ANNO QUARTO

GEORGII IV. REGIS.

Cap. xciii.

An Act for better supplying with Water the Town of *Skipton* in the West Riding of the County of *York*. [17th *June* 1823.]

WHEREAS the Inhabitants of the Market Town of *Skipton* in the West Riding of the County of *York* are not at present well or conveniently supplied with Water: And whereas the said Town has of late Years become considerably more populous, and is at present very much increasing in Houses and Buildings, and for want of a sufficient Supply of Water for domestic and other Purposes the Inhabitants are subject to much Inconvenience, and would be liable to great Danger in Cases of Accident by Fire, but which Inconvenience and Danger might be prevented, and the Lives and Property of the Inhabitants better preserved and protected, if a constant Supply of Water was obtained from several Springs rising in certain Allotments, formerly Part of and heretofore set out and allotted on the Division of a certain Common or Moor called *Rombalds Moor* in the Township of *Skipton* aforesaid, and near to the said Town of *Skipton*, which said Springs have no particular Name or Names by which they may be designated, but rise and are situate in Parcel of the said Common or Moor herein-after mentioned, that is to say, in Two several Allotments belonging to the Reverend *John Pering* as Vicar of *Skipton* aforesaid, and now in the Occupation of *John Parker*, and in the Map or Plan thereof herein-after referred to marked or numbered One and Two, in a certain other Allotment belonging to the Right Honourable the Earl of *Thanet*, now in the Occupation of *George Wharton*, and in the said Map or Plan marked or numbered

Three; and in a certain other Allotment belonging to the said Earl, and now in the Occupation of *Samuel Thornton*, and in the said Map or Plan marked or numbered Twelve; and conveyed by means of Pipes, Drains, or Aqueducts from the said Springs along the Course which the said Springs now take, or in such other Course as may be more direct and eligible through the said several Allotments before mentioned, and certain other Allotments, Closes, or Inclosures belonging to the said Earl, and now in the several Occupations of the said *George Wharton*, *Joseph Smith*, *Isaac Dewhurst*, the said *Samuel Thornton*, *John Buck*, *William Smith*, *George Lee*, and *John Smith*, and in the said Plan severally marked or numbered Four, Five, Six, Seven, Eight, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, and Eighteen; and through certain other Allotments belonging to the said Vicar of *Skipton*, and in the Occupation of the said *John Parker*, and in the said Plan marked or numbered Ten and Eleven, into a Reservoir to be formed in a certain other Inclosure belonging to the said Vicar, and in the Occupation of the said *John Parker*, and in the said Plan marked or numbered Nine; and from thence through and over the said Close or Inclosure belonging to the said Earl, in the Occupation of the said *John Smith*, in the said Plan marked or numbered Eighteen; and a certain other Inclosure belonging to the said Earl, in the Occupation of *Sarah Procter*, and in the said Map or Plan marked or numbered Nineteen, into and along the several Streets of the said Town of *Skipton*: And whereas the several Persons herein-after named are willing and desirous to undertake at their own Costs and Charges to effect the Purposes aforesaid, but the same cannot be carried fully and completely into Execution without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Company incorporated.

That *Thomas Bramley*, *Henry Alcock Bramley*, *William Collins*, and *Henry Skelton*, *Robinson Chippindale*, *John Carr*, *Thomas Chamberlain*, *John Alcock Dixon*, *Cornelius Denbigh*, *Leagh Harrison*, *William Lister*, *John Mitchell*, *Christopher Netherwood*, *John Robinson*, *Richard Smith*, *John Shackleton*, *Anthony Taylor*, and *Matthew Wilson* Esquire, together with such other Person or Persons as shall at any Time hereafter be possessed of One or more Share or Shares in the Undertaking for supplying the said Town of *Skipton* with Water, and their Successors, Executors, Administrators, and Assigns, shall 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 the *Skipton* 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.

General Meetings of Company to be holden.

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

from Time to Time be holden, and the First General Meeting of the said Company for proceeding in the Execution of this Act shall be held at some House in the Town of *Skipton*, on the Third *Monday* after the passing of this Act, or as soon after as conveniently may be; and the said Company of Proprietors assembled at any such General Meetings shall have Power to adjourn such General Meetings and order such future General Meetings of the said Company of 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 in case at any Time no Adjournment of any General Meeting shall be made, or in case it shall be necessary to call a Meeting on an earlier Day than the Day to which any General Meeting shall stand adjourned, then it shall be lawful for any Two or more Proprietors or Members of the said Company to call a General Meeting, to be held at such Time and Place as they shall think fit in the said Town of *Skipton*, by Notice in Writing, mentioning the Time and Place and the Purpose of such intended Meeting; and every Question, Order, Matter, or Thing which shall be proposed, discussed, or considered by the said Company assembled at any Meeting to be held 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 in Person by the Proprietors respectively appointing such Proxy or Proxies; and every Proprietor shall 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 the Number of such Votes shall be equal, the Chairman presiding at such Meetings 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; and the Appointment of the said Proxy or Proxies shall and may be in the Words or to the Effect following; (that is to say),

Questions to be decided by a Majority of Votes in Person or by Proxy.

Chairman to have casting Vote.

'I of one of the Proprietors of the *Skipton* Waterworks, do hereby nominate, constitute, and appoint of (being a Proprietor of the said Waterworks) to be my Proxy, in my Name and in my Absence to vote and give my Assent or Dissent to any Business, Matter, or Thing relating to the said Undertaking that shall be mentioned or proposed at any Meeting of the Proprietors of the said Undertaking, or any of them, as he the said shall think proper, according to his Opinion and Judgment, for the Benefit of the said Undertaking or any thing appertaining thereto. In Witness whereof I have hereunto set my Hand and Seal, the Day of in the Year of our Lord .'

Such Proprietor having appointed his or her Proxy as aforesaid, being hereby nevertheless authorized and empowered, by any Instrument in Writing under his or her Hand and Seal for that Purpose, at his or her Will and Pleasure, to revoke and make void such Appointment, and in like Manner from Time to Time on future Occasions to appoint any other Person,

Person, under the like Restrictions, to act as Proxy for him or her in his or her Absence.

Officers of the Company to be appointed at General Meetings.

III. And be it further enacted, That it shall and may be lawful for the said Company at any General Meeting of the said Company, to nominate, elect, and choose by Ballot, and to appoint under the Common Seal of the said Company a Treasurer and a Clerk, and such other Officers as shall be necessary for transacting the Business of the said Company; and it shall be lawful for the said Company, at any subsequent General Meeting, from Time to Time to remove and displace such Treasurer and Clerk, or other Officers, or either of them, or any other Person or Persons who shall be hereafter elected and appointed to such respective Offices, and also from Time to Time to nominate, elect, choose, and appoint in manner aforesaid any other Person or Persons to act as Treasurer or Clerk or other Officer of the said Company, in the room of such of them as shall happen to die or resign, or be removed from their respective Offices; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers or either of them as at any such General Meeting shall from Time to Time be fixed and determined: Provided always, that the said Company of Proprietors shall and they are hereby required to take sufficient Security from every Person who shall be appointed such Treasurer, for the faithful Execution of his Office, before he shall enter thereupon.

Treasurer, &c. to give Security.

General Meetings may make Bye-laws.

IV. And be it further enacted, That the said Company shall have full Power and Authority from Time to Time, at any of their General Meetings as aforesaid, to make such Rules, Orders, and Bye-laws as to them shall seem meet and proper for the good Government of the said Undertaking, and for the regulating of all Officers, Workmen, and Servants to be employed in or about the Affairs and Business of the said Company, and for the Superintendance and Management of the said Undertaking in all respects whatsoever; and from Time to Time to alter or repeal such Rules, Orders, and Bye-laws, or any of them, and to make others, and to impose and inflict such reasonable Fines and Forfeitures upon all Persons offending against such Rules, Orders, and Bye-laws, or any of them, not exceeding the Sum of Five Pounds for any one Offence, as to the said Company at any General Meeting shall seem meet and expedient; and all Rules, Orders, and Bye-laws so made as aforesaid (being reduced into Writing, and the Common Seal of the said Company thereto affixed) shall be binding upon all Persons connected with or acting under the Directions of the said Company, and shall be sufficient in any Court of Law or Equity to justify all Persons who shall act under the same: Provided always, that such Rules, Orders, and Bye-laws be not repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, or any of the express Directions or Provisions of this Act; provided also, that Copies thereof shall be printed, fixed and continued in the Office of the Clerk or other the Buildings and Premises of the said Company, and all such Rules, Orders, and Bye-laws shall be subject to Appeal in manner by this Act directed.

Notice of Meetings, &c. to be

V. Provided always, and be it further enacted, That all Notices hereinbefore directed to be given of any General Meetings or Adjournments respectively,

respectively, and all Notices to be given to any of the said Proprietors upon any particular Occasion, and not hereby otherwise provided for, shall be given to the said several Proprietors by Letters from the Clerk of the said Company, sent by Post to each and every of the said Proprietors entitled to vote at such Meetings respectively, or to the individual Proprietors entitled to such Notice (as the Case may be), or by the Delivery of such Letters to such respective Proprietors, either in Person or by leaving the same at the last or usual Places of Abode of the said Proprietors respectively, and that such Notices shall be deemed and considered the same as personal Notices.

given by the Clerk of the Company.

VI. And be it further enacted, That all Orders and Proceedings of the said Company of Proprietors shall be entered in a Book or Books to be kept for that Purpose; and such Orders and Proceedings, so entered and signed by the Chairman appointed at each respective Meeting, shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts and Places whatsoever.

Proceedings to be entered in Books.

VII. Provided also, and be it further enacted, That it shall not be lawful for the said Company of Proprietors to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Company; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of such Treasurer shall act as Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Company other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed.

Clerk restrained from acting as Treasurer and vice versa.

VIII. And whereas the probable Expence of carrying the Purposes of this Act into effect will, according to an Estimate made thereof, amount to the Sum of One thousand nine hundred and eighty-five Pounds, or thereabouts; be it therefore enacted, That the whole of the said Sum shall be subscribed before any of the Powers given by this Act shall be put in force.

The whole of the Money to be subscribed before this Act is put in force.

IX. And be it further enacted, That the Capital or Joint Stock of the said Company of Proprietors, to be applied and used in establishing and carrying on the said Undertaking, shall be the Sum of Two thousand Pounds Sterling; and no Person contributing, or being or becoming a Proprietor in the said Undertaking, shall be or become a Proprietor of less than One Share of Twenty Pounds, and the said Shares shall be and are hereby vested in the several Persons raising and contributing the same, and their

Joint Stock of the Company not to exceed 2,000*l.* in the whole, in Shares of 20*l.* each.

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 and Benefit, proportionably to the Sums they shall severally raise and contribute; and all Shares in the said Undertaking, and the net Profits and Advantages thereof, shall be deemed Personal Estate, and not of the Nature of Real Property, and as such Personal Estate shall be transmissible accordingly.

Shares to be deemed Personal Estate.

Subscribers to pay their Subscriptions.

X. 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, 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.

Names of Proprietors to be entered, and Tickets of their Shares delivered to them.

XI. And be it further enacted, That the said Company of Proprietors shall and they are hereby required, at their First or some subsequent General Meeting or Meetings, to cause the Names and Additions of the several Persons who shall be then entitled to the Shares in the said Undertaking, with the Number of the Shares, or the Amount of all the Subscriptions which they are then respectively entitled to hold, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk to the said Company of Proprietors; and after such Entry made, to cause the Common Seal of the said Company of Proprietors to be affixed thereto; and shall cause a Ticket or Instrument, with the Common Seal of the said Company of Proprietors affixed thereto, to be delivered to every such Subscriber upon demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Undertaking; and such Ticket or Instrument shall be admitted in all Courts whatsoever as Evidence of the Title of such Subscriber, his or her Executors, Administrators and Assigns, to the Share or Shares therein specified; but the Want of such Ticket or Instrument shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof; and which said Ticket or Instrument may be in the Words or to the Effect following; *videlicet*,

'The Company of Proprietors of the *Skipton* Waterworks.
'Number

'THESE are to certify, That *A. B.* of is a Proprietor of the Share, 'Number being One Share of the *Skipton* Waterworks, subject to 'the Rules, Regulations, and Orders of the said Company of Proprietors; 'and that the said *A. B.* his [*or* her] Executors, Administrators [*or* Suc- 'cessors] and Assigns, is and are entitled to the Profits and Advantages of 'such Share. Given under the Common Seal of the said Company, the 'Day of in the Year of our Lord .'

Calls for Subscription Money.

XII. 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

Call or Calls on the Subscribers to the said Undertaking, their Executors or Administrators, to be paid to the Treasurer of 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 at a General Meeting assembled; 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 in the said Undertaking, until the same shall have been declared to be forfeited by the said Company at a General Meeting assembled.

Shares may be disposed of.

XIII. And be it further enacted, That it shall be lawful for the several Proprietors of the said Undertaking to sell or dispose of his, her, or their Share or Shares therein, subject to the Rules and Conditions herein mentioned, and every Purchaser shall have a Duplicate of the Deed of Bargain and Sale and Conveyance made unto him or her, and One Part of such Deed, duly executed by the Seller and Purchaser, shall be delivered to the said Company of Proprietors or their Clerk for the Time being, to be filed and kept for the Use of the said Company, and an Entry or Registry thereof shall be made in a Book or Books to be kept by the said Clerk for that Purpose, for which no more than Two Shillings and Sixpence shall be paid, and the said Clerk is hereby required to make such Entry or Registry accordingly within Seven Days after such Delivery thereof; and until the Expiration of Seven Days after such Duplicate of such Deed shall be so delivered to the said Company of Proprietors or their Clerk, or until the same shall be entered or registered as aforesaid, no Purchaser or Purchasers of any Share or Shares, his, her, or their Executors, Administrators, Successors or Assigns, shall have any Part or Share in the said Undertaking, or in the Profits and Advantages thereof, nor shall have any Interest or Dividend paid unto him, her, or them, for or in respect of such Share or Shares so purchased, nor be entitled to vote at any Meeting or Meetings as Proprietor or Proprietors of the said Undertaking; and the Deed or Instrument of Sale of the said Shares shall be in the Form or to the Effect following; (that is to say),

Transfers to be registered.

Form of Sale.

'I *A. B.* of in consideration of the Sum of paid to
' me by *C. D.* of do hereby bargain, sell, and transfer to the
' said *C. D.* Share [*or* Shares, *as the Case may be*] of the
' Undertaking of the *Skipton* Waterworks, to hold to the said *C. D.* his
' Executors, Administrators, and Assigns, subject to the same Rules and
' Orders,

'Orders, and on the same Conditions, that I held the same immediately 'before the Execution hereof; and I the said *C.D.* do hereby agree to 'accept the said Share [*or* Shares,] subject to the same Rules, 'Orders, and Conditions. Witness our Hands and Seals the 'Day of .'

After a Call, no Share to be sold until the Money be paid.

XIV. Provided always, and be it further enacted, That after any Call of Money shall be made by a General Meeting of the said Company of Proprietors as aforesaid, no Person or Persons shall sell or transfer any Share or Shares in the said Undertaking until the Monies to be called for upon the Share or respective Shares so to be sold shall be paid, unless he, she, or they shall, at the Time of such Sale or Transfer, pay the Money called for upon each Share so sold or transferred to the Treasurer of the said Company, such Forfeiture nevertheless to be notified and declared at a General Meeting in manner aforesaid.

Power to make Water-works.

XV. And be it further enacted, That it shall be lawful for the said Company of Proprietors, by themselves, their Agents, Officers, Servants, Workmen, and Assistants, from Time to Time to resort unto, enter, view, examine, open, and cleanse the aforesaid Springs or any of them; 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 any 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 or Aqueducts, Channel or Channels of Water from the said Springs, and also such Pipes, Drains, Aqueducts and Conduits, under-ground Works, and other Conveniences above Ground, as they may think fit, for conveying the Water of the said Wells or Springs, or a sufficient Part thereof, towards and into 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 such Quantities of Water as shall be deemed necessary by the said Company, for the Purposes of this Act, 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 and Springs, or any of them, for the Purposes of this Act; 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, and any of the Lands or Grounds adjoining or near thereto, and to break up the Soil thereof, and of 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, and to take Levels, and ascertain and mark out the Line of such Pipes, Aqueducts, Conduits, and Drains, and the Situation of the said Cisterns, Wells, Reservoirs, and other Works and Conveniences, and to bore, dig, cut, trench, and bank the Earth in any such Lands, Grounds, Highways, Streets, and Places, and to remove, place, take, and carry away and use any Earth, Clay, Stones, Rubbish, Trees, Roots of Trees, Gravel,

or Sand, or any other Matters and Things which may hinder, prevent, or obstruct 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; 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 do, 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 *Skipton*, for the Use of the Inhabitants of the said Town, from the aforesaid Wells and Springs, or any of them, and for completing and using, amending, improving, preserving, and 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 Agents, Officers, Workmen, and Servants, and all other Persons employed by them, 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 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 Two Feet Six Inches below the Surface, and covering the same with Soil and otherwise, so as to restore the Surface of the Land and Ground through which 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 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 Agents, Officers, 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.

Doing as little Damage as may be, and leaving the Springs open where they rise, so that the Water may be there enjoyed as usual, &c.

and making Satisfaction.

XVI. And be it further enacted, That in case any Close or Inclosure through which the Water from the said several Springs, or any of them, shall be taken, shall, by reason of such Water being taken in covered Drains, be deprived of the Benefit of such Water, the said Company shall and they are hereby required to make, continue, and keep in Repair such

Watering Places to be made in certain Cases.

such Troughs or Watering Places in each and every of such Inclosures as may be necessary for supplying the Cattle or Stock therein with a sufficient Quantity of Water.

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

XVII. And whereas a Map or Plan describing the Line and Situation of the said intended Aqueducts and Reservoirs, and the Lands through and in which the same are intended to be carried and made, 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 deposited at the Office of the Clerk of the Peace of the West Riding of the 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, on paying to the said Clerk of the Peace, or his Deputy, the Sum of One Shilling for every such Inspection, and at the Rate of Four-pence for every Seventy-two Words of such Copies or Extracts; and the said Company of Proprietors shall not in making such Aqueducts deviate more than Sixty Feet from the Line or Course so described, nor make any Reservoir in any other Lands, Grounds, or Situations than so described.

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

XVIII. 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 enter, take, use, injure, or damage, in the Exercise of any of the Powers herein contained, any House or other Buildings which were 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, Garden, Orchard, Park, Paddock, Pleasure Ground, planted Walk, or Avenue to a House, without the Consent of the Owner or Owners thereof for the Time being.

Time limited for Completion of the Works.

XIX. Provided also, 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 Three 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 completed.

Power to contract for the Purchase of Lands and Buildings.

XX. And be it further enacted, That it shall and may be lawful to and for the said Company, and they are hereby empowered, to treat, contract, and agree for the absolute Purchase of any Lands, not exceeding in the Whole Two Statute Acres, and of any Buildings, Tenements, or Hereditaments within the said Town of *Skipton*, necessary for the Purposes of this Act, with any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, or with any Feoffees in Trust, Trustees, Executors, Administrators, Husbands, Guardians, Lords of Manors, or Committees of or for Lunatics or Idiots, or other Trustees whomsoever, or with any Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or with any

other Person or Persons whomsoever, who shall be willing to sell the same for the Uses and Purposes of this Act; and it shall and may be lawful to and for the said Company to hold any such Lands, Tenements, and Hereditaments so to be purchased, without incurring or being subject or liable to any of the Penalties or Forfeitures of the Statutes of Mortmain, or of any other Law or Statute whatsoever.

Bodies Politic, &c. empowered to sell.

XXI. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees for Lunatics and Idiots, and other Trustees whomsoever, not only for and on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts respectively, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person or Persons under any Disability of acting for himself, herself, or themselves, and also to and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, and to and for all and every Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Tenements, or Hereditaments, or any Part thereof, which shall be thought necessary by the said Company to be purchased as aforesaid, for the Use and Purposes of this Act, to treat, contract, and agree with the said Company for the Sale thereof, or of any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever of, in, and to the same, to the said Company for the Purposes of this Act; and it shall be competent to the Lord or Lords, Lady or Ladies of the Manor, where any Waste Lands or Road or Roads may be taken or used, or be cut through, 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 Waste Lands or Roads 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; and all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or in Fee Tail, General or Special, or for any Term or Terms of Years absolute or determinable on any Life or Lives, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all and every other Person and Persons, is, are, and shall be hereby indemnified for what he, she, or they shall do by virtue and in pursuance of this Act.

Provision in case of Refusal or Inability to sell.

XXII. And be it further enacted, That if any Body Politic, Corporate, or Collegiate, or any Corporation, whether Aggregate or Sole, or any Feme Covert, or any Tenant for Life or Tenant in Tail, General or Special, or for Years determinable on any Life or Lives, Owner or Owners, Occupier or Occupiers, or other Person or Persons whomsoever interested in any Lands, Tenements, or Hereditaments which are described or intended so to be in the said Map or Plan and Book of Reference, shall refuse to treat, contract,

contract, or agree as aforesaid, or by reason of Absence or otherwise shall be prevented from treating, contracting, or agreeing, or shall decline or refuse to sell, convey, and dispose of such Premises whereof or wherein or whereunto they respectively shall be so seised, possessed, interested, or entitled as aforesaid, or of their respective Rights, Titles, Claims, or Interests into or upon the same, or any Part thereof, unto the said Company, or to such Person or Persons as they shall nominate for the Purposes, and according to the Tenor, true Intent, and Meaning of this Act; or shall not or cannot produce or make out a clear Title to such Premises whereof they are in the Possession, or to the Interest they claim therein, to the Satisfaction of the said Company, as the Case may be; or if any Dispute or Difference shall arise touching the Value or Amount of the Compensation to be made on such Purchase or Purchases, or touching any Damages to be occasioned in the Execution of this Act, then and in every such Case the said Company are hereby empowered and authorized, Fourteen Days at least before any General or Quarter Sessions of the Peace to be holden for the said West Riding, to give or cause to be given to the Owner or Proprietor of the Lands, Tenements, or Hereditaments intended to be purchased, or to the principal Officer or Officers of such Bodies Politic, Corporate, or Collegiate, or to leave or cause to be left at the House of the Tenant in Possession of such Lands, Tenements, or Hereditaments, Notice in Writing, denoting and particularly describing the Lands, Tenements, or Hereditaments intended to be purchased, or the Nature of the Damage sustained, and purporting that such Value, Compensation, or Damage is intended to be adjusted and settled by a Jury at such Sessions, or at some Adjournment thereof; and the Justices at the said Sessions, or any Adjournment thereof, upon Proof to them made of such Notice having been given or left, are hereby authorized and required to swear and charge the Grand Jury at such Sessions assembled, or the Jury to try Prisoners at such Sessions, well and truly upon their Oaths to assess the Value of the said Lands, Tenements, or Hereditaments comprised in the Notices so given, and the Damages and Recompence to be awarded or given to such respective Parties, according to their respective Interests; and to which said Jury the said Company, and all Persons interested, shall have their lawful Challenges; and the Jury being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given concerning the Matter in question, shall by their Verdict assess the Value, Damages, and Recompence to be given to the respective Parties, according to their respective Interests; and such Verdict of the said Jury, and the Judgment of the said Justices upon the same, shall be final, binding, and conclusive to the said Company, and to all Person and Persons interested in the Lands, Tenements, and Hereditaments, or Matter in question; and such Verdict, and the Judgment of the Justices thereupon, shall be fairly entered and kept among the Records of the Sessions of the said Riding, and the same, or true Copies thereof, shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever, and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying Eight-pence for every Seventy-two Words, and so in proportion for any greater or less Number of Words.

The Verdict of the Jury not to be binding, un-

XXIII. Provided always, and be it further enacted, That in case the Sum or Sums so assessed by the said Jury, or awarded by a Justice as herein-after mentioned, and ordered and adjudged to be paid by the said Company, as a Satisfaction

Satisfaction or Compensation to the Owners, Occupiers, or others for their respective Interests shall not be paid, tendered, left, or deposited according to the true Intent and Meaning of this Act, within Three Calendar Months after the same shall have been so assessed, ordered, and adjudged or awarded, then and in such Case the Verdict of the said Jury or Award of such Justice shall not be binding upon the said Parties; any thing herein contained to the contrary thereof in anywise notwithstanding.

less the Money be paid within Three Calendar Months.

XXIV. And be it further enacted, That in all Cases where any Verdict shall be given for a greater Sum or Recompence than shall have been previously offered by or on the Behalf of the said Company, for any such Lands, Tenements, or Hereditaments, or Damages as aforesaid, all the Expences of taking such Inquest, and of the Witnesses attending therein, and recording or entering the Verdict and Judgment thereupon, and the Costs of the Parties, shall be paid by the said Company out of the Monies to arise by virtue of this Act; but if a Verdict shall be given for no greater or for a less Sum than shall have been so previously offered by or on the Behalf of the said Company, then and in every such Case such Expences shall be borne and paid jointly by the said Company and the Parties or Persons to whom such Recompence, Compensation, or Satisfaction is to be made, and the said Company and such Parties or Persons shall respectively pay their own Costs; provided that whenever by reason of Absence any Person or Persons shall have been prevented from treating with the said Company, the whole of such Costs and Expences shall be borne and paid by the said Company.

Payment of Costs of Verdict.

XXV. And be it further enacted, That if any Money shall be paid or agreed or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of this Act, for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trusts, or to any Person whose Lands, Tenements, or other Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into 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 there, *ex parte* the Company of Proprietors of the *Skipton* Waterworks, 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, and Hereditaments, in the Purchase or Redemption of the Land Tax, or in or towards the Discharge of any Debt or Debts, or such other 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 Lands, Tenements, and Hereditaments, which shall

Application of Compensation Money if amounting to 200*l.*

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 meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, 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 meantime 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 or Settlement were made.

Application of Compensation when less than 200*l.* and not less than 20*l.*

XXVI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall amount to or 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 so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England*, 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 the said Company, (such Nomination and Approbation to be signified in Writing under the Hands or the Common Seal 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 be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application of Compensation when less than 20*l.*

XXVII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before mentioned shall be less than 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 so purchased, taken, or used by the said Company, for the Purposes of this Act, in such Manner as the said Company shall think fit; or in case of Infancy, Idiotcy, or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

XXVIII. And

XXVIII. 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 the said Company 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, or in case such Person or Persons to whom such Sum or Sums of Money shall be awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, and Hereditaments, be not known or discovered, then and in every such Case it shall and may be lawful to and for the said Company, 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 High 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, or if Persons cannot be found, Purchase Money to be paid the Bank.

XXIX. 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 so to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or 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 at the Time of such Purchase, 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 and 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.

Where any Question shall arise as to the Title to Money, &c.

XXX. Pro-

Court of Chancery may order Expences, &c.

XXX. Provided also, 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 Court of Chancery, or to be applied in the Purchase of other Lands, Tenements, and Hereditaments to be settled to the like Uses in pursuance of this Act, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases to be from Time to Time made in pursuance of this Act, or so much of such Expences as the Court shall deem reasonable, to be paid by the said Company out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

If Damges less than 20*l.* same may be settled by a Justice.

XXXI. And be it further enacted, That in case the Value or Amount of any Compensation to be made for any of the Lands, Tenements, or Hereditaments aforesaid, or for any such Damages, shall be alleged to amount to any Sum under Twenty Pounds, then such Value, Compensation, or Sasisfaction shall or may be ascertained and settled by any Justice of the Peace for the said West Riding, and shall and may be levied and recovered by Warrant under the Hand and Seal of any such Justice, together with such reasonable Costs and Charges as shall be awarded and allowed by such Justice, by Distress and Sale of the Goods and Chattels of the said Company or of their Treasurer, unless such Treasurer shall pay and discharge the same, which he is hereby authorized and empowered to do, out of any Monies received or to be received by him, as such Treasurer as aforesaid.

Provision for Payment of Purchase Money.

XXXII. And be it further enacted, That every Sum of Money to be agreed for, awarded, assessed, ascertained, or settled as aforesaid, shall be paid by the said Company of Proprietors or their Treasurer, and upon Payment thereof to the Party or Persons respectively entitled to such Monies, or their Agents, or depositing the same in the Bank of *England* (as the Case may be) in manner by this Act directed, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons respectively to whose Credit or Use the same shall have been paid, in, to, and out of such Lands, Tenements, or Hereditaments, shall vest in the said Company for effecting the Purposes of this Act, and they shall be deemed in Law to be in the actual Seisin and Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually as if every Person having any Estate in the Premises had actually conveyed the same by Lease and Release, Bargain and Sale enrolled, Feoffment with Livery of Seisin, Fine, Common Recovery, Surrender, or any other Conveyance or Assurance whatsoever; and such Payments shall not only bar all Right, Title, Interest, Claim, and Demand of the Person or Persons to whose Use or Credit such Payments shall have been made as aforesaid, but shall also extend to and be deemed and construed to bar the Dower of the Wife and Wives of such Person and Persons, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue of such Person and Persons claiming under them, as effectually as Fines or Common Recoveries would do if levied or suffered by the proper Parties in due Form of Law.

XXXIII. And

XXXIII. And be it further enacted, That upon Payment of such Purchase Money, all and every Person and Persons, Body and Bodies Politic, Corporate, and Collegiate, in Possession of any such Lands, Tenements, or Hereditaments, or any Part thereof, shall, at the End of Six Calendar Months next after Notice shall be given to him, her, or them for that Purpose, under the Common Seal of the said Company, peaceably and quietly deliver up the Possession of the said Premises to the said Company, or to such Person or Persons as shall be authorized by the said Company to take Possession thereof, they the said Company making such Satisfaction or Compensation to every such Person or Persons, Bodies Politic, Corporate, or Collegiate, in case he, she, or they shall be required to quit before the Expiration of his, her, or their Term in the Premises, as the said Company shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction or Compensation shall be settled and ascertained by a Jury in manner herein-before mentioned, or by a Justice of the Peace, in case the Damages shall be alleged to be under Twenty Pounds; and in case any such Person, or Body Politic, Corporate, or Collegiate, shall thereupon refuse to give up such Possession, it shall and may be lawful to and for the Sheriff of the said County of *York* to issue his Precept or Warrant, signed by him, to the Constable of and for the Township of *Skipton*, to deliver Possession of the Premises to such Person or Persons as shall in such Precept or Warrant be nominated to receive the same, and the said Constable is hereby required to take and deliver such Possession accordingly, and to levy such Costs as shall accrue upon the issuing or Execution of such Precept or Warrant on the Person or Persons so refusing to give such Possession, by Distress and Sale of his, her, or their Goods, returning the Overplus (if any) to the Owner thereof on Demand.

Possession to be delivered up.

XXXIV. Provided always, and be it further enacted, That nothing in this Act 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 any Engine or Machinery, or in and about working any Machinery 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, to be recovered by Action of Debt or on the Case.

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

XXXV. 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 now built or hereafter to be built therein, at the Reservoir to be formed in the Allotment or Inclosure marked or numbered Nineteen, 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.

Waste Waters to be turned off at or near the Reservoir Head.

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

XXXVI. And be it further enacted, That such of the Owners of Buildings within or Inhabitants of the said Town of *Skipton* 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 the Owner or Owners, Occupier or 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 other proper Pipes of suitable bore, from such Houses, Yards, or Offices, to communicate with the said Wells, Reservoirs, Aqueducts, or Main Pipes, 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, not exceeding the Rates herein-after mentioned, as may be fixed or set thereon by the said Company, or by the Court of Quarter Sessions upon Appeal as herein-after mentioned; and in case of Default in Payment of any such Sum or Sums of Money which may be so fixed by the said Company or Court of Quarter Sessions, or agreed to be paid, the same shall be recovered by the said Company, with Costs, by Distress and Sale of the 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, or by Action of Debt or on the Case, with full Costs of Suit: Provided also, that it shall not be lawful for the said Company of Proprietors to refuse to any Inhabitant wishing for the same, and being willing to comply and complying with the Terms and Conditions in this Act contained, a Supply of Water from the said Works; nor shall the said Company be at Liberty to charge or directly or indirectly take or receive any greater Rate or Rates for the Supply of the said Water than herein-after mentioned (that is to say), where the Annual Rack Rent of the House or Building, Yard or Offices to be supplied with Water shall not exceed Five Pounds, at and after the Rate of Twenty Shillings *per* Year; and where the Rent shall be above that Sum, at and after the Rate of Three Pounds *per* Year, except for each House, Building, Yard, or Office occupied by any Innkeeper, Maltster, Brewer, Distiller, Dyer, Hatter, Woolcomber, or other Person who shall use large Quantities of Water, and in every such Case such Sum as the said Company shall think reasonable, not exceeding after the Annual Rate of Eight Pounds.

Where several Houses, &c. are supplied by one common Branch Pipe, each Occupier liable to Rates.

XXXVII. Provided always, and be it further enacted, That where several Messuages, Cottages, or Dwelling Houses or Tenements, in the Occupation of several Persons, shall be supplied by one common Branch Pipe to be laid to and introduced into the Wells, Reservoirs, Main Pipes, or Aqueducts of the said Company, the several Owners or Occupiers of such Messuages, Cottages, Dwelling Houses, or Tenements, shall be respectively liable to pay for such Supply of Water at and after the same Rate as he or they would be liable to pay for the same if each of such several Messuages, Cottages, Dwelling Houses, or Tenements was separately supplied with Water by a distinct Branch Pipe from the Works of the said Company; such several Rates or Rents in case of Nonpayment to be recovered as herein-before mentioned.

XXXVIII. Provided always, and be it further enacted, That in case any Difference shall arise between the said Company and the Person or Persons desirous of having the said Water, as to the Price to be paid to the said Company for the same, then and in every such Case every such Person or Persons may appeal to the next General Quarter Sessions of the Peace to be held in and for the said West Riding of the said County of *York*, giving Fourteen Days Notice of such Intention to appeal, and of the Matter thereof, to the said Company of Proprietors in manner herein directed; and such Court shall have Power to determine and fix the Price to be paid and the Period of Time for which such Price shall be paid, as the said Court shall think fit, for the said Water, according to the Directions of this Act, and such Decision shall be final and conclusive between the said Parties; and the said Company are hereby required to supply every such Person or Persons so appealing with Water at the Price and for the Period of Time which shall be so fixed by the said Court of Quarter Sessions.

Persons desirous of having Water, may appeal, in case of any Difference with the said Company.

XXXIX. And be it further enacted, That it shall be lawful for the said Company of Proprietors to cause any Pipe or Pipes, Drains or Aqueducts, which shall communicate with any of the Wells, Reservoirs, Pipes, or Aqueducts of the said Company, and belonging to any Person or Persons 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, and who shall neglect to repair the same within Two Days after being required so to do by any of the Agents or Workmen of the said Company; or if any Person or Persons who shall make Default in Payment of the Water Rent agreed or fixed to be paid by such Person or Persons by the Space of Ten Days after the same shall be lawfully demanded, or when it shall be necessary, for the Alteration or Amendment of the Pipes or Works of the said Company, to be separated from the Wells, Reservoirs, Aqueducts, and Pipes of the said Company, and the Water to be stopped from issuing or running therefrom into such Pipes, Drains, or Aqueducts so authorized to be separated.

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

XL. Provided always, and be it further enacted, That whenever any Ground, Highway, or Pavement shall be opened or broken up, either by the said Company of Proprietors or by any other Person or Persons, for laying, taking up, or repairing any Aqueduct or Pipe by virtue of this Act, the Workmen employed in laying, taking up, or repairing any such Aqueducts or Pipes shall do as little Damage as may be, and shall forthwith fill in the Trenches and make good the Ground, Pavements, and Roads, and carry away the Rubbish occasioned thereby without any Delay, and shall in the meantime fence or guard, and affix Lamps or Lights during the Night and all Night, at or near the Place or Places where any Ground shall be opened, in such Manner as to prevent Accidents to Passengers, Cattle, and Carriages: Provided also, that if there shall be any wilful or negligent Delay in the said Company of Proprietors, or any of their Agents or Servants, or any other Person or Persons acting by or under their Authority, in filling in any such Ground, or removing Rubbish, or making good any such Ground, or Pavements, or Roads, then and in every such Case it shall and may be lawful to and for any Owner or Occupier of the Ground, or the Trustees or Commissioners under whose Jurisdiction, Care, or Management such Pavements or Roads now are or hereafter shall

Workmen laying Pipes to make good the Pavement.

Provision in case of Default.

shall be respectively, or their Surveyor or Surveyors, or any other Person or Persons acting by or under the Authority of the said Owners, Occupiers, Commissioners, or Trustees respestively, to fill in such Ground and remove such Rubbish, and to repair and make good such Ground or Pavement so broken up, and properly to fence or guard any such Trench or Excavation, and to place and maintain such Light or Lights during the Night as to him or them shall seem necessary; and that the reasonable Costs and Charges thereof shall be paid by the said Company or their Treasurer; and that in Default of Payment thereof, for Thirty Days next after Demand shall be made by such Surveyor or other Person acting by or under the Authority of the said Commissioners or Trustees respectively, Proof of such Demand being made by the Oath of One credible Witness, before One or more Justice or Justices of the Peace for the said West Riding, all such reasonable Costs and Charges, together with any Sum not exceeding Five Pounds by way of Penalty, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the said Company or such other Person or Persons, together with the Charges of such Distress and Sale, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices, and which Warrant such Justice or Justices is and are hereby empowered to grant, and such Costs, Charges, and Expences shall be paid to such Commissioners or Trustees or their Treasurer respectively.

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

XLI. 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 Agents, Officers, 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 or maliciously let off or discharge any Water, so that the same shall run waste and useless to the said Company or to 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 belonging to or the Property 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 belonging to the said Company, to be made pursuant to the Powers herein contained, or shall wade into or wash, cast, put, or throw any live or dead Dog or Cat, or other Animal, 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 being so supplied, 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, her, or their Pipes or Aqueducts, or

and on Persons supplied with Water, supplying others;

the

the Cocks belonging thereto, to be out of repair, occasion the Water thereby supplied to run waste and useless; or if any Person, not paying for or having agreed to pay for a Supply of Water from the said Works, 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 rise, 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 such Offence to the said Company any Sum not exceeding Five Pounds, according to the Discretion and Decision of the Justice of the Peace before whom the same shall be recovered as hereinafter 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.

or using Water without Consent of Company;

XLII. Provided always, and be it further enacted, That 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; and no Person supplied with Water under the Consent of and an Agreement with the said Company, shall be liable to any Penalty or Payment for supplying any other Person or Persons with Water, for the Purposes last aforesaid.

except for Purposes specified.

XLIII. 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 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 said Town wherein any Engine shall be kept for the extinguishing of Fires.

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

XLIV. And be it further enacted, That in case any of the Inhabitants of the said Town of *Skipton* 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, 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, Plaint, or Suit, in any Court of Law.

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

Directing how Pipes shall be laid down.

XLV. 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 Two Feet Six Inches beneath the Pavement in any of the Streets or Places within the said Town (except in passing over Bridges and Vaults); 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, relaying, 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, relaying, 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, relaid, or amended; and if the said Company shall neglect to repair, reinstate, and make good such Ground and Pavement, with all convenient Speed, they shall for every such Offence forfeit and pay 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.

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

XLVI. 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, Matters, and Things furnished and provided, or to be furnished and provided for the Purposes aforesaid by the said Company of Proprietors, or their 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 Power herein contained respecting the said Company, 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.

The Profits to be divided.

XLVII. And be it further enacted, That all Persons, their several and respective Executors, Administrators, and Assigns, who shall severally subscribe for or possess One or more Share or Shares in the said Undertaking, shall be entitled to and receive, after the said Reservoirs, Aqueducts, and Works shall be declared fit for Service by the said Company, 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.

The Powers vested in the Company by this Act shall not be alienable.

XLVIII. 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 *Skipton* 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 are by this Act directed for the Water supplied under the Provisions of this Act.

Power to raise Money

XLIX. 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

be necessary for the Purposes aforesaid, not exceeding the Sum of Five hundred Pounds beyond what is already 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), by Mortgage of the Undertaking.

Form of Mortgage.

'BY virtue of an Act passed in the Fourth Year of the Reign of King 'George the Fourth, intituled *An Act* [*here insert the Title of this* '*Act*], we, the Company of Proprietors of the said Undertaking, incor- 'porated 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, Administrators, and Assigns, 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 Advantages so to be assigned, in proportion and according to the respective Sums in such Assignments mentioned to be advanced, without any Preference 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 or 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),

Form of Transfer.

'I of , in consideration of the Sum of ' paid by of , do hereby transfer a certain 'Mortgage made by "The Company of Proprietors of the *Skipton* '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 of the said Company of Proprietors, who shall cause

cause a Memorial to be made thereof in the Books of the said Company, for which the said Clerk shall be paid such Sum as the Company of Proprietors shall appoint, not exceeding Five Shillings; and after every such Entry made, such Transfer shall from thenceforth entitle such Assignee or Assignees, his, her, or their Executors, Administrators, 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.

Expences of the Act how to be paid.

L. And be it further enacted, That all the Costs, Charges, and Expences, together with lawful Interest for any Money to be advanced for the Purpose attending the applying for, obtaining, and passing this Act, shall be paid and discharged by the said Company out of the Monies already subscribed or to be subscribed by virtue of this Act.

Mode of Recovery of Fines and Forfeitures.

LI. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act (the Manner of levying and recovering whereof is not hereby particularly directed) 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 Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of One or more Justice or Justices of the Peace of the said West Riding of the 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 Nonpayment, 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 in case sufficient Distress cannot be found, or such Penalties and Forfeitures shall not be paid, it shall be lawful for such Justice to order the Offender or Offenders so convicted to be detained in safe Custody, until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Justice for his or their Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Six Days from the Time of taking any such Security (and which Security the said Justice is hereby empowered to take by way of Recognizance or otherwise); but if upon the Return of such Warrant or Warrants it shall appear that no such sufficient Distress can be had thereupon,

thereupon, then it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the House of Correction for any Time not exceeding Three Calendar Months, unless such Fines, Penalties, or Forfeitures, Costs and Expences shall be sooner paid and satisfied; and One Moiety of such Fines, Penalties, or Forfeitures, shall be paid to the Informer, and the other Moiety thereof shall be paid to the Overseers of the Poor of the Parish wherein such Offence shall be committed, to be by them applied towards the Relief of the Poor of such Parish.

LII. And be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up according to the Form following; (that is to say),

Form of Conviction.

'West Riding of Yorkshire, to wit. } BE it remembered, That on the Day of in the Year of our Lord is convicted before me, of His Majesty's Justices of the Peace for the said Riding [*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.'

Proceedings not to be quashed for want of Form.

LIII. 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.

Distress not unlawful for want of Form.

LIV. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceedings relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers on account of any Irregularity that shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover Satisfaction for the special Damage in an Action on the Case.

For securing transient Offenders.

LV. And be it further enacted, That it shall and may be lawful for any of the said Proprietors or their Surveyor or other Officers respectively, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Proprietors, Surveyors, or other Officers) who shall commit any Offence or Offences against this Act, and take him, her, or them before any Justice or Justices of the Peace for the said West Riding, and such Justice and Justices shall and is and are hereby required to proceed, and act with

respect to such Offender or Offenders according to the Provisions of this Act.

Appeal may be made to the Quarter Sessions.

LVI. Provided always, and be it further enacted, That any Body or Bodies Politic, Corporate, or Collegiate, or any other Person or Persons whosoever, thinking himself, herself, or themselves aggrieved by any Order or Judgment made or given in pursuance of any Rule, Bye-law, or Order of the said Company of Proprietors, or by the Order or Determination of any Justice or Justices of the Peace in pursuance of this Act, may within Three Calendar Months after the Cause of Complaint shall have arisen, appeal to the Justices of the Peace at their next General or Quarter Sessions of the Peace to be holden for the County or Place where the Cause of Action shall have arisen; the Person or Persons appealing having first given at least Fourteen clear Days Notice of such Appeal, and of the Nature and Matter thereof, to the Person or Persons appealed against, or to the said Company of Proprietors (as the Case may be), and within Four Days after such Notice entering into a Recognizance before some Justice of the Peace for the said Riding, with Two sufficient Sureties conditioned to try such Appeal, and to abide the Order and Award of the said Court thereon; and the said Justices, upon due Proof of such Notice and Recognizance having been given and entered into, shall in a summary Way hear and determine such Complaint at such General Quarter Sessions of the Peace, or, if they think proper, may adjourn the Hearing thereof to the next General Quarter Sessions of the Peace to be held for the said Riding; and if they see Cause may mitigate any Forfeiture or Fine, and may order any Money to be returned which shall have been levied in pursuance of such Rule, Bye-law, Order, or Determination, and shall and may also award such further Satisfaction to be made to the Party injured, or such Costs to either of the Parties as they shall judge reasonable and proper; and all such Determinations of the said Justices shall be final, binding, and conclusive upon all Parties to all Intents and Purposes whatsoever.

Plaintiff not to recover after Tender of Amends.

LVII. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, Twenty-eight Days before such Action shall be commenced, of such intended Action, signed by the Attorney of the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall be made, it shall be lawful for the Defendant or Defendants in any such Action, by leave of the Court, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think proper; whereupon such Proceedings, Order and Judgment shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

LVIII. And be it further enacted, That no Action or Suit shall be brought against any Person or Persons for any thing done in pursuance of this Act, or in relation to the Matters herein contained, after Three

Calendar Months from the Fact committed, and every such Action or Suit shall be brought and tried in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall or may, at his or their Election, plead Specially or the General Issue, and give this Act and the Special Matter in evidence at any Trial, and that the same was done in pursuance and under the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall have been brought before the Expiration of Twenty-eight Days next after such Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then and in every of the said Cases the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon any Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Treble Costs, and have such Remedy for recovering the same as any other Defendant or Defendants hath or have in other Cases by Law.

General Issue.

Treble Costs.

LIX. And be it further enacted, That in all Cases where Cognizance is given to any Justice or Justices of the Peace by this Act, it shall and may be lawful to and for such Justice and Justices of the Peace to administer an Oath to any Person for his or their more certain Information in the Matter then depending.

Justices empowered to administer Oaths.

LX. And be it further enacted, That it shall and may be lawful to and for the said Company to reward any Informer or Informers as they shall think proper, so as such Reward shall not exceed the Amount of the Penalty or Forfeiture proved by the Information of such Informer or Informers to have been incurred; any thing herein contained to the contrary notwithstanding.

Company may reward Informers.

LXI. And be it further enacted, That in all Cases where it may be requisite or necessary for any Person or Persons, or Party or Parties, to serve any Notice or Notices upon the said Company, or any Writ or Writs, or other legal Proceedings, the Service thereof upon any One of the said Company, or left at his last or usual Place of Abode, or upon the Clerk of the said Company, or left at the Office of such Clerk, or at his last or usual Place of Abode, or at the Office of the said Company, or in case the same respectively shall not be found or known, then Service upon any other Agent or Officer employed by the said Company, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the same Company.

How Notices shall be served on the Company.

LXII. 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.

Public Act.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's most Excellent Majesty. 1823.