

poses aforesaid; but as the same cannot be effected without the Authority of Parliament: May it 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 Right Honourable *George Henry Cavendish* commonly called *Lord George Henry Cavendish*, *William Clayton*, *Theodore Dury* Clerk, *John Greenwood*, *William Sugden*, *Thomas Smith*, *David Illingworth*, *John Craven*, *William Laycock*, *William Corliss*, *Thomas Corliss*, *Thomas Corliss* the younger, *Thomas Dawson*, *Joseph Keighley*, *Berry Smith*, *Joseph Bradley*, *John Mitchell*, *Joshua Carwood*, *Fox*, *James Smith*, *William Smith*, *Betty Smith*, *William Smith* the younger, *William Gill*, *William Weatherhead*, *Wignall*, *John Midgley*, *John Smith* of *York*, *Mary Smith*, *Paul Hey*, *Samuel Morgan*, *William Denbigh*, *David Spencer*, *John Barker*, *William Beecroft*, *John Walker*, and *Joseph Smith*, together with such other Person or Persons as shall at any Time hereafter be possessed of One or more Share or Shares in the said Undertaking for supplying the said Town of *Keighley* with Water, and the Successors, Executors, Administrators, and Assigns of the said several Persons, and such other Persons, as last mentioned, who shall become possessed of their respective Share or Shares, or any of them, shall, as and when they become so possessed, be and they are hereby united into a Company for making, completing, maintaining, and continuing the Works and Conveniences hereby authorized to be made according to the Provisions herein-after contained, and shall for that Purpose be one Body Politic and Corporate, by the Name of "*The Company of Proprietors of Keighley Waterworks*," and by that Name shall have perpetual Succession and a Common Seal, and shall and may sue and be sued, and shall also have full Power to purchase and become seised and possessed of Lands and Tenements, to hold to them, their Successors and Assigns, for the Use of the said Undertaking, and without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Incorporated.

General Meetings of Company to be holden, and Managers and Officers to be appointed, &c.

II. And be it further enacted, That for the better managing and conducting the Affairs of the said Company of Proprietors and the Business of the said Undertaking, General Meetings of the said Company shall from Time to Time be holden; and that a Treasurer and Clerk, and such other Officers as shall be thought necessary by the said Company, shall be from Time to Time appointed by the said Company, in such General Meeting assembled, with such Authority over the Concerns of the said Company, and subject to such Orders, Provisions, Regulations, and Directions for their Conduct and Removal, and Re-appointment of them or others in their Stead, as shall from Time to Time be made and entered into by the said Company; and the Treasurer, Clerk, and other Officers of the said Company, shall be allowed such Salaries and Compensation for their Trouble and Expences; and the Treasurer and other Officers of the said Company, who shall have the Care or Custody of Money belonging to the said Company, shall give and the said Company shall take from them such Security and Securities from Time to Time, for the due Discharge and Execution of the Duties of such their respective Offices, and for the Money that may happen to come to or be in their Hands as such Officers; and such Officers shall enjoy their said Offices upon such Terms and Conditions as shall be ordered by the said Company so as aforesaid assembled;

and the said Company of Proprietors shall have Power and Authority from Time to Time to make such Rules, Bye Laws, and Orders for the good Government of the said Company and their Concerns, and the Conduct, Duty, Authority, Regulation, and Government of their Managers and other Officers, Servants, Agents, and Workmen in all Respects, (and which Rules, Bye Laws, and Orders shall accordingly be binding upon them), and for the Superintendence and Management of the said Undertaking, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons who shall offend against such Rules, Bye Laws, and Orders, not exceeding the Sum of Five Pounds for any One Offence, and from Time to Time to alter or repeal the said Bye Laws, Rules, Orders, and Regulations, as to the said Company so assembled shall seem meet; which said Rules, Bye Laws, Orders, and Regulations, being reduced into Writing, and entered in the Order Book of the said Company, and authenticated by the Common Seal thereof, shall be binding upon and allowed by all Parties, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same, provided that they be not repugnant to the Laws of that Part of the United Kingdom called *England*, or to the Provisions and Directions in this Act contained, or to any of them; and such Bye Laws, Rules, Orders, and Regulations, and any Alteration thereof, shall be subject to Appeal as herein-after mentioned.

III. And be it further enacted, That the said Company of Proprietors shall have Power from Time to Time to make or cause to be made such Call or Calls on the Subscribers to the said Undertaking, their Executors or Administrators, to be paid to the Treasurer to the said Company for the Time being, of all or any Part or Parts of the Money subscribed and engaged to be paid by them respectively for the Purpose of defraying the Expences of obtaining this Act, and of making Surveys and taking other Measures preparatory or relating to the said Undertaking, and of carrying on the Concerns of the said Company, as shall from Time to Time be found wanting and necessary for those Purposes, upon such Notice, and to be paid at such Times and Places, and in such Manner and Form, and under the Penalty of the Subscriber or Subscribers, Proprietor or Proprietors, neglecting to comply with such Call or Calls, forfeiting his, her, or their Share or Shares upon such Notice and Omission in Payment, and in such Manner and Form as shall from Time to Time be ordered by the said Company assembled at a General Meeting; and such Share or Shares so forfeited, and all the Profits and Benefits thereof, shall be vested in the said Company exclusive of the Person so forfeiting the same, in Proportion to their Shares, or shall be sold for the Benefit of the said Proprietors in such Proportion as aforesaid, exclusive of such Person or Persons so forfeiting, according as shall be ordered by the said Company in General Meeting assembled; but no Advantage shall be taken of any Forfeiture of any Share or Shares until the same shall have been declared to be forfeited by the said Company at a General Meeting assembled; and the said Company of Proprietors assembled at such General Meeting shall have Power to adjourn themselves and such General Meetings, and order such future General Meetings of the said Proprietors to be holden from Time to Time to and at such Place or Places as shall at any such General Meeting be thought proper and convenient; and every Question, Order, Matter, or Thing which shall be proposed, discussed, or considered by the said Company

Calls for Subscription Money, &c.

Company so assembled by virtue of this Act, shall be determined by a Majority of Votes of the Proprietors then present, and of Votes given by Proxy of Proprietors absent, under the Authority in Writing of such absent Proprietors, appointing such Proxy or Proxies, being a Proprietor or Proprietors, and which Vote or Votes by Proxy or Proxies shall be effectual to the same Purport and Extent as if given by the Proprietors respectively and personally appointing such Proxy or Proxies, and every Proprietor being to be considered on all Occasions as possessed of and entitled to give in Person or by Proxy so many Votes as he or she shall possess Shares in the said Concern; and if such Votes shall be equal, the Chairman presiding at such Meeting shall have the Casting Vote as such Chairman, although he shall have given his Vote or Votes as a Proprietor; and every Question, if required by any Five or more Persons having collectively Ten Votes, shall be determined by Ballot, to be entered upon and completed forthwith, in which Case the Chairman for the Time being shall as such in like Manner have a Casting Vote.

Power to
make Cisterns
and other
Works.

IV. And be it further enacted, That it shall be lawful for the said Company of Proprietors and their Successors, by themselves, their Managers, Servants, Workmen, and Assistants, from Time to Time to resort unto, enter, view, examine, open, and cleanse the aforesaid Wells or Springs, called *Jennett's Well or Spring, Whin Knowle Well or Spring, and Park Wells or Springs*, and to make, place, and complete, open, cleanse, and maintain, pull down, take up, renew, replace, and alter in Situation, or otherwise improve, continue, repair, and use such Cisterns, Wells, and Reservoirs of Water at or near the Places where the aforesaid Wells and Springs rise, or in or near the Line of the Aqueduct thereof, or the said Town, and also such Pipes, Drains, Aqueducts, and Conduits, underground Works, and other Conveniences above-ground for conveying the Water of the said Wells or Springs, or a sufficient Part thereof for the Purposes aforesaid, towards and unto the said Town, and through the same, and the Streets, Highways, and Avenues thereof, or leading thereto, and the Houses near the said Town, and for lodging sufficient Quantities of Water for the Supply herein-before mentioned, as shall be deemed necessary by the said Company, and to supply such Cisterns, Wells, and Reservoirs, Pipes, Drains, Conduits, and Aqueducts, and other Works, whilst laying and making, altering, or repairing, and when laid and completed, altered, or repaired, with a sufficient Quantity of Water from the aforesaid Wells or Springs, or any of them, for the Purposes aforesaid, and from Time to Time to set and place such Posts, Stones, or other permanent Marks, as the said Company may deem necessary for ascertaining and finding out the Line and Situation of the said Pipes, Drains, Conduits, and Aqueducts under Ground; and for better effectuating the Purposes aforesaid, from Time to Time, and as often as may be necessary, to enter into and upon the Lands or Grounds where the aforesaid Wells or Springs rise, or near thereto, and the Lands or Grounds of any Person or Persons, and the Highways, Streets, Avenues, and Places lying between the said Wells or Springs and the said Town, and in the said Town, or near thereto, to take Levels, and for other Purposes of effecting the said Works, and to ascertain and mark out the Line of such Pipes, Aqueducts, Conduits, and Drains, and the Situations of the said Cisterns, Wells, Reservoirs, and other Works and Conveniences, and to bore, dig, cut, trench, bank, place, remove, take, and carry away, and use Earth, Clay, Stones,

Stones, Rubbish, Trees, Roots of Trees, Gravel, or Sand, or any other Matters and Things in the laying and placing, making, altering, and amending, continuing, and repairing such Wells, Cisterns, and Reservoirs, Pipes, Drains, Conduits, Aqueducts, and other Works and Conveniences as aforesaid, or which may hinder, prevent, or obstruct the same, and from Time to Time to make, place, repair, conduct, alter, amend, continue, and use such other Pipes and Drains, and such Cocks, Valves, Branches, Plugs, Pumps, Machines, and other Implements, Utensils, and Devices in and about the aforesaid Works as the said Company shall think proper, and from Time to Time to take and use all such other Acts, Ways, and Means for the Purpose of collecting, conveying, and bringing, and lodging, affording, and distributing a sufficient Quantity of fresh Water unto and into the said Town of *Keighley* for the Use of the Inhabitants of the said Town from the aforesaid Wells or Springs or any of them, and for completing and using, amending, improving, preserving, altering in Situation, or otherwise renewing, continuing, and repairing the Works and Conveniences authorized by this Act, as may be deemed necessary and proper by the said Company, and to resort, pass, and repass to and from the aforesaid Works, and carry and convey Materials and other Things to and from the same from Time to Time as often as shall be necessary for the Purposes aforesaid, they the said Company of Proprietors, their Managers, Agents, Officers, Workmen, and Servants, doing as little Damage as may be in the Execution of the several Powers to them hereby granted, and the said Company of Proprietors leaving the said Wells or Springs open and uncovered at the Places where they rise, so that the Water may be there taken, gathered, and enjoyed by all Persons resorting thereto, in as full, ample, and beneficial a Manner and for the same Purposes and to all Intents and Purposes as hitherto, and for that Purpose making, and from Time to Time cleansing, repairing, and keeping in good Repair such Wells, Cisterns, and Reservoirs at those respective Places, or near thereto, as may be necessary; and the said Company laying and placing the aforesaid under-ground Pipes, Conduits, and Drains at least Three Feet below the Surface, and covering the same with Soil and otherwise, so as to restore the Surface of the Land and Ground where the said Pipes, Drains, Conduits, and Aqueducts shall pass, to its former Situation and Appearance, or as near thereto as may be, and as soon as may be; and the said Company of Proprietors making Satisfaction, in the Manner herein-after mentioned, to the Owners, Proprietors, and all other Persons interested in the Lands, Tenements, and Hereditaments respectively which shall be used for the Purposes of this Act, or which shall be injured or damaged by Means of the Exercise of any of the Powers hereby granted, or be by them sustained by reason of all or any of the Powers of this Act; and this Act shall be sufficient to indemnify the said Company and their Managers, Officers, Agents, Servants, Workmen, and Assistants, and all other Persons whomsoever, for what they or any of them shall do or cause to be done under or by virtue of the Powers hereby granted.

V. And whereas a Map or Plan describing the Line of the said intended Aqueduct and Conduit, and the Lands through which the same are intended to be carried, and the Situation of the intended Reservoirs, and a Book of Reference containing a List of the Names of the Owners or reputed Owners and Occupiers respectively of such Lands, have been

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deposited

Map and Book of Reference to remain with the Clerk of the Peace,

deposited at the Office of the Clerk of the Peace for the West Riding of the said County of *York*; be it therefore further enacted, That the said Map or Plan and Book of Reference shall remain in the Custody of the said Clerk of the Peace for the Time being, or his Deputy, and all Persons shall at any reasonable Time have Liberty to inspect and peruse the same, and have a Copy thereof, or such Part thereof as such Person or Persons shall require; such Copy or Copies to be made by the said Clerk of the Peace, or his Deputy, on being paid the Sum of One Shilling on every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies; and that the said Company of Proprietors, their Successors and Assigns, shall not, in laying and making such Aqueduct and Conduit of the aforesaid Water, deviate more than Sixty Feet from the Line or Course so described, nor make any Wells, Cisterns, or Reservoirs in any other Lands, Grounds, or Situations than so described, without the Consent in Writing of the Owner or Owners of the Lands or Grounds in which they shall so deviate, or make such other Wells, Cisterns, or Reservoirs.

Houses, Gardens, &c. not to be injured.

VI. Provided always, and be it further enacted, That nothing herein contained shall authorize or empower the said Company of Proprietors, or any Person or Persons acting under or by their Authority, to take, use, injure, or damage, in the Exercise of any of the Powers herein-before contained, any House, Bridge, or other Buildings, which was erected and built before the passing of this Act, or any Land or Ground which at or before that Time was set apart and used as and for a private Yard, Park, Paddock, Garden, Pleasure Ground, Planted Walk, or Avenue to a House, without the Consent of the Owner or Owners thereof for the Time being.

No Water to be employed for Machinery used about any Manufactory.

VII. Provided always, and be it further enacted, That nothing herein contained shall enable the said Company of Proprietors to apply or use, or suffer to be applied or used, any Part of the aforesaid Water to be conveyed as aforesaid, in supplying Water for any Engine or Machinery, or in and about working any Machinery in any other Way, for the Use of or to be employed in or about any Manufactory; and that no Inhabitant or Inhabitants of the said Town, or other Person or Persons whomsoever, shall so use or employ any Part of the said Water, upon pain of forfeiting to and for the Use of the Person complaining thereof from Time to Time, for and upon each Occasion of so doing, any Sum not exceeding Fifty Pounds.

Waste Water to be turned off at or near the Spring Heads.

VIII. Provided also, and be it further enacted, That the said Company of Proprietors shall turn off and discharge, or cause and procure to be turned off and discharged, such spare or waste Part of the Water of the aforesaid Springs, as shall not be wanted for the Supply of the Inhabitants of the said Town, and the Buildings and Houses therein now built or hereafter to be built, with fresh and sufficient Water as herein-before mentioned, or as much thereof as may conveniently be at the respective Spring Heads, or so near thereto as may be found convenient, so as that such Water so turned off and discharged, may run and pass in the same Course as hath been usual, or as near thereto and as soon after being so turned off as may be.

IX. And be it further enacted, That after any Lands or Grounds shall be set out and ascertained for making and placing the said Reservoirs, Wells, Cisterns, Drains, Aqueducts, Conduits, and other Works and Conveniences, or any of them, it shall be lawful for all Bodies Politic and Corporate, Aggregate or Sole, Husbands, Guardians, Trustees and Feoffees in Trust for Charitable and other Purposes, Committees, Executors, and Administrators, and all other Trustees and Persons whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, or other Person or Persons, and for all Femes Covert, and all other Person and Persons whomsoever, who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest in any Lands or Grounds which shall be so set out and ascertained for the Purposes aforesaid, to treat and agree with the said Company of Proprietors, or any of their Managers or Officers for the Time being, for such Lands or Grounds, and the Liberties and Privileges wanted to be used and exercised in or belonging to any Lands or Grounds for the Purposes aforesaid, and to receive Satisfaction and Compensation for the same; and to contract for, surrender, grant, and convey the same unto the said Company of Proprietors, and their Successors and Assigns; and it shall be competent to the Lord or Lords, Lady or Ladies of the Manor where any Road or Roads or Waste Lands may be cut through, taken, or used, or any Privileges wanted to be exercised therein for the Purposes aforesaid, or any of them, to make such Agreements, Contracts, Conveyances, and Grants of such last-mentioned Lands and Grounds, or the Privileges required therein, for the Purposes aforesaid, without any Commoner or Commoners, or other Person or Persons interested in such Roads or Waste Lands joining therein; and the Receipt or Receipts of such Lord or Lords, Lady or Ladies, for the Purchase Money or Satisfaction to be made in respect thereof, shall be good and sufficient Discharge and Discharges to the said Company of Proprietors.

Persons enabled to convey, and Lords of Manor to grant Wastes.

X. And be it further enacted, That the said Company of Proprietors and their Successors shall and do make and pay, or offer to the Owners and Occupiers of and Persons interested in any Lands, Grounds, Tenements, or Hereditaments which shall be wanted to be purchased or acquired, and shall be ascertained by the said Company for the Purposes of this Act, or to his, her, or their Guardians, Feoffees, Trustees, Husbands, or Committees, a full and adequate Price for the Purchase of such Land which shall be wanted to be purchased, before they shall in anywise make use of the same, and also a full and adequate Satisfaction and Compensation for any other Damages which may or shall then have been done to any other Lands, Grounds, Tenements, or Hereditaments, in or about, or in consequence, or in Execution of the Powers granted by this Act, or otherwise, by the said Company of Proprietors, or any Person or Persons whomsoever under their Authority, upon Request or Demand for that Purpose made to the Treasurer, or any of the Managers of the said Company; and such Owner or Owners or other Persons interested in the Lands, Tenements, and Hereditaments which may be so as aforesaid wanted to be purchased and acquired by the said Company for the Purposes of this Act, or which may be injured or damaged as last hereinbefore mentioned, or his, her, or their Guardians, Feoffees, Trustees, Husbands,

Satisfaction to be made for Damages, and for Purchase of Lands wanted.

Husbands, or Committees, may accept and receive such Purchase Money and Price, Satisfaction, and Compensation; and in case the Parties shall not agree concerning the Amount of such Price, Satisfaction, and Compensation as aforesaid, within the Space of Twenty Days next after Application shall have been made for that Purpose by or on Behalf of either of the Parties aforesaid to the other of them, or by reason of Absence or otherwise, such Person or Persons as aforesaid cannot be applied to, or shall be prevented from treating; then and in every such Case it shall be competent to either or any of the Parties to give Notice in Writing to the other of such their, his, or her Intention to have such Price, Satisfaction, and Compensation ascertained and fixed in the Manner herein-after mentioned; and such Notice shall be considered as well served on the said Company by being delivered to or left at the usual Place of Abode of the Treasurer or Clerk to the said Company, and the other Party by being delivered to him or her, or left at his or her last or usual Place of Abode, or of the Tenant or Occupier of the Lands, Grounds, Tenements, or Hereditaments respecting which such Dispute or Question shall arise; and in case no Agreement shall be concluded between the Parties within Ten Days after such Notice, then and in such Case any Two or more of His Majesty's Justices of the Peace in and for the said County of York, residing near to the Place in Question, shall, upon the Application of the Party having given the said Notice, and upon Proof thereof, issue their Warrant or Precept under their Hands and Seals, to the Sheriff of the said County, requiring him to summon, return, and impanel, and he shall accordingly summon, return, and impanel Twenty-four indifferent Men of the said County, at such Time and Place as shall be required in such Precept or Warrant, to enable the said Justices to make and swear, and they shall make and swear a Jury of Twelve indifferent Men of the said County between the Parties out of such Twenty-four, if a sufficient Number appear and are sworn; and if not, then the said Sheriff or his Deputy shall summon and return a sufficient Number of By-standers, or Persons that can speedily be procured for that Service, who shall be sworn upon the said Jury, until the Number of Twelve be completed to make a Jury between the Parties; and all Parties may have their lawful Challenges to such Jurymen when they come to be sworn; and any One of such Justices is empowered and required, upon Application by either of the Parties, by Warrant under his Hand and Seal, to call before such Justices and Jury as aforesaid all and every Person and Persons who shall be thought necessary to be examined touching the Premises, and to examine such Person or Persons in the Presence of such Jurymen; and such Justice is hereby authorized and required to swear such Jurymen well and truly to try the Matter in Dispute between the Parties, and give a true Verdict thereon, and also such Persons as attend to give Evidence, to give the same truly (or, being Quakers, take their Affirmation so to do); and the said Justices shall have Power from Time to Time to impose any reasonable Fine or Fines on such Sheriff, his Deputy or Deputies, Bailiffs or Agents making Default in the Premises, or on any of the Persons who shall be summoned and returned on such Jury, and shall not appear, or who shall refuse to be sworn on such Jury, or being so sworn shall refuse to give or shall not give their Verdict, or shall in any other Manner wilfully neglect their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who, being required to give Evidence before the said Jury touching the Premises, shall refuse or wilfully neglect to appear,

appear, or shall refuse to be sworn and give Evidence, and from Time to Time to recover, levy, and apply such Fine or Fines, in the same Manner as any other Forfeitures or Penalties are by this Act directed to be recovered, levied, and applied, so that no such Fine shall exceed the Sum of Ten Pounds upon any One Person for any One Offence; and the said Justices may, if they think fit, order and authorize the said Jurymen, or any Six or more of them, to view the Place or Places, Matter or Matters in Question; and the said Jury, by their Verdict upon their said Oaths, shall inquire of, assess, and ascertain the Sum or Sums of Money or annual Rent then in Question, and to be paid for the Purchase or Acquisition of any Lands, Grounds, Tenements, or Hereditaments which shall have been set out and ascertained for Conduits, Reservoirs, or other Works and Conveniences hereby authorized to be made, and also the Sum or Sums of Money to be paid for the Use hereby authorized to be made of and the Privileges to be exercised in or derived from any Lands, Tenements, or Hereditaments for the Purposes of this Act, by laying and placing such Pipes, Drains, Aqueducts, and Conduits for conveying Water from the said Springs, or otherwise in taking and conveying such Water, and the Recompence and Compensation then in question to be made for the Damages that shall or may be or have been sustained in or about the Premises, or otherwise in the Execution of any of the Powers and Authorities herein contained; and the said Justices then and there present shall give Judgment according to the Verdict of the said Jury, and the said Proceedings shall from Time to Time be binding and conclusive to all Intents and Purposes whatsoever upon all Parties thereto, their Successors, Heirs, Executors, and Administrators, and all and every Person and Persons, Bodies Politic and Corporate, Infants, Issue unborn, Lunatics, Idiots, and Femes Covert, and Persons under any legal Incapacity or Disability, claiming or who shall or may thereafter claim any Estate, Right, Title, Use, or Interest, into or out of the said Lands, Tenements, and Hereditaments in Question and under Consideration, in the giving of such Verdict and Judgment; and the aforesaid Verdicts, Judgments, and other Proceedings shall be drawn up and made into Records, and signed by the Justice or Justices acting therein, and shall not be removed or removable by *Certiorari*, or any other Process, but shall be left with the Clerk of the Peace of the said West Riding, and be filed by him among other Records in his Possession, where they shall remain; and the same, or true Copies thereof, shall be good Evidence thereof, and of such Proceedings, in any Court of Law or Equity; and all Persons may have Recourse thereto, and Copies thereof or Extracts therefrom, on paying One Shilling for such Inspection, and after the Rate of Sixpence for every One hundred Words of every such Copy or Extract.

XI. And be it further enacted, That in case a greater Sum as the Purchase Money or Compensation for Damages, annually or otherwise, shall be given by the said Verdict than had been offered by or on Behalf of the said Company of Proprietors before the summoning of the said Jury, or if by reason of Absence, or any Impediment or Disability, no Person or Persons shall have been found capable to enter into any Contract with the said Company, and make Conveyances to and receive the Money and Compensation in question from the said Company; then and in such Case the Expences of the said Party, between whom and the said Company such Question shall arise, of summoning such Jury, and of such Pro-

Expences of
Jury how to
be borne.

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ceedings,

ceedings, and taking and returning such Verdict in Manner before provided, and all Costs incident thereto, shall be settled and ascertained by the Justice or Justices acting therein, and shall be defrayed and paid by the said Company; but if such Verdict shall be given for the same Sum that had been (before summoning such Jury) previously offered to be paid by or on Behalf of the said Company, or a less Sum, or no Damages shall be given by the Verdict of the Jury, where the Dispute shall be concerning Damages only, then and in all such Cases such Costs and Expences of the said Company, of summoning the Jury, and of such Proceedings, and taking and returning such Verdict, and all Costs and Expences incident thereto as aforesaid, to be settled and ascertained as aforesaid, shall be borne and paid by the Person or Persons between whom and the said Company such Question shall arise, and the same shall and may be deducted out of the Money so assessed and adjudged, or any future Payment to be made by the said Company to or for such Person or Persons, as so much Money paid or advanced to or for his, her, or their Use, or recovered by an Action of Debt or on the Case, at the Suit of the said Company, in any Court of Law.

On Payment, &c. Lands, &c. to be vested in the Company.

XII. And be it further enacted, That on Payment or Tender of the Money so as aforesaid agreed for or assessed and adjudged, and such Costs as aforesaid, when payable by the said Company of Proprietors, and of the Residue of the Money so assessed, after deducting such Costs, when and in such Cases as the said Company shall be entitled to Costs, to the respective Person or Persons entitled to such Money, or his or their Agent or Agents, or upon Payment thereof (as the Case may be) into the Bank of *England*, in the Manner herein-after mentioned, then and in such Case it shall be lawful for the said Company and their Agents, Workmen, and Servants, immediately to enter upon, take, and enjoy the Lands, Tenements, and other Hereditaments respectively (or, before such Payment or Tender, by Leave of the Owners and Occupiers thereof,) and then and thereupon such Lands, Tenements, and other Hereditaments for which such Money shall be so paid, tendered, or deposited, and all the Estate, Use, Trust, and Interest of any Person or Persons therein, shall from thenceforth be vested in and become the Property of the said Company of Proprietors, to and for the Purposes of this Act, for ever; and such Payment, Tender, or Deposit for the same as aforesaid, shall not only bar all Right, Title, Claim, Interest, and Demand of the Person or Persons to or for whom the same shall have been made, but also shall extend and be deemed and construed to bar the Dower of the Wife of every such Person, and all Estates Tail, and other Estates in Reversion and Remainder, of his, her, or their Issue, and of every other Person whomsoever claiming under them; and where such Payment, Tender, or Deposit shall be in respect of Damages, the same shall be and amount unto a Satisfaction for such Damages.

Owners and Inhabitants of Houses, &c. may lay Pipes to those of the Company.

XIII. And be it further enacted, That such of the Owners of Buildings within or Inhabitants of the said Town of *Keighley*, as shall be desirous of having Water conveyed in Pipes into their Houses, Yards, or Offices, may and are hereby authorized and empowered at their own Expence (having first obtained the Consent in Writing of such Person as the said Company of Proprietors shall authorize under their Common Seal to give such Consent, and also the Consent of the Owner or Owners, Occupier or Occupiers,

Occupiers, of any inclosed Lands or Grounds in which such Pipes shall be placed) to open the Ground between the said Company's Wells, Reservoirs, Main Pipes, Aqueducts, and the respective Houses, Buildings, and Yards of such Owners or Inhabitants, and to lay down leaden or such other Pipes, and of such Bore, and continue them for such Term and Time as shall be agreeable to the said Company and specified in such Writing, giving such Consent as aforesaid, from such Houses, Buildings, and Yards, to communicate with the said Wells, Reservoirs, Aqueducts, or Main Pipes, upon such Terms and Conditions, and such respective Owners of Buildings or Inhabitants agreeing to pay and paying to the said Company yearly, or at shorter Periods, such Rate or Rates, Sum or Sums of Money, for such Privilege and Water, as shall be mutually agreed upon between them; and in case of Default in Payment of any such Sum or Sums of Money so agreed to be paid, the same shall be recoverable by the said Company, with the Costs of such Recovery, by Distress and Sale of Goods and Chattels of the Person or Persons respectively liable to pay the same, in the same Manner as Rents in arrear upon common Demises may be recovered.

XIV. And be it further enacted, That it shall be lawful for the said Company of Proprietors to cause any Pipe or Pipes, Drain, or Aqueduct, which shall communicate with any of the Wells, Reservoirs, Pipes, or Aqueducts of the said Company, without their Consent as aforesaid, and the Pipe or Pipes, Drains, or Aqueducts of any Person or Persons respectively so communicating, who shall negligently suffer the same, or the Cocks belonging thereto, to be out of Repair, so as to let the Water run waste and useless, or who shall make such Default in Payment as aforesaid, or at the End of the Term or Time agreed for such Pipes and Aqueducts remaining, or when it shall be necessary, for the Alteration or Amendment of the said Company's Pipes or Works, to be stopped and separated from the Wells, Reservoirs, Aqueducts, and Pipes of the said Company, and the Water to be stopped from issuing or running therefrom by means of such Pipes, Drains, or Aqueducts so authorized to be stopped and separated; and if any Person shall lay or place, or cause to be laid or placed, any leaden or other Pipes, Drain, or Aqueduct, to communicate with any Aqueduct, Pipe, Reservoir, or Well belonging to the said Company, without such Consent as aforesaid, or shall replace any Pipe or Aqueduct after being so stopped or separated as aforesaid, or shall continue the same beyond the Time agreed for, without the Consent and Approbation of the said Company, every such Person shall be liable to forfeit and pay to the said Company, or their Treasurer for their use, any Sum not exceeding Ten Shillings for every Day such Pipe or Aqueduct shall afterwards remain, and Water shall issue by means thereof from any Well, Reservoir, or Aqueduct of the said Company; but such Person to whom such Pipes laid to communicate with the Aqueducts, Wells, or Reservoirs of the said Company, and the Cocks attached thereto, shall belong, shall be at liberty to remove and take away the same at the End of the Term agreed for.

Pipes may be stopped and separated by the Company for certain Causes.

Penalty for joining Pipes to those of the Company without leave.

XV. Provided always, and be it further enacted, That any Ground, Highway, or Pavement which shall or may be opened or broken up, either by the said Company of Proprietors or any other Person or Persons, for laying, taking up, or repairing any Aqueduct or Pipe, by virtue of this Act,

When Ground is broken up for laying Pipes, it is to be

filled in again as soon as possible, and fenced in the mean Time to prevent Accidents.

Act, shall by the said Company, or other Persons respectively so opening the same, be filled in, and the Rubbish occasioned thereby carried away as soon as conveniently may be, and in the mean Time shall be fenced or guarded so that the same may not be dangerous to Passengers or Cattle or otherwise; and if there shall be any wilful or negligent Delay in any of the Agents or Servants of the said Company of Proprietors, or any such other Person or Persons, in taking up or repairing any of the said Aqueducts or Main Pipes, or any of the said Communication Pipes, or in filling in or removing the Rubbish thereby occasioned, that then and in every such Case the said Agents or Servants of the said Company, or such other Persons respectively so negligent, shall forfeit any Sum not exceeding Five Pounds, to be applied to the Use of the Poor of the Town of *Keighley* aforesaid.

Penalties for hindering or injuring the Company's Works, or fouling the Water.

XVI. And be it further enacted, That if any Person shall wilfully or maliciously hinder or interrupt, or cause or procure to be hindered or interrupted, the said Company of Proprietors, or their Managers, Agents, Servants, or Workmen, or any of them, in doing or performing any of the Works, or in the Exercise of any of the Powers and Authorities in this Act authorized or contained; or if any Person whomsoever shall wilfully and maliciously let off or discharge any Water, so that the same shall run waste and useless to the said Company or any Person entitled thereto under an Agreement with them, out of or from any of the Cisterns, Reservoirs, or Wells, Pipes, or Aqueducts hereby authorized to be made, or shall wilfully or maliciously break, throw down, injure, damage, or destroy any Wells, Cisterns, Reservoirs, Aqueducts, Pipes, Drains, Plugs, Cocks, Works, Matters, or Things of the said Company, made or to be made and provided in pursuance of this Act, or for the Purpose of the Execution of the Powers herein contained; or if any Person shall bathe in any of the Wells, Cisterns, or Reservoirs of the said Company, to be made pursuant to the Powers herein contained, or shall wash, cast, put, or throw any Dog or Cat, or other Animal alive or dead, or any Cloth, Wool, Filth, Dirt, or other noisome or offensive Matter or Thing, or cause, permit, or suffer the Water of any Sink, Sewer, or Drain to run or be conveyed into any of the said Wells, Cisterns or Reservoirs, Pipes or Conduits, or otherwise wilfully foul or render noisome or impure, or cause or procure so to be, the Water running to or contained in any of such Wells, Cisterns or Reservoirs, Pipes or Conduits; or if any Person or Persons supplied with Water by virtue of this Act shall wilfully permit any other Person or Persons, not having the Authority or Consent of the said Company to take any Water at the Pipes or Reservoirs of the said Company, or shall supply any such other Person or Persons with any Water from such Pipes or Reservoirs, or shall by negligently suffering his or their Pipes or Aqueducts, or the Cocks belonging thereto, to be out of Repair, occasion the Water thereby supplied to run waste and useless; or if any Person, not having such Consent of the said Company as aforesaid, shall take or use any of the Water supplied by means of the Works of the said Company, other than and except at the Reservoirs or Wells or at the Places where the said Springs arise, or as near thereto as may be found convenient for such Purposes, and as hath heretofore been usual; then and in every such Case the Person so offending as aforesaid shall forfeit and pay for every Offence, to the said Company, any Sum not exceeding Five Pounds, according to the Discretion and Decision of the Justice of the Peace

Peace before whom the same shall be recovered, as herein-after provided, besides the full Amount of the Damage sustained by the said Company by the Acts or Means in respect of which such respective Penalties shall be incurred, in addition thereto; and the said Company shall be at Liberty to cut off the Supply of Water from such Persons so offending, from the Reservoirs, Cisterns, or Pipes of the said Company; but nothing in this Act contained shall prevent or be construed to extend to prevent any of the Water supplied or collected under the Authority of this Act from being used to extinguish any Fire or Fires whatsoever that may have communicated to any Building or Buildings, Rick or Ricks, Stack or Stacks of Hay, Corn, or other Produce, or any Waggon, Cart, or other Carriage, or any Matter or Thing therein contained, or shall be in danger of so communicating; provided that as little Damage as may be shall be done to the Reservoirs, Cisterns, Aqueducts, Pipes, Drains, or Works of the said Company, by or procuring the Water for the Purpose last aforesaid, and any Damage or Injury that shall be done shall be compensated for, and the Reservoirs, Cisterns, Aqueducts, Pipes, Drains, or Works so injured shall be completely and effectually, and with as little loss of Time as may be, repaired by or at the Expence of the Person to whose Buildings, Ricks, or Stacks, Waggon, Carts, or other Carriages such Fire shall have communicated or be in danger of communicating; and provided that no Person supplied with Water under the Consent and an Agreement with the said Company, for that Purpose, shall be liable to any Penalty or Payment for supplying any other Person or Persons with Water.

XVII. And be it further enacted, That it shall be lawful for the said Company of Proprietors to raise and contribute amongst themselves, or such other Persons as they shall admit to contribute, by Subscription, in such Proportions, Manner, and Form, as they shall agree upon, such further Sum or Sums of Money in addition to those already subscribed by and among them for effecting the Purposes aforesaid and defraying the Expences of this Act, as to make up the whole Amount of such Subscription, and the Stock of the said Proprietors in the said Concern, any Sum not exceeding the Sum of Five thousand Pounds, and the same, or a sufficient Part thereof, shall be laid out and applied in the first Place in discharging the Expences of preparing, soliciting, obtaining, and passing this Act, and of making the Surveys, Plans, and Estimates, and other incidental Expences relating thereto, and then for and towards the Expences already incurred or hereafter to be incurred in making, completing, and maintaining the said Reservoirs and Aqueducts, Works and Conveniences, and otherwise for putting this Act into Execution; and that no Person contributing or becoming a Proprietor in the said Undertaking do become a Proprietor of less than One Share, or of more than Six Shares (each Share to consist of Twenty-five Pounds) either in his own Name, or in the Name or Names of any other Person or Persons in Trust for him, her, or them, (unless the same shall come to him, her, or them by Will, Bequest, Descent, Right of Administration, or Marriage) upon pain of forfeiting to the said Company of Proprietors all such Shares (exceeding Six Shares); and the said Shares shall be and are hereby vested in the several Persons so raising and contributing the same, and their several and respective Executors, Administrators, and Assigns, as Part of their Personal Estate and Effects, and to their and every of their proper Use

The Company may increase the Amount of their Subscriptions, or admit fresh Subscribers.

[Local.]

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and

and Benefit, proportionably to the Sums they shall severally raise and contribute.

Materials, &c. to be provided, to be the Property of the Company, and the Profits, &c. to be divided.

XVIII. And be it further enacted, That all the Materials of which the aforesaid Wells, Reservoirs, and Cisterns shall be constructed, as well as the Pipes, Cocks, Conduits, and other Utensils and Things furnished and provided for the Purposes aforesaid by the said Company of Proprietors or their Managers, Officers, or Servants, at the Expence of the said Company, and all the Profits, Benefits, and Advantages to arise from the said Concern, or under or by virtue of this Act or the Powers herein contained, shall be and be considered to all Intents and Purposes vested in and be the Property of the said Company, in Trust and for the Uses and Purposes aforesaid; and all Persons, their several and respective Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares, shall be entitled to and receive, after the said Reservoirs, Aqueducts, and Works shall be declared fit for Service by the said Company or their Managers, an equal and proportionable Distribution, according to the Share or Shares they shall respectively possess of the net and clear Profits and Advantages of the said Concern, after deducting all necessary and incidental Charges, Disbursements, and Expences; and every Person having such Property in the said Undertaking as aforesaid shall bear and pay a proportionable Sum towards carrying on the same.

Power to raise Money by Mortgage of the Undertaking.

XIX. Provided always, and be it further enacted, That in case the said Company of Proprietors shall be desirous of raising any Sum which may be necessary for the Purposes aforesaid, not exceeding the Sum of Three thousand Pounds, beyond what is already subscribed, or may hereafter by the Consent of the said Company be so as aforesaid contributed and subscribed, by Mortgage of the said Undertaking, it shall be lawful for the said Company to borrow and take up at Interest all or any Part of such additional Sum, in one Sum or more, on the Credit of the said Undertaking, and to assign the Property of the said Undertaking and the Profits and Advantages arising or to arise to the said Company by virtue of this Act, or any Part thereof (the Costs and Charges of assigning the same to be paid out of such Sums of Money,) as a Security for any Sum or Sums of Money so to be borrowed, with Interest, to such Person or Persons, or to his, her, or their Trustee or Trustees who shall advance the same; all which said Assignments shall be made under the Common Seal of the said Company of Proprietors, and shall be in the Form or to the Effect following; (that is to say),

Form of Mortgage.

BY virtue of an Act passed in the Fifty-sixth Year of the Reign of King George the Third, intituled *An Act for better supplying with Water the Inhabitants of the Town of Keighley, in the West Riding of the County of York*, we, the Company of Proprietors of the said Undertaking, incorporated by and under the said Act, in Consideration of the Sum of _____ to us in Hand paid by _____ of _____ do hereby bargain, sell, and assign unto the said _____ [his, or her, or their,] [as the Case may be] Executors, Administrators, and Assigns, the said Waterworks, and all the Works thereto belonging, and all and singular the Sums of Money arising and payable to us for Water, by virtue of the said Act, and all our Estate, Right, Title, and Interest of, in, and to the same, to hold unto the said _____ Executors,

Executors, Administrators, and Assigns, and until the said Sum of
 with Interest for the same after the Rate of
per Centum per Annum, shall be fully paid and satisfied. Given
 under our Common Seal, this Day of in
 the Year of our Lord One thousand eight hundred and .

And all Persons to whom such Assignment shall be made shall be equally
 entitled, one with the other, to the said Undertaking, Profits, and Ad-
 vantages so to be assigned, in Proportion and according to the respective
 Sums in such Assignments mentioned to be advanced, without any Pre-
 ference by reason of the Priority of any such Assignments, or on any
 other Account; and the Person or Persons to whom any such Assignment
 shall be made as aforesaid, or who shall be entitled to the Money due
 thereon, may from Time to Time transfer his, her, or their Right and
 Interest therein to any Person or Persons, by Writing under his, her, or
 their Hand and Seal or Hands and Seals; which Transfer shall and may
 be in the Form and to the Effect following; (that is to say),

I of in Consideration of the Sum of Form of
 paid by of do hereby transfer a Assignment
 certain Mortgage made by *The Company of Proprietors of the Keighley*
Waterworks, to bearing Date the Day
 of for securing the Sum of and all Interest
 now due and to become due thereon, and all my Right and Property
 therein, to the said [his, or her, or their,] [as the
 Case may be,] Executors, Administrators, and Assigns. Dated this
 Day of in the Year of our Lord One
 thousand eight hundred and

And every such Transfer shall within Thirty Days after the Date thereof
 be produced to the Clerk to the said Company of Proprietors, who shall
 cause a Memorial to be made thereof in like Manner as the original Mort-
 gages or Assignments, for which the said Clerk shall be paid such Sum as
 the said Company of Proprietors shall appoint, not exceeding Five Shil-
 lings, and every such Entry made of such Transfer shall from thenceforth
 entitle such Assignee or Assignees, his, her, or their Executors, Admi-
 nistrators, and Assigns, to the full Benefit of the original Mortgage; and
 it shall not from thenceforth be in the Power of any Person or Persons who
 shall have made such Assignment, to make void, release, or discharge the
 original Mortgage, or any Money thereby secured, or any Part thereof;
 but neither such Mortgagee or Mortgagees, nor his or their Assignee or
 Assignees, shall be deemed a Proprietor in the said Concern, or be capable
 of acting in any respect as such.

XX. And be it further enacted, That all Sums of Money which are to
 be paid to any Bodies Politic, Corporate, or Collegiate, Peoffees in Trust,
 Executors, Administrators, Husbands, Guardians, Committees, or other
 Trustees, or Persons acting as Guardians, Committees, or other Trustees
 for or on Behalf of any Lunatics, Idiots, Femes Covert, or other Cestuique
 Trusts, or to any Person or Persons whose Lands or Estates are limited,
 in Trust or other Settlement, for the Purchase or Exchange of, or the
 Damage to be done to any Lands, Tenements, or Hereditaments, by virtue
 of the Powers herein contained, shall be paid and applied in manner fol-
 lowing; that is to say, in case the same shall amount to or exceed the Sum
 of Two hundred Pounds, it shall with all convenient Speed be paid into
 the

Purchase
 Monies or
 Compensa-
 tions due to
 Corporate
 Bodies, Mi-
 nors, &c. to
 be laid out to
 the same
 Uses, &c.

the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte The Company of Proprietors of the Keighley Waterworks*, together with the Name or Names of such Person or Persons as Three of the Proprietors of the said Waterworks shall by Writing signed by them direct and appoint, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Redemption or Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Charge or Incumbrance, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith, to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner as the Lands, Tenements; or Hereditaments, which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing, undetermined, and capable of taking Effect; and in the mean Time, and until such Purchase shall be made, the said Money shall by Order of the Court of Chancery, upon Application thereto, be invested by the said Accountant General in his Name, in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and Annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase and Settlement were made.

Application where the Compensation Money does not exceed 200l. and above 20l.

XXI. Provided always, and be it further enacted, That in case the Money so payable to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments in respect whereof the same shall be paid, or of his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such as aforesaid, to be signified in Writing under their respective Hands, be paid into the Bank, in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by Three or more of the said Proprietors, (such Nomination and Approbation

probation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

XXII. And be it further enacted, That in case the Money payable to such Corporation, or to any Person under Disability or Incapacity as aforesaid, shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments in respect whereof the same shall be paid, in such Manner as the said Company of Proprietors or any Three or more of them shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, Trustee or Trustees, or other Person or Persons acting as such, to and for the Use and Benefit of such Person or Persons so entitled respectively; and the Receipt or Receipts of the Person or Persons to whom the said Directors shall direct the same to be paid, shall be sufficient Discharge and Discharges for the same.

Application when less than 20l.

XXIII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be awarded for the Purchase of any Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Company of Proprietors, or any Three or more of them; or in case such Person or Persons to whom such Sum or Sums of Money shall be so awarded as aforesaid cannot be found; or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments, be not known or discovered, then and in every such Case it shall be lawful for the said Proprietors, or any Three or more of them, to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [describing them], subject to the Order, Controul, and Disposition of the said Court of Chancery; which said Court of Chancery, on the Application of any Person or Persons making Claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making Claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

In case of not making out Titles.

[Local.]

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XXIV. Provided

Respecting
disputed
Titles.

XXIV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, in respect whereof such Money shall have been so paid at the Time of passing this Act, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court
may order
reasonable
Expences of
Purchases, to
be paid by the
Company.

XXV. Provided always, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, and to be applied in the Purchase of other Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance of this Act, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act; or so much of such Expences as the Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Proprietors, or any Three or more of them, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Powers vested
in the Com-
pany by this
Act shall not
be alienable.

XXVI. And be it further enacted, That it shall not be lawful for the said Company, at any Time hereafter, to sell or dispose of any of the Rights, Privileges, Powers, or Authorities vested in them by this Act of supplying the said Town of *Keighley* with Water, to any other Water Company now existing, or which may hereafter be established for the supplying of Water, or to any Person or Persons whomsoever, but only to take and demand such Sums as shall be reasonable for the Water supplied under the Provisions of this Act.

Requiring the
Company to
make Fire
Plugs in every
Street, &c.

XXVII. And be it further enacted, That the said Company of Proprietors shall and they are hereby required, upon the carrying into and laying down any Main Pipe in any Street, Passage, or Place, for the supplying the same with Water, to fix and place, or cause to be fixed and placed, at the Time of laying down such Main Pipe, One or more proper and sufficient Fire Plug or Fire Plugs in each Street, Passage, or Place supplied with Water from such Main or Mains for the Supply of Water

for the extinguishing of Fires; and when and so soon as any such Fire Plugs shall be finished, the said Company shall immediately deliver a Key or Keys of such Fire Plug or Fire Plugs at each and every House or Place in the Parish in which such Fire Plug shall be, wherein any Engine shall be kept for the extinguishing of Fires.

XXVIII. Provided always, and be it further enacted, That no Water Pipes belonging to the said Company of Proprietors shall be laid down at a less Depth than Three Feet beneath the Pavement in any of the Streets or Places within the said Town; and that the said Company shall be subject and liable to the Payment and Discharge of all Costs and Expences to be incurred by the breaking, taking up, re-laying, reinstating, and making good all such Ground and Pavement in any of the Streets and Places within the said Town as shall be broken or taken up, either for the Purpose of laying down, or for repairing, re-laying and amending any Mains, Pipes, Cocks, or Plugs to be made or laid down by virtue and in pursuance of this Act, or afterwards repaired, re-laid, or amended; and if the said Company shall neglect to repair, reinstate, and make good such Ground and Pavement, they shall for every such Offence forfeit the Sum of Twenty Pounds, one Moiety whereof shall be paid to the Informer, and the other Moiety to the Poor of the Parish where any such Neglect shall happen, to be recovered by Action of Debt, or on the Case, in any Court of Law.

Directing
how Pipes
shall be laid
down.

XXIX. And be it further enacted, That in case any of the Inhabitants of the said Town of *Keighley* shall be desirous of and shall apply to the said Company of Proprietors for a Key or Keys of the Mains, Plugs, or Services belonging to the said Waterworks, in order that such Key or Keys may be kept in some proper Place, to be agreed upon at a Vestry of the Inhabitants of the said Town of *Keighley*, to the End that thereby, in Cases of Fire, the Supply of Water from the said Works may be the more easily and readily obtained, the said Company of Proprietors shall be bound and obliged to furnish such Key or Keys to the Persons applying, in order to their being so kept; and in case the said Company of Proprietors shall refuse such Key or Keys to the Persons so applying, they shall forfeit for every such Refusal the Sum of Fifty Pounds; which Penalty shall and may from Time to Time be recovered by Action, Complaint, or Suit in any Court of Law.

Requiring the
Company to
deliver Keys
of Pipes, &c.

XXX. And be it further enacted, That the respective Persons who have subscribed or who shall hereafter subscribe or advance any Money for and towards making and maintaining the Works hereby authorized to be made, shall and are hereby required to pay the Sum or Sums by them respectively subscribed, (or such Parts and Proportions thereof as shall from Time to Time be called for by the said Company of Proprietors, by virtue of the Powers and Directions of this Act), at such Times and Places and in such Manner as shall be directed by the said Company; and in case any of such Subscribers shall neglect or refuse to pay the same at the Time and Place and in Manner so required for that Purpose, the said Company are hereby empowered to sue for and recover the same in any Court of Law or Equity.

Subscribers
compelled to
pay their
Subscrip-
tions.

XXXI. And whereas the probable Expences of the Works hereby authorized to be made, will, according to an Estimate thereof, amount to the

Probable Ex-
pences of the
Works to be

Subscribed before the Act is put in force.

the Sum of Two thousand two hundred and eleven Pounds, or thereabouts; and the Sum of Two thousand Pounds and upwards, being more than Four-fifth Parts of such Expences, has already been subscribed for defraying such Expences, by several Persons, under a Contract, binding them, their Heirs, Executors, and Administrators for Payment of the several Sums of Money subscribed by them respectively; be it therefore enacted, That the Whole of the said Sum of Two thousand two hundred and eleven Pounds shall be subscribed in like Manner before any of the Powers given by this Act shall be put in force.

Time limited for Completion of the Works.

XXXII. And be it further enacted, That in case the Works for supplying the said Town with Water shall not be completed so as to answer the Purposes thereof, within Two Years from and after the passing of this Act, all the Powers and Authorities herein contained relative thereto shall cease and determine, save only as to so much thereof as shall have been then completed.

Mode of Recovery of Fines and Forfeitures.

XXXIII. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, or which shall be inflicted or imposed by any Rule, Order, or Bye Law of the said Company, to be made under the Authority of this Act, may, in case of Non-payment thereof, be recovered in a summary Way by the Order and Adjudication of any One or more Justice or Justices of the Peace of the said County of York, on Complaint to him or them for that Purpose exhibited, and afterwards be levied, as well as the Costs of such Proceedings, on Non-payment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such One or more Justice or Justices, who is and are hereby authorized and required to summon and examine any Witness or Witnesses upon Oath of and concerning such Offences, Matters, and Things, and hear and determine the same, and to fix and mitigate the said Penalties and Forfeitures, according to his or their Discretion and the Provisions in that respect herein-before contained; and the Overplus (if any) of the Money so raised or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be rendered to the Owner or Owners of the Goods or Chattels so seized and distrained; and for want of sufficient Distress of Goods and Chattels whereon to levy as aforesaid, and in case the Fine, Penalty, or Forfeiture, and the Costs of recovering the same, or any Part thereof, shall remain unpaid for the Space of Twenty Days or upwards after such Order and Adjudication made, it shall be lawful for such Justice or Justices, and he or they is and are hereby authorized and required, upon Application made to him or them for that Purpose, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender or Offenders, Person or Persons so liable to such Payments, to the House of Correction, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless such Fine, Penalty, or Forfeiture, and all Costs and Expences attending the Proceedings to recover the same, shall be sooner paid and satisfied.

Form of Conviction.

XXXIV. And be it further enacted, That every Justice of the Peace, before whom any Person shall be convicted of any Offence against this Act,

Act, shall and may cause the Conviction to be drawn up according to the Form following; (that is to say),

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

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

Proceedings not to be quashed for Want of Form.

XXXVI. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Thing done in pursuance or by virtue of this Act, or by any Rule, Bye Law, or Order to be made by virtue hereof, every such Person may appeal to the next General Quarter Sessions of the Peace for the said County, or any Adjournment thereof, holden at the usual Place for transacting the Business of the Hundred, within which such Offence shall arise, if such Sessions or Adjournment shall be more than Fourteen Days after such Order or Adjudication shall be made, exclusive of the Day of making thereof, and also of the holdidg such Sessions or Adjournment, or at the next Sessions but one, or any Adjournment thereof as aforesaid to be holden, if there shall not be more than Fourteen Days before such next Sessions or Adjournment, such Person giving Notice in Writing of such Appeal within Six Days after such Fact committed shall be made to the Complainant in such Proceedings, and entering into a Recognizance with one good and sufficient Surety before some Justice or Justices of the Peace for the said County, in such Sum as he or they shall require, to abide the Event of such Appeal and the Order of Sessions therein; and the said Court of Quarter Sessions to which such Appeal shall be made shall in a summary Way hear and determine such Appeal, or may adjourn the Hearing and Determination thereof to the next Sessions, at the same Place, and then hear and determine the same, and award Costs to and against either Party, as such Court may think fit; and the Determination of such Sessions shall be final and conclusive between the Parties, and such Proceedings shall not be quashed or vacated for Want of Form, nor be removed or removable by *Certiorari* or otherwise.

Appeal to the Sessions.

XXXVII. And be it further enacted, That no Distress made under any such Proceedings as aforesaid shall be deemed unlawful, nor shall the Person or Persons making the same be deemed a Trespasser or Trespassers on account of any Irregularity therein, or which shall afterwards be done by such Person or Persons distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the special Damage in an Action on the Case, unless Tender or Payment of sufficient Amends shall have been made to the Plaintiff or Plaintiffs for the

Distress not to be deemed unlawful on account of Irregularity.

special Damage so sustained before such Action shall have been commenced; and in case no such Tender or Payment shall have been made before such Action brought, it shall be lawful for the Defendant or Defendants, and he or they may, by Leave of the Court wherein such Action shall be brought, at any Time before Issue joined, or afterwards on withdrawing the Defendant's Plea or Pleas therein, pay into Court such Sum of Money as such Defendant or Defendants shall think fit, whereupon such Advantage shall be derived to the said Defendant or Defendants, and such Proceedings, Orders, and Judgments shall be had, made, or given in and by such Court, as in other Actions where the Defendant or Defendants is or are allowed to pay Money into Court.

- Limitation of Actions.** XXXVIII. And be it further enacted, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Thing done in pursuance of this Act, or in relation to the Premises, every such Action or Suit shall be brought or commenced within Six Calendar Months next after the Act complained of shall be done, and not afterwards, and shall be laid and brought in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in such
- General Issue.** Action or Suit shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear to have been so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her, or their Action or Actions after the Defendant or Defendants shall have appeared, or if a Verdict shall pass against 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 the same as any Defendant or Defendants is or are entitled to for Costs of Suit in other Cases by Law.
- Treble Costs.**
- Public Act.** XXXIX. 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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