost of such Site, and the Board shall convey the same to such Company accordingly at the Expense of the said Company.

Provision for
Return of
Water into
River Dun,
and for Flow
of Stream
during
Storage of
Reservoirs.

112. And whereas the Water which will be gathered in the Reservoirs and Works by this Act authorized now passes into the Navigation of the *River Dun*, and is necessary for such Navigation: Be it enacted, That the Board shall at all Times hereafter cause all the Water gathered in the said Reservoirs and Works, after the same may have passed through the several Works by this Act authorized, (subject to such Waste and Evaporation as may unavoidably attend the Supply of Water,) to be returned into the said *River Dun* Navigation at or above the *Aldwark Weir* in the said Navigation: Provided that this Provision shall not apply to Water furnished for the Supply of *Aldwark Hall* and the Buildings connected therewith, and the Houses and Premises the Property of *George Savile Foljambe* situate at *Dalton Brook*, and now respectively occupied by *William Adam*, *Mary Battersby*, and *Mark Blackburn*, and of the Malthouse and Premises also the Property of *George Savile Foljambe* now occupied by *Henry James Stringer*, or which the Board may be compelled to supply for agricultural Purposes and Objects connected therewith, or the Overflow of any Reservoir which is to be left to flow into the said Navigation by the natural Channels therefrom: And be it also enacted, That on the First Occasion of filling any Reservoir of the Board, the Board shall not intercept the ordinary Flow of Water during dry Times, but shall fill the same out of the Rainfalls.

Saving
Rights of
South York-
shire Rail-
way and
River Dun
Company.

113. Provided always, That nothing in this Act contained shall extend or be deemed or construed to extend to take away, prejudice, or alter any of the Rights, Privileges, Powers, or Authorities vested in, belonging to, or exercised by the *South Yorkshire Railway* and *River Dun* Company, except so far as is expressly authorized by this Act.

Expenses of
Act.

114. All the Costs, Charges, and Expenses attending or incident to the preparing, applying for, and passing of this Act shall be paid by the Board out of any Money now in their Hands, or to be received by them under this Act or any Act incorporated therewith.

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The SCHEDULE referred to.

TABLE OF TOLLS, RENTS, AND STALLAGE.

	£	s.	d.
BUTCHERS.			
For every Butcher's Stall, per Week	0	4	0
For every such Stall, for every Market Day or Saturday	0	2	6
For every such Stall, for every other Day	0	1	0
For the Carcase of every Bull, Ox, Steer, Cow, or Heifer, or any Part thereof, exposed for Sale by any Person not occupying a Stall	0	2	0
For the Carcase of every Calf, Sheep, Pig, Hog, or Lamb, or any Part thereof, exposed for Sale by any Person not occupying a Stall	0	0	8
For every Sucking Pig exposed for Sale by any Person not occupying a Stall	0	0	1
For any Hide or Skin, raw, undressed, or dressed, exposed for Sale by any Person not occupying a Stall	0	0	2
FRUIT AND VEGETABLES.			
For every Stall, Standing, or Place for laying down and exposing for Sale Fruit and Vegetables only, per Week	0	3	0
For every such Stall, for every Market Day or Saturday	0	1	6
For every such Stall, for every other Day	0	0	9
FISHMONGERS.			
For every Fish Stall, per Week	0	4	0
For every such Stall, for every Market Day or Saturday	0	2	6
SHOPS.			
For every enclosed covered Butcher's Shop, Pork Shop, Fish Shop, or Shop for exposing to Sale manufactured Goods, Wares, or Merchandise, per Week	0	7	0
For every such enclosed covered Shop, for every Market Day or Saturday	0	3	0
For every such enclosed covered Shop, for every other Day	0	2	0
POULTRY AND BUTTER.			
For every Stall, Sitting, or Place (Six Feet square) occupied by One Person, for exposing for Sale Poultry, Butter, Eggs, Cheese, Bacon, or any other Article of Provision usually sold in Poultry Markets (except Vegetables and Fruit), for every Day	0	0	6
HAWKERS.			
For every Stall, Standing, or Place for the Sale of manufactured Goods, Wares, or Merchandise, Provisions, or any other Article not herein-before enumerated, per Week	0	4	0
For every such Stall, Standing, or Place, for every Market Day or Saturday	0	2	6
For every such Stall, for every other Day	0	1	0
SUNDRIES.			
For every Bag of Potatoes, Carrots, Turnips, or other Vegetables, Apples, Pears, Plums, or other Fruit	0	0	2
		For	

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	£	s.	d.
For every Basket or Hamper of Potatoes, Carrots, Turnips, or other Vegetables, Apples, Pears, Plums, or other Fruits (such Basket not being more than Two Feet in Length, Fifteen Inches in Breadth, and Twelve Inches in Depth) - - - -	0	0	1
For every such Basket or Hamper of a larger Size - - - -	0	0	2
For every Hand Basket carried by a Person containing Fish, Poultry, Butter, Eggs, Vegetables, Fruit, or any other Article of Provision (such Basket not being more than Eighteen Inches in Length, Fifteen Inches in Breadth, and Seven Inches in Depth) -	0	0	2
For every such Hand Basket of a larger Size - - - -	0	0	4
For every Superficial Foot of Ground used for selling or exposing to Sale Goods, Wares, or Merchandise, Potatoes, Vegetables, Provisions, or any other Article - - - -	0	0	2
For every Person standing or walking in the Market, and exposing for Sale Goods, Wares, or Merchandise of any kind - - - -	0	1	0
For every Tub, Barrel, or Cask of Salt Butter brought into the Market for Sale - - - -	0	0	4

The several Tolls, Rents, and Stallages before mentioned and specified to be payable and paid for and in respect of the Occupation or Use of any Stall, Standing Place, Bench, Compartment, or Space of Ground as well by the original Taker or Occupier thereof for a Part or Portion of the Day in case he shall not occupy the same the whole Day, as also by any subsequent Taker or Occupier of the same for the Residue of any Part or Portion of the same Day.

CORN.

For every Stall, Standing, or Place for the Sale of Wheat, Peas, Beans, Malt, Barley, or Oats, Flour, Clover, Trefoil, Turnip or other Seeds, Cattle Food, Hops, Manures, or Tillages, in any enclosed or covered Building, per Week - - - -	0	2	0
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SLAUGHTER-HOUSES AND FASTING-HOUSES.

For every Slaughter-house, per Week - - - -	0	3	0
For every Fasting-house, per Week - - - -	0	3	0

WEIGHING AND MEASURING.

For every Quantity of Meat, Article, or Thing weighing not exceeding Twenty-eight Pounds Avoirdupois - - - -	0	0	0½
Above Twenty-eight Pounds and not exceeding Fifty-six Pounds - - - -	0	0	1½
Above Fifty-six and not exceeding One hundred and twelve Pounds - - - -	0	0	3
And so on in proportion for any greater Quantity than One hundred and twelve Pounds Weight over and above One hundred and twelve Pounds Weight.			
For every Quantity of Goods, Articles, or Things sold by Measure, per Bushel or any less Quantity - - - -	0	0	0½

WEIGHING MACHINES.

For weighing any Cart, Waggon, or other Carriage, laden or unladen, not exceeding One Ton - - - -	0	0	6
And for any additional Ton or fractional Part of a Ton - - - -	0	0	3

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