Anno tertio

Georgii III. Regis.

An Act for the better cleanſing and enlightening the Streets, Lanes, and publick Ways, of the City of *York*, and the Suburbs thereof, and of the Liberty of *Saint Peter* within the ſaid City; and for keeping the ſame in Repair and free from Annoyance; and for regulating the Hackney Coachmen and Chairmen, Carmen and Draymen, within the ſame.

WHEREAS the City of York is the Capital City of the Northern Parts of England, and is a Place of great Reſort, and much frequented by Perſons of Diſtinction and Fortune, whoſe Reſidence there is of great Benefit and Advantage to the Citizens of the ſaid City: And whereas the Streets, Lanes, and publick Ways, of the ſaid City, and the Suburbs thereof, and of the Liberty of Saint Peter within the ſaid City, are not ſufficiently lighted in the Night Time for the Convenience or Safety of the Inhabitants or of Paſſengers therein; and the Pavements of ſuch Streets, Lanes, and publick Highways, are not ſufficiently cleanſed or repaired, and are ſubject to many Annoyances, which cannot Preamble.

be effectually redressed without the Aid and Authority of Parliament: May it therefore please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Occupier and Occupiers of any House or other Building, Tenement, Garden, or Grounds, adjoining to any Street, Lane, or publick Way, within the City, Suburbs, or Liberty aforesaid; and the Churchwardens of each of the Parishes in the said City and Suburbs, and the Owners, Head Officers, Governors, Directors, or Managers of Meeting Houses, Halls, and other publick Buildings and Places within the said City, Suburbs, or Liberty, shall, from and after the First Day of May, One thousand seven hundred and sixty three, Twice in every Week (to wit) On every Tuesday and Saturday, between the First Day of October and the First Day of May, and Once in every Week (to wit) On Saturday between the First Day of May and the First Day of October, sweep and cleanse, or cause to be swept and cleansed, all the Pavements before or against their respective Houses, Buildings, Tenements, Walls, Gardens, and Grounds, and before or against all Churches, Chapels, and other publick Buildings and Places within the City, Suburbs, and Liberty aforesaid; and shall respectively cause all the Dirt and Soil, which shall be upon their said respective Pavements, to be carried away from such Pavements the same Day on which the same are hereby directed to be so swept and cleansed, before Sun-set, on Pain that each Person who shall be guilty of any Neglect or Default herein, shall forfeit Three Shillings and Four Pence for every such Neglect or Default, to be levied and recovered as hereafter mentioned: And that in case any such House, Building, Tenement, Garden, or Grounds, shall be unoccupied, and the Pavements adjoining thereto shall not be swept and cleansed, and the Dirt and Soil carried away therefrom at the Times herein before directed, then the Surveyors to be appointed as hereafter mentioned for the Parish or Place wherein such unoccupied House, Building, Tenement, Garden, or Grounds, shall be situate, shall, and are hereby authorized and required to cause such Pavements to be swept and cleansed, and the Dirt and Soil to be carried away therefrom at the Times herein before directed, the Expence whereof shall be charged to, and allowed by, the Parishioners of such Parish in such Surveyors Accounts; and the Amount of such Expences shall be charged upon,

Streets to be cleansed twice a Week.

and

and paid by, the next succeeding Occupier or Occupiers of such House, Building, Tenement, Garden, or Grounds, to be levied and recovered as hereafter mentioned: And in case such succeeding Occupier or Occupiers be a Tenant or Tenants, then he or she shall and may, and is hereby authorized to deduct out of the Rent of the same Premisses what shall have been paid or recovered from him or her on that Account, and the same shall be allowed to him or her by the Owner or Owners of such House, Building, Tenement, Garden, or Grounds accordingly.

Mayor and Commonalty, Dean and Chapter, &c. to cleanse, &c.

And it is hereby further enacted, That the Mayor and Commonalty of the said City, and the Dean and Chapter of the Cathedral and Metropolitical Church of Saint Peter of York, and the Sub-Chanter and Vicars Choral of the same Church, shall cause to be swept and cleansed, on the respective Days, and at the respective Times aforesaid, all the Market Places, Bridges, and other Pavements, within the said City and Suburbs, and within the said Liberty, the maintaining whereof doth by Usage, Prescription, or otherwise, respectively belong to the said Mayor and Commonalty, Dean and Chapter, Sub-Chanter, and Vicars Choral; and shall cause all the Dirt and Soil thereof to be carried away from such Pavements, on the same Day on which the same are hereby directed to be so swept, under the like Penalty of Three Shillings and Four Pence for every Neglect or Default therein, to be paid by the Steward of the said Mayor and Commonalty, and the Receivers respectively of the said Dean and Chapter, and Sub-Chanter and Vicars Choral, and to be levied and recovered as hereafter mentioned.

Penalty of Annoyances in the Streets.

And it is hereby further enacted, That if any Person or Persons shall throw, cast, or lay, or cause or wilfully suffer to be thrown, cast, or laid, any Hay or Straw, or any Wood, Bricks, Stones, Casks, Scaffolding, Gravel, Chips, Ashes, Manure, or other Obstructions or Annoyances, into or in any of the said Streets, Lanes, or publick Ways (other than and except such Rubbish, Earth, and Dirt, as shall be occasioned by the erecting, repairing, or pulling down any Building, or digging any Foundation, Cellar, or Drain) and shall not cause the same to be carried away, and the Pavement whereon the same shall have been laid to be well swept and cleansed the same Day before Sun-set, and shall not also in the mean Time leave sufficient Room for Carriages to pass safely by the same, such Person or Persons shall forfeit and pay the Sum of Five Shillings, and the like Sum for every Day he, she, or they shall permit the same to continue in any such Street, Lane, or publick Way, to be levied and

Rubbish of Buildings to be removed as soon as possible, and every *Saturday* till the Building is finished;

recovered as hereafter mentioned: And that all such Rubbish, Dirt, and other Annoyances, as shall be in any such Street, Lane, or publick Way, by reason of, and during the erecting, repairing, or pulling down any Building, or the digging any Foundation, Cellar, or Drain, shall be carried away, and the Pavements whereon the same shall have been laid shall be well swept and cleansed before the End of every Week, and while such Rubbish shall remain in any such Street, Lane, or publick Way, sufficient Room shall be left for Carriages to pass by the same; and in case such Work shall not be finished in One Week, then all such Dirt, Rubbish, or other Annoyance, shall be carried away, and the Pavements whereon the same shall have been laid shall be well swept and cleansed every Saturday, during the Continuance of such Work, before Sun-set; and that a good and sufficient Light shall be placed every Night before Sun-set, and kept burning all Night, so near the Place where any Heap of Rubbish, Dirt, or other Annoyance, occasioned by any such Work, shall be left, or where any Pavements shall be broke up for any Purpose whatsoever, and left open and unpaved after Sun-set, that such Place may be distinctly seen and avoided by Passengers; on Pain that any Person for whom such Work shall be done, or who shall have the Direction and Management thereof, shall forfeit and pay the Sum of Ten Shillings for every Neglect or Default herein, to be levied and recovered as hereafter mentioned;

Light to be hung out in the mean Time,

on Penalty of 10 *s.*

Other Annoyances.

And that no Person shall, on any Pretence whatsoever, hoop, wash, cleanse, or fire for bending, or cause to be hooped, washed, cleansed, or fired for bending, any Cask, Tub, or other Vessel; or slaughter or cause to be slaughtered, any Cattle, Calves, Sheep, Lambs, or Swine, in any such Street, Lane, Way, or publick Passage; or throw any Dirt, Rubbish, Dung, or other Filth, into any publick or private Drain, Vault, or Sink, in the said City, Suburbs, or Liberty, on Pain of forfeiting the Sum of Ten Shillings for every such Offence, to be levied and recovered as hereafter mentioned;

Penalty, 10 *s.*

No Stalls in the Streets.

And that no Person shall, on any Pretence whatsoever, set, place, or keep, or cause, or wilfully suffer to be set, placed, or kept, any Shop, Stall, Shed, Table, Bench, or Seat, or any Vessel or Basket, in any such Street, Lane, or publick Way, for the Sale of Fruit, Toys, or any other Wares, (except only in the publick Market Places of the said City on Market-days or Fair-days) on Pain of forfeiting the Sum of Three Shillings and Four Pence for every such Offence, to be levied and recovered as hereafter mentioned; And also that no Person shall pick or sift any Dirt,

Penalty, 3 *s.* 4 *d.*

Dust,

Duſt, or Aſhes, in any Street, Lane, or publick Way within the ſaid City, Suburbs, or Liberty aforeſaid, on Pain of forfeiting the like Sum for every ſuch Offence, to be levied and recovered in like Manner: And that no Waggon, Cart, or other Carriage, ſhall remain longer in any ſuch Street, Lane, or publick Way, than whilſt the ſame can be conveniently loaded or unloaded, and not after it is dark, nor without ſome Perſon able to guide the Horſes drawing the ſame, nor ſo as to obſtruct or hinder other Carriages from ſafely paſſing by the ſame; And that no Coach, Chaiſe, Cart, Waggon, or other Carriage, or any Part thereof, ſhall be ſet in any ſuch Street, Lane, or publick Way, to make or mend; and that no empty Coach or Chaiſe ſhall remain longer in any ſuch Street, Lane, or publick Way, than whilſt the ſame is in Waiting for Company, nor without ſome Perſon able to guide the Horſes drawing the ſame: And that no Perſon ſhall turn out or drive, or cauſe to be turned out or driven, any Horſe or Horſes looſe and unguided into or in any ſuch Street, Lane, or publick Way: And that no Driver of any Coach, Chaiſe, Waggon, Cart, or other Wheel Carriage or Dray, nor any Perſon or Perſons riding or leading any Horſe or Horſes, ſhall, without Neceſſity, drive, ride, or lead the ſame upon the Flag Stones deſigned for Foot Paſſengers, or ſo near the Houſes in any of the ſaid Streets, Lanes, or publick Ways, that Foot Paſſengers cannot ſafely paſs by the ſame, on Pain that any Driver of any ſuch Coach, Chaiſe, Cart, Waggon, or other Carriage, or any Coach-maker, Wheel-wright, or other Perſon, who ſhall by Act or wilful Default, offend in the Premiſſes, ſhall forfeit and pay the Sum of Five Shillings for each Offence, to be levied and recovered as hereafter mentioned.

Carriages not to remain longer in the Streets than neceſſary, &c.

on Penalty of 5 s.

And, for the keeping the Pavements of the ſaid City, Suburbs, and Liberty, in good Repair and Order; be it further enacted by the Authority aforeſaid, That all and every Occupier or Occupiers of any Houſe, Building, Garden, or Grounds, adjoining to any Street, Lane, or publick Way within the City, Suburbs, or Liberty aforeſaid, and the Owner or Owners of any ſuch Houſe, Building, Garden, or Grounds, being empty, or untenanted or unoccupied reſpectively, and the Churchwardens of each of the Pariſh Churches within the ſaid City, and the Owners, Governors, Directors, Wardens or Managers, of all Meeting-houſes, Halls, or publick Buildings, within the City, Suburbs, and Liberty aforeſaid, ſhall, before the Twenty ninth Day of September, One thouſand ſeven hundred and ſixty three, put into good and

Owners and Occupiers to keep their Pavements in Repair.

and ſufficient Repair, and from thenceforth keep well and ſufficiently repaired, all the Pavements within the ſaid City, Suburbs, and Liberty, which by Tenure, Uſage, or otherwiſe, ought to be by them reſpectively repaired and maintained: And alſo that the Mayor and Commonalty of the ſaid City, and the ſaid Dean and Chapter, and the ſaid Sub-Chanter and Vicars Choral of the ſaid Liberty reſpectively, ſhall, before the Twenty ninth Day of September, One thouſand ſeven hundred and ſixty three, cauſe all the Pavements within the ſaid City, Suburbs, and Liberty, which by Tenure, Uſage, or otherwiſe, ought to be repaired and maintained at the Charges of the ſaid Mayor and Commonalty, Dean and Chapter, Sub-Chanter, and Vicars Choral reſpectively, to be put into like good and ſufficient Repair, and from thenceforth to be kept well and ſufficiently repaired: And that when any Pavement in the ſaid City, Suburbs, or Liberty, ſhall be laid anew or repaired, the ſame ſhall be laid upon a Level with the adjoining Pavements on each Side thereof, and with a ſufficient Slope for the Water to run off towards the Channel; and in caſe any ſuch Occupiers or Owners, Churchwardens, Governors, Directors, or Managers as aforeſaid, ſhall neglect to repair and make good ſuch Pavements in Manner aforeſaid, for the Space of Ten Days after Notice given thereof to the Perſon or Perſons, Body Politick or Corporate, who ought to maintain ſuch Pavement (which Notice the Mayor, or any Juſtice of the Peace of the ſaid City, or any Juſtice of the Peace for the ſaid Liberty, or the Surveyors to be nominated or appointed as hereafter mentioned, or any of them, are or is hereby required to give or cauſe to be given) then the Surveyors of the reſpective Pariſhes and Places wherein ſuch Neglect or Default ſhall be, or any Two or more Juſtices of the Peace within whoſe Juriſdiction ſuch Pavements ſhall lie, ſhall and may, and they are hereby authorized and required to order and appoint ſuch Perſon or Perſons as they reſpectively ſhall think fit, effectually to repair and make good the ſame, or to cauſe the ſame to be ſo repaired and made good, at the Charges of ſuch Occupier or Occupiers, Owner or Owners, Churchwardens, Governors, Directors, or Managers, reſpectively, who is or are reſpectively liable by Law to repair and make good the ſame: And in caſe any ſuch Perſon or Perſons ſo liable, ſhall refuſe to pay the Charges of ſuch Paving or Repairing as aforeſaid upon Demand, any Two or more Juſtices ſhall and may, and are hereby authorized and required, by Warrant under their Hands and Seals, to levy

and raise by Distress and Sale of the Goods and Chattles of the Person or Persons so refusing, such Sum of Money as will answer and pay the Charges and Expences of such Paving and Repairing as aforesaid, and also the Charges and Expences attending such Distress and Sale, leaving the Overplus in the Hands of the Constable for the Use of the Owner or Owners of such Goods and Chattles: And in case of such Default in the said Mayor and Commonalty, Dean and Chapter, or Sub-Chanter and Vicars Choral respectively, such Penalty shall be paid by and levied upon their several Officer or Agent, called the City Steward, or Receivers of the said Dean and Chapter, Sub-Chanter, and Vicars Choral.

Pavements taken up for laying Pipes, to be made good,

And it is hereby further enacted, That when any Pavement in the said City, Suburbs, or Liberty, shall be taken up for the Purpose of laying, fixing, or repairing any Pipe or Pipes under the same, for conveying Water from the Water-works in the said City, to any House or Building, the Pavement so taken up shall, within One Day after such Pipe or Pipes is or are so laid, fixed, or repaired, be well and sufficiently renewed and made firm and level with the rest of such Pavement, to the Satisfaction of the Person or Persons, Body Politick or Corporate, who shall by Law be bound to keep such Pavement in Repair; and in the mean Time until the same is repaired, the Owner, Agent, or Manager of such Water-works, shall, at his own Charges, fix up a sufficient Light so near the Place so dug up, that the same may be distinctly seen, and shall continue such Light from Sun-set to Sun-rising, on Pain that such Owner, Agent, or Manager of such Water-works shall forfeit and pay the Sum of Ten Shillings, for every Neglect or Default in not so repairing any Pavement so dug up, or not fixing up and continuing such Light as aforesaid, to be levied and recovered as hereafter mentioned.

on Pain of 10s.

Roads in the Suburbs to be covered with Gravel.

Provided always, That it shall and may be lawful for the said Mayor and Commonalty to cause any of the Roads in the Suburbs of the said City, which they ought to repair as aforesaid, to be thrown up and covered with Stone and Gravel in the Manner of Turnpike Roads, so as such Roads be kept constantly well covered with good Gravel, and in good Order and Condition, on the Penalty aforesaid.

Proviso.

Provided also, That nothing herein contained shall extend to charge any Person or Body Corporate with the Repairs of any such Streets, or publick Passages or Places, who or which is not by Law now chargeable with the Repairs thereof.

Waggons, &c. to have Fellies six Inches wide.

And it is hereby further enacted, That the Wheels of every Waggon, Cart, or other Carriage of the like Kind, kept or used for carrying Goods or other Things for Hire, within the said City, Suburbs, or Liberty; and the Wheels of every Waggon, Cart, or other such Carriage, in which Bricks, Tiles, Stones, or Gravel shall be carried within the said City, Suburbs, or Liberty; or in which Coals are carried from the River of Ouse, or any Coal Yards in the said City, Suburbs, or Liberty, to be delivered in the same City, Suburbs, or Liberty; and the Wheels of every Dray, Rully, or other Carriage of the like Construction, or used or to be used for the like Purposes as Rullies are now used for, and which shall be drawn and used within the said City or the Suburbs thereof, or Liberty aforesaid, for Hire, shall, after the Fifth Day of April, One thousand seven hundred and sixty four, be made with Fellies Six Inches broad at the least, and of a flat even Surface in every Part of such Fellies; and also that no more than One Ton of any Sort of Liquid shall be drawn at One Time upon any such Rully, or other Carriage of the like Construction as Rullies, on Pain that the Owner or Owners, Driver or Drivers of any such Waggon, Cart, Dray, Rully, or other Catriage of the like Construction, used or to be used for Hire for the like Purposes for which Rullies are now used, and which shall be so used or drawn after the said Fifth Day of April, One thousand seven hundred and sixty four, with any Wheel or Wheels, the Fellies of which shall be less than Six Inches broad, and not of a flat even Surface in every Part thereof; and the Owner or Owners, Driver or Drivers of any such Rully, or other Carriage of the like Construction, on which more than One Ton of any Sort of Liquid shall be drawn at One Time, shall respectively, for every Offence, forfeit and pay the Sum of Five Shillings, to be levied and recovered as aforesaid.

Rullies to carry but 1 Ton of Liquid,

on Penalty of 5*l.*

Bell Lamps to be provided, and lighted;

And, for the better lighting the said City and Suburbs, and Liberty aforesaid, in the Night Time, be it further enacted by the Authority aforesaid, That, from and after the Twenty fifth Day of June, One thousand seven hundred and sixty three, such a Number of Lamps as are particularly mentioned in the Schedule hereunto annexed, marked with the Letters (A A) and intituled, "A Schedule, "shewing the Number of Lamps to be fixed up and lighted "in each Parish and Place within the City of *York*, Suburbs "thereof, and Liberty of *Saint Peter* within the said City, "with the Distances at which the same are to be fixed in "the principal Streets and Places," shall be provided by such parochial

parochial Rates and Assessments as are hereafter expressed, in the several and respective Parishes and Places within the said City and Suburbs thereof, and within the said Liberty; and that all such Lamps shall be Bell Lamps, and Eleven Inches in Diameter, and all, as near as possible, of the same Kind and Goodness in all Respects, and shall be either fixed with Irons against the Walls of the Streets, Lanes, and publick Ways of the said respective Parishes or Places, or upon strong Posts fit to support the same; and that, from and after the First of October, One thousand seven hundred and sixty three, all such Lamps shall be lighted at Sunset every Evening, and kept burning till Twilight every Morning, from the First Day of October to the Thirty first Day of March inclusive in every Year, and during the Week of the annual Horse Races at or near York; and such Number of Lamps shall be so provided for and kept fixed up as aforesaid in each of the said Parishes and Places within the said City, Suburbs, and Liberty, as is particularly specified and expressed in the said Schedule herein before referred to as aforesaid.

particular Regulations relating thereto.

And it is hereby further enacted, That in such Streets and Places where the Distance between one Lamp and another is not fixed by the said Schedule, not exceeding Forty Yards on the same Side of the Way, the Lamps shall be placed in such Places, and at such Distances, within the said City and Suburbs, as the Three Aldermen of the respective Wards in which such Streets and Places shall be respectively situated, and the Two Surveyors, and One of the Collectors for the time being, to be appointed in pursuance of this Act for such respective Parishes, or the major Part of them; and within the said Liberty, as Two Justices of the Peace of the said Liberty (One of whom to be the Dean or a Residentiary of the said Cathedral Church) and the Two Surveyors thereof, or the major Part of them, shall think fit, so as no such Lamp be fixed farther from the End of each such Parish in the said City and Suburbs than Twenty Yards; and that the said Aldermen, Surveyors, and Collectors, respectively, or the major Part of them, if they find it necessary, may add any Number of Lamps, not exceeding Two in each or any of the Parishes in the said City and Suburbs, to the Number specified in the Schedule hereunto annexed; and that such Two Justices and Surveyors of the said Liberty, or the major Part of them, may add any Number of Lamps, not exceeding Five in the said Liberty more than the Number respecting them in the said annexed Schedule.

And

Charges how to be borne.

And it is hereby further enacted, That the Charges of purchasing and providing such a Number of Lamps as shall be necessary to be purchased, to make up the Number to be fixed and set up in each of the said Parishes and Places within the City, Suburbs, and Liberty aforesaid, and the Irons, Posts, and other Materials necessary and requisite for fixing and supporting the same, as well as the Charges of lighting, attending, and dressing all the Lamps in the said respective Parishes and Places, shall be paid out of the First Year's Rate or Assessment which shall be made upon the said Parishes and Places respectively, as hereafter mentioned; and the future Charges of lighting, attending, dressing, and repairing all such Lamps in each of the said Parishes and Places, from time to time, shall be paid by and out of the annual Rates and Assessments to be made upon the said respective Parishes and Places, as hereafter mentioned.

Inhabitants, rated at 4 *l.* a Year, to chuse Surveyors, Assessors and Collectors.

And, for the better and more effectual Execution of this Act, and for defraying the Expence of buying, setting up, and maintaining the said Lamps, and supplying the same with proper Materials, it is hereby further enacted, That the Inhabitants of each of the Parishes and extraparochial Places of the said City of York, and the Suburbs thereof, and of the Liberty of Saint Peter within the said City, who shall be rated and assessed to the Land Tax, at Four Pounds by the Year, or upwards, for any Tenement or Tenements in each such Parishes or Places respectively, or in the said Liberty, and no other Person or Persons, are hereby authorized, impowered, and required, to assemble and meet on the first Wednesday in June, in the Year of our Lord One thousand seven hundred and sixty three, and on the first Wednesday in June in every Year following, between the Hours of Ten and Twelve in the Forenoon, in the Vestry of their respective Parish Churches, or in some other proper Place (publick Notice having been first given thereof in the respective Parish Churches of the said City and Suburbs, on the Sunday next before such intended Meeting, immediately after Divine Service, and in the Sessions Hall, or Court House, for the Liberty of Saint Peter aforesaid, at the General Quarter Sessions for the said Liberty, or any Adjournment thereof next preceding the said first Wednesday in June in every Year; which Notice the Churchwardens of each such Parish, and the Clerk of the Peace for the said Liberty, at such Sessions or the Adjournment thereof, shall, and are hereby required to cause to be given) and on the Day of such first Meeting, or on any other Day or Days before the Twenty fifth

Day

Day of the same Month of June (of which the like publick Notice shall be given as aforesaid) the said Inhabitants so assembled, or the major Part of them, shall and may, and are hereby required to nominate and appoint four substantial Inhabitants of each of the said respective Parishes, and of the said Liberty respectively, then being Housholders in the Parish or Place for which they shall be so appointed, and liable to serve Parish Offices therein, Two of which Four Persons shall be appointed by the Inhabitants of the said Parishes, Places, and Liberty, respectively, to be Surveyors of the Streets, Lanes, and publick Ways within the respective Parishes and Limits for which they shall be so chosen and appointed as aforesaid; and also Assessors of the Rates and Assessments to be made upon the said respective Parishes and Places, for the Purposes hereafter mentioned; and the other Two of such Four Persons, so to be nominated, shall, by the rest of such Inhabitants respectively so assembled, or the major Part of them, be appointed Collectors of the same Rates and Duties; and such respective Persons, so to be appointed Surveyors of such Streets, Lanes, and publick Ways, are hereby authorized and required to cause this Act, and every Clause and Provision herein, to be duly observed and put in Execution within their several Parishes and Limits respectively, and the several Forfeitures and Penalties which shall or may become due or payable for the Breach thereof, by virtue of this Act, to be duly levied, recovered, and applied, from time to time, according to the true Intent and Meaning of this Act: And such Surveyors and Collectors respectively, so to be nominated and appointed, shall serve and execute the said Offices and Employments respectively from the Twenty fifth Day of June in each Year, for One whole Year next ensuing, and till other such Officers shall be so nominated and appointed in their Room: And in case any Person so nominated or appointed, shall happen to die or remove out of the said Parish or Place for which he was so appointed Surveyor or Collector as aforesaid, before his Year is expired, or shall refuse or neglect to take upon him such Office; in any of those Cases the Churchwardens of the Parish or Place for which such Person, so dying, removed, or refusing to act (in case such Parish or Place be within the said City or Suburbs) on the next Sunday after such Vacancy shall have happened; and the Clerk of the Peace for the said Liberty (in case such Vacancy shall happen within the same) at the next General Quarter Sessions for the said Liberty, or any Adjournment previous thereto, shall give such publick Notice, as

In case of Death, &c. others to be chosen.

herein before mentioned, of such Vacancy, and of the Day on which such Inhabitants as aforesaid of the same Parish or Place are required to meet to supply the same; and such Inhabitants as aforesaid of the same Parish or Place shall and may, and they are hereby required to meet, on the Day for which such Notice shall be so given, in the Vestry of the same Parish, or in such other proper Place as aforesaid, and then and there they, or the major Part of them, shall nominate and appoint some other substantial Householder of the same Parish or Place, liable to serve Parish Offices as aforesaid, to supply such Vacancy along with the other Surveyor or Collector (as the Case may happen to be) of the same Parish or Place, till the annual Day of Election of Surveyors and Collectors then next ensuing; and to act in the mean Time with the same Power and Authority in all Respects, as if such Person had been nominated One of the said Surveyors at such annual Day of Election as aforesaid.

And it is hereby further enacted, That every Person, who shall be so annually nominated and appointed to any such Office or Employment as aforesaid, or who shall be so nominated and appointed in the Room of any other Person so dying, removed, or refusing to act, shall, within Ten Days after such Appointment, accept of such Office or Employment to which he shall be so appointed in pursuance of this Act, and signify such his Acceptance by Writing under his Hand, in the publick Book to be kept for the Purpose of entering the Accounts of such Surveyors in each of the said Parishes and Places; and if any Person, so nominated and appointed, shall neglect or refuse so to accept of the Office or Employment to which he shall be so appointed in pursuance of this Act, such Person, so neglecting or refusing, shall forfeit the Sum of Five Pounds, to be levied and recovered as hereafter mentioned, and to be paid to the acting Surveyor or Surveyors of the same Parish, to go and be applied for and towards the Expence of lighting and maintaining the Lamps in the Parish or Place for which such Person hath so neglected or refused to serve.

Penalty of Refusal.

Extraparochial Places to be annexed to certain Parishes.

And it is hereby further enacted, That so much of the Street called New Street, otherwise Cumberland Row, as is deemed to be Extraparochial, shall be construed and taken to be within the Parish of Saint Martin's Coney Street, in the said City, for all the Purposes of this Act, and shall be within the Survey of the Surveyors of the said Parish of Saint Martin's herein before-mentioned; and that the Place called Mint Yard, and so much of the Street called Lendall, as is deemed to be Extraparochial, shall be

construed and taken to be within the Parish of Saint Wilfred in the said City, for all the Purposes of this Act, and shall be within the Survey of the Surveyors of the said Parish of Saint Wilfred herein before mentioned, in the same Manner as if the said respective Places had been antiently within the said respective Parishes; But that to all other Purposes to which this Act doth not extend, the said respective Places, or so much thereof as is or are now Extraparochial, shall from henceforth continue and remain as if this Act had not been made; any thing herein contained to the contrary notwithstanding.

Lamp Rate to be made by the Surveyors;

And it is hereby further enacted, That from and after the said Twenty fifth Day of June, One thousand seven hundred and sixty three, the several Persons who shall be nominated and appointed Surveyors of the said respective Parishes and Liberty, shall, within Fourteen Days after they shall be so respectively appointed in every Year, meet at some publick Place within their respective Parishes and Limits (Notice of every such Meeting being always given in their respective Parish Churches as aforesaid, for the said City and Suburbs, the Sunday next before such Meeting, immediately after Divine Service, and in the said Sessions Hall, or Court House, for the said Liberty, Three Days before every such Meeting; which Notice the Surveyors of each of the said respective Parishes, or One of them, and the Constable of the said Liberty, are or is hereby required to give, or cause to be given) and then and there the said Surveyors, or One of them, together with such other Parishioners and Inhabitants of their said respective Parishes, and of the said Liberty respectively, being then assessed to the Land Tax at Four Pounds by the Year, or upwards, as shall be there assembled, or the major Part of them, shall and may, and are hereby impowered and required to make a Rate or Assessment upon all Houses and publick or private Buildings of every Kind, which, at the Time of making of any such Rate, are assessed or assessable to the Land Tax (Courts of Justice, Hospitals, Alms-houses, and Work-houses for the Poor, only excepted) and upon all Frontsteads, Yards, Orchards, and Gardens, assessed or assessable to the Land Tax, situate, lying, and being within the said Parishes respectively, and within the said Liberty; such Rate and Assessment to be a Charge upon the Occupier or Occupiers of the Premisses so rated, in case there be a known Occupier or Occupiers thereof; and if not, then to be a Charge upon the Owner or Owners thereof respectively; and in case of such publick Buildings, then to be a Charge upon any Person or

Persons

Persons who shall act as Owner or Owners, Governor or Governors, Director or Directors thereof respectively, and to be made by an equal Pound Rate in Proportion as the same Premisses are or shall be assessed to the Land Tax; which Rate and Assessment, when so made in pursuance of this Act, together with a Duplicate thereof, shall be signed and confirmed by Two or more Justices of the Peace of the said City and County of the same for and in respect of the respective Parishes in the said City and Suburbs, and by Two Justices of the Peace of the said Liberty, for and in respect of the said Liberty.

and collected quarterly.

And it is hereby further enacted, That after such Rate or Assessment shall be so made and confirmed as aforesaid, One Part thereof, so signed and confirmed, shall be kept by the said Surveyors, or One of them, and the Duplicate thereof, so signed and confirmed, shall be delivered by the said Surveyors, or One of them, to the Two Persons who shall then be Collectors, appointed as aforesaid, of the Rates and Assessments to be made by virtue of this Act; and such Collectors, or One of them, are hereby required, without any other Warrant, to demand and collect quarterly the several Sums specified in the Rate or Assessment, of and from the several Persons who ought to pay the same by the true Meaning of this Act, and to give Receipts in Writing under their Hands (if required) for what they shall so receive; and the same, when so collected and received, shall be paid over quarterly by the said Collectors, or One of them, to the then Surveyors of the same Parish or Place for which such Rate shall have been made, to be applied as hereafter is directed; which said Surveyors shall give Receipts, in Writing under their Hands, to the said Collectors for what they shall so receive.

On Default of Appointment of Surveyors, or of making Rates, Justices to appoint, &c.

And it is hereby further enacted, That if in any Parish or Place, Parishes or Places, within the said City, Suburbs, or Liberty aforesaid, no such Surveyors shall be appointed in any Year, within the Time herein before limited and prescribed for that Purpose, or such annual Rate shall not be made, as is herein before directed, within the Time for that Purpose herein before limited, then the Mayor and any Two other Justices of the Peace of the said City and County of the same (in case such Default shall be in any of the Parishes of the said City and Suburbs) or any Two such Justices of the said Liberty (in case such Default shall be in any Place within the said Liberty) shall and may nominate and appoint Two of the most substantial Inhabitants of the respective Parish or Place, Parishes or Places, wherein such Default shall be,

liable to serve Parish Offices therein, to be the Surveyors for such respective Parish or Parishes, Place or Places, till the then next annual Day of Election of Surveyors as aforesaid; which Surveyors, so by the said Justices to be appointed, shall have the same Powers and Authority, and shall be subject to the same Penalties and Forfeitures, in all Respects, as if they had been nominated by the Parishioners and Inhabitants of such Parish or Place as aforesaid; and in case such annual Rate or Assessment shall not be made as aforesaid, for any Parish or Place, Parishes or Places, within the said City or Suburbs, within the Time herein before limited for that Purpose, then the said Mayor, or any Two other Justices of the Peace of the said City and County of the same (in case such Rate shall be neglected to be made in any of the Parishes of the said City or Suburbs) or any Two Justices of the said Liberty (in case such Rate shall be so neglected to be made in the said Liberty) shall and may, and are hereby authorized and required to make and settle such Rates and Assessments as ought to have been made by the said Surveyors, in each such Parish or Place within the said City or Suburbs, or Liberty aforesaid, by the true Meaning of this Act; which Rates and Assessments, so made by the said Justices respectively, shall, in those Cases, be as valid and effectual to all Intents and Purposes, to be demanded, collected, and levied, as if the same had been made in the Manner herein before first mentioned: And such Justices respectively shall also, in such Cases only, nominate and appoint Two substantial Inhabitants of such respective Parishes and Places as aforesaid, to be Collectors of the Rates so by them to be made as aforesaid; and such Surveyors and Collectors, so by them to be nominated and appointed as aforesaid, shall, and are hereby required to take upon them the said Offices respectively, and to execute the same in all Respects as if they had been nominated by such Parishes and Places respectively, on Pain of forfeiting the like Penalties as are herein before inflicted for neglecting or refusing to execute such Offices respectively, upon the Nomination of the said respective Parishioners and Inhabitants thereto.

And it is hereby further enacted, That if any Person or Persons, by whom any such Notice ought to be given as aforesaid, shall wilfully refuse or neglect to give, or cause to be given, such Notice in the proper Parish Church of the said City and Suburbs, or in such Sessions Hall, or by the Constable for the said Liberty, as is herein before directed or required, or to assess or collect such Rates and Assessments as aforesaid, being thereunto

Penalty of not giving Notice, &c.

appointed as aforesaid, every such Person shall, for every such Offence, forfeit and pay the Sum of Five Pounds, to be levied and recovered as herein after mentioned, to be applied towards the Expence of lighting the Lamps in the Parish or Place in respect whereof such Offence shall be committed.

Rates to be levied by Distress and Sale.

And it is hereby further enacted, That in case any Person or Persons, so rated and assessed as aforesaid, shall refuse or neglect to pay the Sum or Sums of Money at which he, she, or they shall be so rated or assessed, for the Space of Four Days after the same shall be demanded as aforesaid, it shall and may be lawful to and for the said Collectors respectively, by Warrant under the Hands and Seals of Two or more of the Justices of the Peace within whose Jurisdiction the Party or Parties so neglecting or refusing shall respectively reside, to levy the Money so refused or neglected to be paid, by Distress and Sale of the Goods and Chattles of the Person or Persons so refusing or neglecting, together with all the Costs and Charges of such Distress and Sale, rendering the Overplus (if any be) to the Owner or Owners of such Goods and Chattles.

Deficiencies to be made up by Assessment.

And it is hereby further enacted, That in case any Money received by any such Collector or Collectors, by virtue of any such Rate or Assessment, shall at any Time be lost by the Insolvency of any such Collector or Collectors, then a new or additional Assessment or Assessments shall be made by the Surveyors for the time being, and Parishioners of the same Parish, or Inhabitants of the said Liberty, where such Loss shall happen, or the major Part of them, at a publick Meeting to be by them held for that Purpose (such Notice having been first given thereof by such Surveyors as aforesaid) for the supplying and making up such Loss or Deficiency, and also the Charges necessarily occasioned by or on account of the same.

Provision respecting Houses let in small Tenements.

And whereas several Houses in the said City and Suburbs, and in the said Liberty, are, by the Landlords or Owners thereof, let out in divers Tenements to several Tenants, whereby it is difficult to rate and assess such Houses, or to recover such Rates and Assessments when made; for Remedy whereof, be it enacted by the Authority aforesaid, That the Owner or Owners of all such Houses or Tenements, which shall be so let to or occupied by Two or more Tenants, shall and may be rated and assessed in and towards any annual Rate or Assessment to be made as herein before directed, and the Sum or Sums,

at

One

at which the respective Owners of such Houses or Tenements shall be so rated, shall be demanded of, and shall be liable to be paid by, any Two or more of the Occupiers of any Part or Parts of such Houses or Tenements: And in case any Occupier or Occupiers of any Part of such Houses or Tenements shall refuse or neglect to pay the same for the Space of Four Days after the same shall be demanded, then the same, or so much thereof as shall not be so paid, shall be levied by Distress and Sale of the Goods or Chattles of him, her, or them so refusing, in like Manner as other like Rates and Assessments may be levied and recovered by virtue of this Act; and such Occupier or Occupiers of such Houses or Tenements, is and are hereby required to pay the Sum or Sums of Money, which shall be so rated and assessed on the Owner or Owners thereof, in pursuance of this Act; and such Occupier or Occupiers is and are hereby authorized to deduct the same out of his, her, or their Rent (unless there be an actual Agreement between them and their respective Landlords to the contrary) and the said Landlords, both mediate and immediate, according to their respective Interests, are hereby required to allow such Deductions and Payments upon Receipt of the Residue of their Rents; and every Tenant paying such Assessment or Assessments, shall be acquitted and discharged for so much Money as the said Assessment or Assessments shall amount unto, in the same Manner as if the same had been actually paid to such Person or Persons to whom his, her, or their Rent should have been due and payable, so as there be no such Agreement between such respective Tenants and their Landlords to the contrary.

Occupiers removing, Rates to be proportioned.

And be it further enacted by the Authority aforesaid, That when any Person or Persons shall come into, or occupy, any House, Ground, or Tenement, chargeable with any Assessment by virtue of this Act, out of or from which any other Person, so assessed, shall be removed, or which, at the Time of making such Assessment, was empty or unoccupied; that then every Person so removing from, and every Person so coming into or occupying, the same, shall be liable to pay such Assessment in Proportion to the Time that such Person occupied the same respectively, in the same Manner, and under the like Penalty of Distress, as if such Person so removing had not removed, or such Person so coming in or occupying had been originally rated in such Assessment; which said Proportion, in case of Dispute, shall be ascertained and determined by Two or more Justices of the Peace within whose Jurisdiction such Assessment shall be due and payable.

And

Surveyors to contract for Lamps;

And it is hereby further enacted, That it shall and may be lawful for the said Surveyors of the said respective Parishes within the said City and Suburbs, and for the said Surveyors of the said Liberty, with the Consent of the major Part of the Parishioners of such respective Parishes, and of the Inhabitants of the said Liberty, respectively assembled at a publick Meeting (after Notice thereof given as aforesaid, Three Days before such Meeting) to contract with any Person or Persons for the Lamps herein before directed to be provided in each of the said Parishes and Places respectively, and for proper Irons and Posts for fixing the same on, and for finding and providing the said

and for lighting the same.

Lamps with all requisite and necessary Materials; and for lighting, attending, dressing, and repairing the same, according to the Tenor and Purport of this Act, for any Time not exceeding One Year, so as Ten Days Notice at least be given by Writing, to be fixed up at the Guildhall in the said City, for the said City and Suburbs, and at the Sessions Hall of the said Liberty, for the same Liberty, for all Persons willing to undertake the Lighting of the Streets, Lanes, and publick Ways of such respective Parishes and Places, according to the true Intent and Meaning of this Act, to make Proposals for that Purpose to the said Surveyors, at a certain Time and Place in such Notice to be mentioned.

Power to discharge for Misbehaviour.

Provided, That any Person so employed by such Surveyors shall and may at any Time be discharged for Misbehaviour or Neglect of Duty, by the said Surveyors, or by the said Parishioners and Inhabitants of the said Parish or Place for which he shall be so employed, or the major Part of them, assembled at any publick Meeting; and that any Person or Persons may be employed as aforesaid, in the Room of the Person so discharged; and any such Discharge, being made or confirmed by such Parishioners and Inhabitants, shall and is hereby declared to be a Determination of such Contract as to any such Person so discharged: And in case any Differences shall arise between such Surveyors, or such Parishioners and Inhabitants, and any Person so discharged for Misbehaviour or Neglect of Duty concerning such Contract, or concerning the Money which shall have become due to him before such Discharge, the same shall be heard by any Two Justices of the Peace (One of them being of the Quorum) within whose Jurisdiction such Difference shall arise, who shall make such Adjudication of the Matters in Dispute, as shall appear to them to be just: And in case there be no Appeal, or if, upon an Appeal to the next Quarter Sessions,

sions, the Sentence of the said Justices be there confirmed; such Sentence shall be final and conclusive to all Intents.

Surveyors Accounts.

And be it further enacted by the Authority aforesaid, That the said respective Surveyors for the said respective Parishes and Places, shall keep proper Books of Accounts, in which shall be duly and fairly entered, from time to time, all the Money by them respectively received, paid, and disbursed, under or in pursuance of this Act, distinguishing the Times when, and of whom, by whom, to whom, and on what Account, such Money shall be so received, paid, and disbursed; which Books shall and may be produced to, and inspected by, the Parishioners and Inhabitants of the respective Parishes and Places concerned therein, at any publick Meeting to be held in pursuance of this Act: And the said respective Surveyors, and also the respective Collectors of the said Rates and Assessments, and every Person who shall receive any Money by virtue of this Act for the Purposes aforesaid, shall, from time to time, and as often as the Parishioners and Inhabitants of the respective Parishes and Places aforesaid, assembled at any publick Meeting for the Purposes aforesaid, or the major Part of them, shall require, or at least Once in the Year, and within Fourteen Days after new Surveyors and Collectors shall be chosen, make and render to such respective Parishioners and Inhabitants so assembled, or the major Part of them, a true and perfect Account (to be confirmed by the Oath of such Person or Persons, or upon his or their solemn Affirmation (if he or they be of the People called Quakers) which Oath or Affirmation the Mayor, or any One Justice of the Peace of the said City and County of the same, and any Justice of the said Liberty respectively, is hereby authorized and required to administer) of all Sums of Money by such Person or Persons collected or received, or which shall have come to their Hands respectively, or which shall have been rated and assessed as aforesaid, and not received, and all other Matters and Things committed to their Charge, by virtue or under the Authority of this Act; and shall pay and deliver all the Money which shall remain in their Hands respectively, at the Time of such Accounts, to the acting Surveyors then appointed by virtue of this Act, and acting for the Parish or Place, to whose Use such Money ought to be applied: And in case any such Surveyor, Collector, or other Person, shall refuse or neglect to account for and pay all such Money accordingly, every such Surveyor, Collector, or other Person, so refusing or neglecting, shall, for every such Offence, Refusal, or Neglect, forfeit and pay the Sum of Forty Pounds; and any Two

Penalty for not accounting.

or more Justices of the Peace (One being of the Quorum) within whose Jurisdiction such Money ought to be so accounted for and paid, shall and may cause all and every such Sum and Sums of Money as shall so remain in the Hands of each such Surveyor, Collector, or other Person or Persons, at the Time of such Account as aforesaid, as also the said Penalty or Sum of Forty Pounds, to be, from time to time, levied by Distress and Sale of the Goods and Chattles of each such Surveyor, Collector, or other Person or Persons respectively, rendering to the Owner the Overplus (if any) after the Charges of such Distress and Sale deducted; and in case no sufficient Distress can be found, then such Justices shall and may commit each such Surveyor, Collector, or other Person or Persons respectively, to the Common Goal, there to remain without Bail or Mainprize, until he or they shall have made a true and perfect Account and Satisfaction, or shall have compounded and agreed to and with the Parishioners and Inhabitants of the Parish or Place concerned in such Account, assembled as aforesaid, or the major Part of them (who are hereby authorized to compound for the same) for so much as upon the said Account shall appear to be remaining in their Hands respectively, and until he or they shall have delivered up to the said then acting Surveyors all the Books of Accounts and Vouchers relating to the Premisses; which said Penalty or Forfeiture of Forty Pounds, when recovered, and also the Sum and Sums of Money so accounted for or levied as aforesaid, or compounded and agreed for as aforesaid, shall be paid to the acting Surveyor or Surveyors of the Parish or Place concerned in such Account, to go and be applied for and towards the Expence of lighting and maintaining the Lamps in such Parish or Place.

Application of the Rates.

And it is hereby further enacted, That the Money to be raised and levied by such Rates and Assessments as aforesaid, shall be applied for the Uses and Purposes for which such Rates and Assessments are hereby directed to be made, and for no other Use whatsoever: And in case the Money to be collected in One Year by virtue of this Act, shall not be sufficient to answer the Purposes for which the same was so assessed and collected, such Deficiency shall be supplied by the Assessment for the next ensuing Year: And in case, at the End of any One Year, and the closing the Accounts of the said Year, any Surplus of the Money to be raised for that Year, by such Assessment to be made by virtue and under the Authority of this Act, shall remain over and above what shall have been issued and applied, pursuant to and for the Purposes of this Act, such Surplus

plus shall, from time to time, as the same shall happen to arise, be paid and applied towards the succeeding Year's Expence, for the Purposes before mentioned.

Property of the Lamps, in whom vested.

And it is hereby further enacted by the Authority aforesaid, That the Property of the Lamps fixed up, and to be fixed up, in the said City and Suburbs, at the publick Expence, shall be vested in the Churchwardens for the time being of the several and respective Parishes within the said City and Suburbs, for the Use of the Inhabitants of such respective Parishes: And the Property of the Lamps fixed up, and to be fixed up, in the said Liberty, at the Expence of the Inhabitants of the said Liberty, shall be vested in the Dean and Chapter of the said Cathedral Church within the said Liberty, for the Use of the Inhabitants of the said Liberty: And such Churchwardens, and the said Dean and Chapter respectively, are hereby authorized to bring Actions, and prosecute Indictments, for stealing, taking away, breaking, spoiling, or extinguishing, the same: And if any Person or Persons shall steal any such Lamps, or any Part thereof, or the Furniture thereof, or any Part thereof, and shall be duly convicted thereof at any Quarter Sessions of the Peace to be held for the said City of York and County of the same, or for the said Liberty respectively, such Person or Persons shall and may be punished by Whipping, or by Fine and Imprisonment for any Time not exceeding Six Months.

Penalty of stealing,

or wilfully spoiling or extinguishing,

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully or maliciously take away, break, throw down, spoil, or extinguish, any Lamp that is or shall be hung out or set up to enlighten any Street, Lane, or publick Way, in the said City, Suburbs, or Liberty, or shall wilfully damage the Posts, Irons, or other Furniture thereof; every Person so offending therein, and being thereof convicted by the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace acting for the Jurisdiction within which such Offence shall be committed, shall, for the First Offence, forfeit the Sum of Forty Shillings for each Lamp so taken away, broken, thrown down, extinguished, or otherwise damaged; and for the Second Offence, the Sum of Four Pounds; and for the Third, and every other Offence, the Sum of Six Pounds; to be levied and recovered as hereafter mentioned, and to be paid to the Surveyors of the Parish or Place where the Offence shall be committed, to be applied towards lighting and maintaining the Lamps of such Parish or Place; and in case no sufficient Distress can be found, then such Justice or Justices shall and may, and is

and

and are hereby authorized and required to commit the Person or Persons so offending to the Common Goal for any Time not exceeding Three Months, or until such Penalty or Penalties shall be paid.

or carelesly damaging, the Lamps.

And it is hereby further enacted, That in case any Person or Persons shall carelesly, negligently, or accidentally, break, throw down, or otherwise damage or extinguish, any of the said Lamps so hung out and set up, or to be hung out and set up as aforesaid, or the Irons, Posts, or other Furniture thereof, and shall not immediately, upon Demand, make Satisfaction for the Damage done thereto; then and in such Case it shall and may be lawful to and for any One or more of the said Justices, within whose Jurisdiction such Damage shall be done, upon Complaint to him or them thereof made by any One or more credible Person or Persons, to summon the Person or Persons who shall be so complained of for doing such Damage as aforesaid, and upon hearing the Allegations and Proofs of both Parties, or upon the Non-appearance of the Person or Persons so complained of, to award to the Party to whom such Damage shall be done, such Sum of Money as shall appear to such Justice or Justices to be a full and adequate Compensation for such Damage, to be paid by the Person or Persons doing such Damage; and, in case of Refusal or Neglect to pay any Sum of Money so awarded within Three Days after the same shall be demanded, such Justice or Justices shall and may, by Warrant under his or their Hand and Seal, or Hands and Seals, cause so much Money to be levied by Distress and Sale of the Goods and Chattles of the Person or Persons against whom such Complaint shall be made, as the said Sum so awarded, together with the Charges of such Warrant and Distress, shall amount to, and the Sum so awarded shall be paid thereout to the Surveyors of the Parish or Place where such Damage shall happen, to be applied towards lighting and maintaining the Lamps in such Parish or Place; and the Overplus (if any shall be) after deducting the Costs and Charges of such Warrant and Distress, shall be returned to the Owner of such Goods and Chattles; and, in case no sufficient Distress can be found, such Justice or Justices shall and may, by like Warrant, commit the Person or Persons, so neglecting or refusing to pay the Sum or Sums so to be awarded as aforesaid, to the Common Goal, there to remain until he, she, or they, shall make such Satisfaction as aforesaid, or for any Time not exceeding the Space of Ten Days.

And

And it is hereby further enacted, That the Owners of all Houses, Shops, Warehouses, or other Edifices or Buildings whatsoever, now adjoining or contiguous to, or which shall adjoin or be contiguous to, any Street, Lane, or publick Way within the City, Suburbs, or Liberty aforesaid (except the Cathedral Church of the said Liberty, and also except as herein after is excepted) and the Owners and Governors of the Meeting-houses, Halls, and publick Buildings, and the Churchwardens of each Parish Church within the said City and Suburbs, shall, on or before the Twenty ninth Day of September, One thousand seven hundred and sixty three, or within Six Months after any such House, Shop, Warehouse, or other Building shall be finished, shall, from time to time, and at all Times thereafter, cause all the Rain and Snow Water to be conveyed from the Roofs, Eaves, Cornishes, and Penthouses, of all such Houses, Shops, Warehouses, Edifices, Churches, Meeting-houses, Halls, and publick Buildings, to the Bottoms of all such Houses, Shops, Warehouses, Churches, Meeting-houses, Halls, Edifices, and Buildings respectively, and so into the common Channels or Drains by proper and sufficient Pipes to be fixed to the Sides of such Houses, Shops, Warehouses, Edifices, Churches, Meeting-houses, Halls, and Buildings respectively; or otherwise that the respective Owners of all such Houses, Shops, Warehouses, and other Edifices and Buildings, shall cause all such Rain and Snow Water to be conveyed from the Roofs, Eaves, Cornishes, and Penthouses, of such Houses, Shops, Warehouses, Edifices, and Buildings respectively as aforesaid, into their own respective private Grounds; and in case any Owner of any such House, Shop, Warehouse, or other Edifice or Building, or the Churchwardens, Owners, or Governors, of such Meeting-houses and Halls, shall refuse or neglect so to do, for the Space of Forty Days after the Time herein before limited for that Purpose, every Person so neglecting or refusing, shall forfeit and pay the Sum of Ten Pounds, to be recovered and levied by Distress and Sale of the Goods and Chattles of the Owner or Owners, Occupier or Occupiers, of such House, Shop, Warehouse, or other Edifice or Building, where such Default shall happen to be, the said Sum of Ten Pounds, or so much thereof as shall be necessary, to be applied in the making, fixing, or repairing such Pipes as aforesaid, and the Surplus thereof to be returned to the Person or Persons upon whose Goods the same shall be levied: And it shall and may be lawful to and for the Tenant or Tenants, Occupier Spouts.

pier or Occupiers, of any such House, Shop, Warehouse, or other Edifice or Building, to fix up and repair such Pipes, from time to time, and to detain and retain the Charges and Expences thereof, and also any Money which shall or may be levied upon the Goods of any such Tenant or Occupier as aforesaid, by way of Penalty for not fixing or repairing such Pipes, out of the next Rent or Rents payable for the same Houses, Shops, Warehouses, or other Edifices or Buildings, respectively; and every Owner, Proprietor, or Landlord thereof, is hereby required to allow the same in such Manner as herein before-mentioned concerning the Rates and Assessments herein before directed to be charged in certain Cases upon the Owners, and to be paid by, and recoverable from, the Occupiers of any Houses or Tenements as aforesaid; and the Churchwardens of such respective Parish Churches shall and may charge, in their Accounts, the Expence of so conveying such Water from any such Parish Church, and raise, levy, and recover the same by an Assessment upon the Inhabitants of their respective Parishes, as other Church Assessments are or may be raised, levied, and recovered.

Present Exceptions,

Provided nevertheless, That nothing herein contained with respect to the fixing such Pipes, or conveying away such Rain and Snow Water as aforesaid, shall extend, or be construed to extend, to the Owners or Occupiers of any House, Shop, Warehouse, or other Edifice or Building, now erected or built in the Streets and Places within the said City and Suburbs hereafter mentioned; that is to say, Saint Martin's Lane; Barker Lane; Tanner Row; the Water Lanes; Walmgate, and the Streets, Lanes, or Passages on each Side of Walmgate; without Walmgate Bar; Hungate, and the Streets, Lanes, or Passages from thence to Peaseholme Green and Fossgate; Peaseholme Green; Saint Andrewgate; the Church-yard adjoining thereto; Spen Lane; Oldwork; Swinegates; High Jubbergate; Silver-street; Newgate-street; Barker Hill; and without Monk Bar; Gillygate; Coffee-yard; Lendal Hill, and the Lanes or Passages leading to the River of Ouse, from Coney-street, North-street, and Skeldergate; but that nevertheless any House, Shop, Warehouse, or other Edifice or Building, hereafter to be erected or built in any of the said last-mentioned Streets or Places, shall have the Rain and Snow Water conveyed from the Roofs, Eaves, Cornishes, or Penthouses thereof respectively, in the same Manner as the same ought to be conveyed therefrom by the true Meaning of this Act, if such Houses, Shops, Warehouses, or other Edifices or Buildings,

not to extend to Houses hereafter to be built.

were

were erected or built in any of the principal Streets of the said City; and every Owner of such new-erected House, Shop, Warehouse, or other Edifice or Building, not conforming hereto, shall be subject and liable to the Penalties and Forfeitures herein before inflicted for the like Offence, to be levied, recovered, and applied, as herein before-mentioned.

And, for the better regulating and governing the Chairmen and Hackney Coachmen of the said City of York, Suburbs, and Liberty, it is hereby further enacted by the Authority aforesaid, That the Mayor and Aldermen of the said City, or any Two or more of them (whereof the Mayor for the time being, or his Deputy, or the senior Alderman, to be One), at the Guildhall of the said City, and any Two Justices of the Peace for the said Liberty (whereof the said Dean or One of the Residentiaries of the said Church of Saint Peter to be One) at the Sessions Hall or Court House of the said Liberty, are hereby authorized and required, on the First Thursday in July, One thousand seven hundred and sixty three, and on the First Thursday in July in every Year following, to license, by Writing under their Hands and Seals, without Stamp, every Person residing within their respective Jurisdictions, and now keeping any Coach or Chaise, or other such Wheel Carriage, for Hire, or any Sedan Chair for Hire; and every other Person so residing, and having a Settlement within the said City, Suburbs, or Liberty respectively, who shall apply for a Licence to carry or keep a Sedan Chair for Hire, or to keep and drive any Coach, Chaise, or other such Wheel Carriage for Hire within the said City, Suburbs, or Liberty respectively; and who shall leave a Note in Writing of his or their Name or Names, and Place or Places of Abode, Two Days at the least before the Day of granting such Licences in each Year; such Note of every such Person so applying, and residing in the said City or Suburbs, to be left with the Common Clerk of the said City; and such Note of every such Person so applying, and residing within the said Liberty, to be left with the Clerk of the Peace of the same Liberty; for every of which Licences there shall be paid to the Common Clerk of the said City, by every respective Chairman, Coachman, and Driver of any such Carriage, residing in the said City or Suburbs, the Sum of One Shilling; and to the Clerk of the Peace of the said Liberty, by every respective Chairman, Coachman, and Driver of any such Carriage, residing in the said Liberty, the Sum of One Shilling: And the said Licences, and every of them, shall be granted to continue,

Chairmen and Hackney Coachmen to be licensed.

for and during the Term of One Year from the Date of such respective Licence, and no longer.

No Chairman or Coachman to ply for Hire without Licence.

And be it further enacted by the Authority aforesaid, That from and after the said First Thursday in July, One thousand seven hundred and sixty three, no Person or Persons shall presume to keep, or carry, or drive, or ply with, or let to Hire by the Hour or Day, or otherwise, any Coach, Chaise, or other such Wheel Carriage, or Sedan Chair, within the said City, Suburbs, or Liberty, without such Licence first had as aforesaid, upon Pain to forfeit for every such Offence, the Sum of Thirteen Shillings and Four Pence.

Penalty 13 s. 4 d.

And it is hereby further enacted, That the said Mayor and Aldermen, or any Two of them (whereof the said Mayor, his Deputy, or the said senior Alderman, to be One) and the said Two Justices of the Peace for the said Liberty (whereof the said Dean, or One of the said Residentiaries, to be One) within their respective Jurisdictions, shall, from time to time, order some Figure or Mark of Distinction to be plainly and distinctly made upon both the Doors of every such Coach, Chaise, or other Wheel Carriage as aforesaid, and on the Back of every such Chair, by the Owner or Keeper of every such Coach, Chaise, or other such Wheel Carriage or Chair, in the most conspicuous and convenient Manner to be taken Notice of; and that no Person shall ply with, or carry for Hire, any Chair, or ply with, or drive for Hire, any Coach, Chaise, or other such Wheel Carriage, within the said City, Suburbs, or Liberty, other than such as shall be so marked, nor shall blot out, obliterate, alter, or deface, the Mark or Figure which shall be so ordered to be made, from time to time, upon any such Chaise or other such Wheel Carriage or Chair, on Pain of forfeiting any Sum not less than Twenty Shillings, and not exceeding Three Pounds, for every such Offence.

Hackney Coaches and Chairs to be mark'd.

Penalty.

Provided nevertheless, That any Person may drive for Hire any Coach, Chaise, or other Wheel Carriage, or carry for Hire any Chair, which any Person or Persons shall keep for his, her, or their own private Use, although the same be not licensed as aforesaid, any Thing herein contained to the contrary notwithstanding.

Rates of Chairs, Coaches, and Chaises.

And be it further enacted by the Authority aforesaid, That from and after the said First Thursday in July, One thousand seven hundred and sixty three, no Chairman carrying any Chair, licensed, or to be licensed by virtue of this Act, shall presume to take, ask, or demand, more than the

the Sum of Six Pence, before Ten of the Clock at Night, or One Shilling after that Hour for any One Fare, from any Place within the Walls of the said City, or within the said Liberty, to any other Place within the Walls of the same City, or within the said Liberty, or to the Castle of York, or from the Castle of York to any Place within the Walls of the said City, or within the said Liberty, or from any Place without any of the Bars or Posterns of the same City to any other Place without the same Bar or Postern, being within the Suburbs of the said City, whether any such Fare be long or short; nor from any Place within the Walls of the said City, or within the said Liberty, to any Place without any of the said Bars or Posterns, not exceeding Half a Mile the one from the other; nor for any Fare from any Place without any such Bar or Postern, to any Place within the Walls of the said City, or within the said Liberty, to any Distance not exceeding Half a Mile the one Place from the other: And if any such Fare from any Part of the said City or Liberty, into any Part of the said Suburbs, or from any Part of the said Suburbs into any Part of the said City or Liberty, or from any Part of the said Suburbs without any Bar or Postern to any other Part of the said Suburbs without any other Bar or Postern, shall exceed half a Mile, then such Chairman shall and may demand and take before Ten of the Clock at Night, One Shilling, and after that Hour One Shilling and Six Pence, for such Fare, and no more: And no such Chairman shall demand or take more than the Sum of One Shilling for the First Hour waiting and carrying, including his Fare, and Six Pence for the like for every Hour after, till Ten of the Clock at Night; nor more after Ten of the Clock at Night than One Shilling and Six Pence for the First Hour waiting and carrying, including his Fare, and One Shilling for the like for every Hour after: And that no Driver of any such Coach, Chaise, or other Wheel Carriage, for Hire, herein before directed to be licensed as aforesaid, shall presume to take, ask, or demand, in the Day-time, or before Ten of the Clock at Night, for any One Fare, from any One Part of the said City, Suburbs, or Liberty, to any other Place in the said City or the Suburbs thereof, or in the said Liberty, more than the Sum of One Shilling, or after Ten of the Clock at Night more than the Sum of One Shilling and Six Pence, nor shall demand or take more than One Shilling and Six Pence for the First Hour waiting, and One Shilling for every Hour after till Ten of the Clock at Night; and if he be called into Waiting after Ten of the Clock

at Night, then Two Shillings for the First Hour, and One Shilling and Six Pence for every Hour after. Provided always, That no such Chairman or Driver shall be required or obliged to carry any Chair, or drive any Coach, Chaise, or other such Carriage, farther than the Extent of the Suburbs of the said City, on any Side thereof, for the Rates herein before mentioned; any Thing herein contained to the contrary notwithstanding.

Proviso.

How long Chairmen may be detained in each Fare.

Provided also, That such Person as any such Chairman shall at any Time carry, may cause the said Chairman to stop as often as he or she shall require, so as such Person do not detain such Chairman above the Space of Ten Minutes in every Sixpenny Fare, or Twenty Minutes in every Twelvepenny Fare; any thing herein contained to the contrary notwithstanding.

Penalty of refusing these Rates, or giving abusive Language.

And it is hereby further enacted, That in case any Chairman, or Driver of any Coach, Chaise, or other such Carriage, shall refuse to carry any such Fare, or wait and carry by the Hour for the Prices or Sums of Money above-mentioned, or shall exact, demand, or take more for his Fare, Hire, or Waiting and Carrying, than the several Rates by this Act allowed, or shall utter any abusive Language, or offer any other Insult to any Person he so carries, such Chairman, or Driver, so offending, and being thereof convicted (by the Oath of One or more credible Witness or Witnesses, before the Mayor, or any Two other Justices of the Peace of the same City, or for any like Offences committed within the said Liberty, before any Two Justices of the same Liberty) shall, for every such Offence, forfeit and pay any Sum not exceeding the Sum of Ten Shillings, to be levied and recovered in the Manner aforesaid, and to be applied to the Use of the Poor of the Parish where such Offence shall be committed.

Complaints to be heard in a summary Manner.

And it is hereby further enacted, That it shall and may be lawful to and for the Mayor of the said City for the time being, or any Two other Justices of the Peace (One being of the Quorum) for the said City and County of the same, to hear and determine, in a summary Manner, any Offences which are made subject to, and punishable by, any Penalties or Forfeitures by virtue of this Act, and which shall be committed within the said City or the Suburbs thereof; and that it shall and may be lawful to and for any Two Justices of the Peace of the said Liberty to hear and determine any such Offences as aforesaid, which shall be committed within the said Liberty; and such Mayor and Justices respectively are hereby authorized and required, upon Information or Complaint within

One

One Month after such Offence committed, to summon the Party or Parties accused, and after Oath made of the Commission of any of the Offences above-mentioned, by One or more credible Witness or Witnesses, to issue a Warrant or Warrants for apprehending the Party or Parties so offending; and upon the Appearance or Contempt of the Party accused in not appearing, to proceed to the Examination of the Witness or Witnesses, upon such Oath or Affirmation respectively as aforesaid (which Oath or Affirmation such Mayor and Justices respectively are hereby impowered to administer) and to give such Judgement or Determination as shall be just and conformable to the true Meaning of this Act; and where the Party accused shall be convicted of such Offence upon such Examination, or upon his or her own Confession, and shall not give Notice in Writing of his or her Intention to appeal from such Sentence or Determination, according to the Proviso herein after contained, such Justices respectively shall and may, and are hereby required, to levy the Penalty or Penalties hereby inflicted for such Offence or Offences, in the Manner directed by this Act; and all Constables, and other Peace Officers, within their respective Limits, are hereby enjoined and required duly to obey and execute all Warrants of such Justices, from time to time, to be granted and delivered to them for the Purposes aforesaid.

Application of Penalties.

And be it further enacted, That all Penalties and Forfeitures by this Act incurred or imposed, the Manner of recovering and levying whereof is not otherwise hereby particularly directed, shall be levied and recovered by Distress and Sale of the Goods and Chattles of the Offender or Offenders, by Warrant under the Hand and Seal, or Hands and Seals, of the Mayor of the said City for the time being, or any Two other Justices of the Peace (One being of the Quorum) for the said City and County of the same, where any such Offence shall be committed within the said City, or the Suburbs thereof; and under the Hands and Seals of any Two Justices of the Peace of the said Liberty, where such Offence shall be committed within the said Liberty; and that all the Costs and Charges of such Distress and Sale shall, in like Manner, be raised and levied, together with such Penalties and Forfeitures, and the Overplus (if any) of the Money to be raised by the Sale of such Goods and Chattles shall be returned to the Owner thereof; and such Penalties and Forfeitures, when recovered (the Application whereof is not herein before particularly directed) shall be paid and applied as follows;

that is to say, One Moiety thereof to the Informer, and the other Moiety thereof to the acting Surveyors of the Parish or Place wherein such Offence shall be committed, or One of them, to be applied towards the Charges of enlightning the Streets, Lanes, and publick Ways of such Parish or Place where such Offence shall be committed.

Appeal to the Sessions.

Provided also, That if any Person or Persons shall find him, her, or themselves aggrieved by, or remain unsatisfied in, the Judgement of the said Justices, or by any Rate or Assessment made in pursuance of this Act, then such Person and Persons shall and may, by virtue of this Act, complain or appeal to the Justices of the Peace at the next Quarter Sessions to be held for the said City of York and County of the same, with respect to any such Rate, or Conviction to be made or had within the said City of York or County of the same City, and to the Justices of the Peace at the next Quarter Sessions to be held for the said Liberty, with respect to any such Rate or Conviction to be made or had within the said Liberty; which Justices, at their said respective Sessions, are hereby impowered to summon and examine Witnesses upon Oath, and finally to hear and determine the Matter of such Complaint or Appeal; and, in case of Conviction, to issue a Warrant or Warrants for the levying and enforcing the Payment of the said Penalties and Forfeitures by the Ways and Means before mentioned, together with such Costs and Charges to the Party, in whose Favour such Appeal shall be determined, as the Justices in their said Sessions shall order and direct.

Power of Inhabitants to appoint Scavengers and Watchmen for their own Parishes, and to make Rates.

And it is hereby further enacted, That it shall and may be lawful to and for such of the Parishioners and Inhabitants of any of the Parishes within the said City or the Suburbs thereof, and such of the Inhabitants of the said Liberty respectively as are hereby impowered to nominate and appoint Surveyors for the Purposes aforesaid, being assembled at any publick Meeting of such Parish or Place (publick Notice being given thereof in the Parish Church of such Parish or Place in the said City or Suburbs, on the Sunday next before such Meeting, immediately after Divine Service, and at the Sessions Hall for the said Liberty, in Manner as aforesaid) or the major Part of them so assembled (if they, or the major Part of them, shall think fit) to contract and agree, or to impower the Surveyors of such Parish or Place to contract and agree with any Person or Persons, by the Year, or otherwise, for sweeping, cleansing, and carrying away, all the Dirt and Soil out of all the Streets, Lanes, and publick Ways, of such Parish or Place, pursuant to this Act; and also to contract and agree by the Year, or otherwise,

wise, with any able and proper Man or Men to patrole the Streets, Lanes, or publick Ways, of any such Parish or Place respectively, in the Night-time, as a Watchman or Watchmen, for the Prevention of Fires, Burglaries, Robberies, and other Outrages, so as each such Contract be for no longer Time than One Year, and so as Ten Days Notice in Writing be hung up in the Guild-hall aforesaid for the said City and Suburbs, and in the Sessions Hall aforesaid for the said Liberty, for all Persons willing to contract for the same to make their Proposals: And for the raising Money to pay such Scavenger or Scavengers, Watchman or Watchmen, One or more Rate or Assessment, Rates or Assessments, shall and may be made and confirmed by such Persons, and upon all such Tenements and Persons, and in such Manner, and with such Notice first given of the making thereof, as is and are herein before directed to be made for lighting the Streets, Lanes, and publick Ways, of the said City, Suburbs, and Liberty; and such Rate or Rates, Assessment or Assessments, so made and confirmed, shall and may be collected, levied, and recovered, by the same Collectors, in the same Manner, by the like Ways and Means, and with the same Powers and Provisions for making up Deficiencies, and in all other Respects as such other Rates or Assessments are herein before directed to be levied and recovered: And such Surveyors and Collectors, and all other Persons, who shall or may receive any Money by virtue of any such Rate or Assessment for a Scavenger or Scavengers, Watchman or Watchmen, as aforesaid, shall account for the same in like Manner, and under the like Penalties and Forfeitures respectively, as are herein before enacted and directed concerning such other Rates and Assessments as aforesaid; and the respective Justices, having Power to compel such Surveyors, Collectors, and other Persons, to account for the Money by them received on account of such Rate or Assessment, for providing, maintaining, and lighting, such Lamps, shall have the same Powers, in all Respects, of compelling such Surveyors, Collectors, and other Persons, to account for the Money by them received or had, in case of any such Rate or Assessment being so made for a Scavenger or Scavengers, Watchman or Watchmen, as aforesaid, and also to pay and deliver up such Money, and all Vouchers, Books, and Papers relating thereto, according to the Order of such Justices; and that such Scavenger or Scavengers, Watchman or Watchmen, shall and may be discharged by such Surveyors as aforesaid, for Misbehaviour or Neglect of Duty, which Discharge shall be a Determination of

such Contract: And all Differences which may arise concerning such Contract, or concerning any Money pretended to be due thereupon, shall be heard and determined by Two Justices of the Peace in the same Manner, and with the same Liberty of Appeal, as the like Differences concerning Contracts relating to such Lamps may be heard and determined, as herein before mentioned; and in case of no Appeal, or of a Confirmation of such Sentence at the next Quarter Sessions, such Sentence shall be final and conclusive to all Intents.

Distress not to be deemed unlawful for Want of Form.

And be it further enacted by the Authority aforesaid, That where any Distress shall be made for any Sum or Sums of Money due on account of any Assessment to be made by virtue of this Act, the Distress itself shall not be deemed to be unlawful, on account of any Defect or Want of Form in such Assessment, or in the Warrant of Distress thereupon; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers ab initio, on account of any Irregularity committed or suffered after such Distress; but the Party or Parties aggrieved thereby shall and may recover only a Satisfaction for the Special Damage he, she, or they shall have sustained thereby, with Full Costs of Suit.

Plaintiff not to recover, if Tender of Amends hath been made.

Provided nevertheless, That no Plaintiff or Paintiffs shall recover in any Action, for any such Irregularity as aforesaid, if Tender of sufficient Amends hath been made by the Party or Parties distraining before such Action brought.

Power of making Orders for removing Annoyances.

And be it hereby further enacted, That any Two or more Justices of the Peace (One being of the Quorum) for the said City of York and County of the same, or for the said Liberty of Saint Peter respectively, shall and may, and they are hereby authorized and impowered, upon View or Information, from time to time, to make Orders for removing any Annoyances and Obstructions out of any Highways, Streets, Lanes, and Passages, within the said City and Suburbs, or the said Liberty respectively, which cannot be effectually removed by the Provisions and Clauses herein before contained.

No Person liable to a double Prosecution.

Provided always, That no Person shall be liable to be doubly prosecuted upon this and any former Law; but that any Person, who shall be convicted by virtue of any former Law or Statute, for any of the Offences aforesaid, shall not also be subject to any Prosecution, Penalty, or Forfeiture, by virtue of this Act, for the same Offence; and that any Person who shall be convicted of any Offence by virtue of this Act, shall not also be subject to any Prosecution for the same Offence by virtue of any former Law;

Law; any thing herein contained to the contrary notwithstanding.

Reservation of Right.

Provided also, That nothing in this Act contained shall extend, or be construed to extend, to alter, prejudice, impeach, or lessen the legal Rights, Powers, and Privileges of the Mayor and Commonalty of the said City of York, or of the Justices of the Peace for the said City of York and County of the same, or of the Justices of the Peace for the said Liberty respectively, nor to impower the Justices for the said City and County of the same, to exercise any Act of Jurisdiction within the said Liberty, nor to impower the Justices for the said Liberty to exercise any Act of Jurisdiction within the said City, or the County of the same; any thing herein contained to the contrary notwithstanding.

One Month's Notice to be given before any Action be commenced, &c.

And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons whatsoever, for any Matter or Thing by him or them done in pursuance of this Act, until Notice in Writing of such intended Action or Suit shall have been delivered to him or them, or left at his or their usual Place of Abode, by the Party intending to commence such Action or Suit, or his or her Attorney or Agent, One Month at least before such Action or Suit shall be commenced; in which Notice shall be clearly and explicity contained the Cause of Action which such Plaintiff hath, or claimeth to have, against such Person or Persons, and on the Back of which Notice shall be indorsed the Name of such Plaintiff, his Attorney or Agent; and that no such Plaintiff shall recover any Verdict, in any such Case, where the Action shall be grounded on any Act or Acts done in pursuance or under Colour of this Act, unless it be proved, upon the Trial to be had thereupon, that such Notice was given as aforesaid; but in Default thereof, such Defendant or Defendants shall recover a Verdict, together with his, her, or their full Costs of Suit.

Amends may be tendered before Actions brought, &c.

And be it hereby further enacted, That it shall and may be lawful to and for any such Defendant or Defendants, within One Month next after such Notice given as aforesaid, to tender Amends to the Party complaining, or to his or her Agent or Attorney; and in case the same is not accepted, to plead such Tender in Bar to any Action to be brought against him or her, together with the Plea of Not Guilty, and any other Plea with Leave of the Court where such Action shall depend; and if, upon Issue joined thereon, the Jury shall find the Amends so tendered to have been sufficient, then they shall give a Verdict for the Defendant or Defendants; and in such Case, or in

case

case the Plaintiff shall become nonsuited, or shall discontinue his or her Action; or, in case Judgement shall be given for such Defendant or Defendants upon Demurrer, such Defendant or Defendants shall be intitled to the like Costs as he or they would have been intitled to, in case he or they had pleaded the General Issue only; and if, upon Issue joined, the Jury shall find that no Amends were tendered, or that the same were not sufficient, and also against the Defendant or Defendants on such other Plea or Pleas; then they shall give a Verdict for the Plaintiff, and such Damages as they shall think proper, which he shall recover together with his or their Costs of Suit.

No Evidence on Trial, of any other Cause of Action than mentioned in the Notice.

And be it further enacted, That no Evidence shall be permitted to be given by the Plaintiff on the Trial of any such Action as aforesaid, of any Cause of Action, except such as is contained in the Notice hereby directed to be given.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, then, and in every such Case, such Action or Suit shall be brought within Three Calendar Months next after the Cause of Action shall arise, and not afterwards, and shall be laid and brought in the City of York, or in the County of York, or in the Court of Pleas for the said Liberty, if the Cause of Action shall arise in the said Liberty, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead

General Issue.

the General Issue, and give this Act and the Special Matter, in Evidence at the Trial to be had thereupon; and if it shall appear to be done in pursuance of this Act, or that such Action or Suit shall be brought after the Time herein before limited in that Behalf, or in any other County or Place than as aforesaid, then the Jury shall find 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 Actions, Suit or Suits; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the De-

Double Costs.

fendant or Defendants shall and may recover Double Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any Case by Law.

Publick Act.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken in all Courts of Justice, to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges and Justices, without specially pleading the same.

(A A) *A* SCHEDULE, *ſhewing the Number of Lamps to be fixed up and lighted in each Pariſh and Place within the City of* York, *the Suburbs thereof, and the Liberty of* Saint Peter *within the ſaid City, with the Diſtances at which the ſame are to be fixed in the principal Streets and Places.*

PARISHES.	Lamps to be fix'd at Diſtances not exceeding Forty Yards.	Lamps to be fix'd at ſuch Diſtances as the Perſons appointed in the Act for fixing Lamps ſhall think proper.	Total of Lamps in every Pariſh.
Trinity, in *Micklegate.*			
Without Micklegate Bar and Micklegate, both Sides of the Street	24		
Trinity Lane, one Side		3	27
Saint Martin's, in *Micklegate.*			
Micklegate, both Sides of the Street	10		
Trinity Lane, one ditto		2	
Saint Martin's Lane, both Sides		2	
Barker Lane, ditto		1	
Tanner Row, ditto		4	19
All Saints, in *North Street.*			
Tanner Row, both Sides of the Street		3	
North Street, ditto, and Church-yard		7	10
Saint John's, in *North Street.*			
Micklegate, both Sides of the Street	7		
North Street, ditto		3	
Skeldergate, ditto		4	
Fetters Lane, ditto		2	16
Biſhophill Junior.			
Fetters Lane, both Sides of the Street		3	
Saint Martin's Lane, ditto		1	
Biſhophill, ditto		3	7
Biſhophill Senior.			
Skeldergate, both Sides of the Street		9	9
Saint Michael's, in *Spurriergate.*			
Ouſegate, both Sides of the Street	9		
Spurriergate, ditto	4		
Jubbergate, one Side		1	
Neſſgate, both Sides		2	
Coppergate, one Side		1	
Firſt Water Lane, both Sides		3	20

PARISHES.	Lamps to be fix'd at Distances not exceeding Forty Yards.	Lamps to be fix'd at such Distances as the Persons appointed in the Act for fixing Lamps shall think proper.	Total of Lamps in every Parish.
Saint Mary's, in *Castlegate.*			
Castlegate, both Sides of the Street		8	
Coppergate, one Side		1	
Middle Water Lane, both Sides		3	
Far Water Lane, ditto		3	15
All Saints, in *Pavement.*			
Coppergate, both Sides of the Street, and the South Side of the Pavement		5	
High Ousegate, and the North Side of the Pavement	5		10
Peter the Little, in *Peter Lane.*			
Peter Lane, both Sides of the Street		3	
Jubbergate, ditto		3	
Feasegate, ditto		2	
High Ousegate	1		9
Saint Sampson's, in *Swinegate.*			
Feasegate, both Sides of the Street, and round Thursday Market		5	
Silver Street, both Sides		2	
Jubbergate, ditto		2	
Three Crane Lane		1	
Newgate Street, one Side		1	
Swinegate, both Sides			
Girdlergate, ditto		5	
Grape Lane, one Side			
Swinegate, both Sides (London Carrier's Warehouse)		2	
Finkle Street, ditto		2	20
Christ Church, in *Colliergate.*			
Petergate and Colliergate, both Sides of the Street	8		
Great Shambles, ditto		4	
Little Shambles, ditto		2	
Saint Andrewgate ditto		2	
Newgate Street, ditto		2	
Goodramgate, ditto		1	
Girdlergate, ditto		1	20
Saint Crux, in *Shambles.*			
Colliergate and Fossgate, both Sides of the Street		9	
Hosier Lane, ditto		2	
Great Shambles, ditto		2	
Pavement, ditto		2	15

PARISHES.	Lamps to be fix'd at Diſtances not exceeding Forty Yards.	Lamps to be fix'd at ſuch Diſtances as the Perſons appointed in the Act for fixing Lamps ſhall think proper.	Total of Lamps in every Parish.
Saint Saviour's, in *Saint Saviourgate.*			
St. Saviourgate, both Sides of the Street		8	
Spen Lane and Peaſeholme Green, ditto		3	
Hungate, ditto		2	13
Saint Cuthbert, in *Peaſeholme Green.*			
Peaſeholme Green, both Sides of the Street		3	
Hungate and the Lane to Peaſeholme Green, ditto		1	
Oldwork, ditto		4	
Goodramgate, one Side		1	9
Saint Andrew's.			
Saint Andrewgate, both Sides of the Street, Church-yard, and Spen Lane, ditto.		5	5
Saint Maurice, in *Monkgate.*			
Monkgate, both Sides of the Street		6	6
Saint John Delpike.			
Oldwork, one Side of the Street		1	
Goodramgate, both Sides		4	
Uggleforth, ditto		2	7
Saint Trinity, in Goodramgate.			
Goodramgate, both Sides of the Street		5	
Petergate, one Side	1		6
Saint Michael le Belfrey, in *Peter-gate.*			
Petergate, both Sides of the Street	19		
Stonegate, ditto	4		
Lop Lane, ditto	3		
Grape Lane, ditto		2	
Botham, one Side of the Street on the Right-hand Side		3	31
Saint Wilfrid.			
Lop Land and Blake Street, both Sides of the Street	5		
Blake Street, one Side	2		
Lendal, from Blake Street to the River, ditto	5		
Ditto, on the Eaſt Side of the Way	4		16

PARISHES.	Lamps to be fix'd, at Diſtances not exceeding Forty Yards.	Lamps to be fix'd at ſuch Diſtances as the Perſons appointed in the Act for fixing Lamps ſhall think proper.	Total of Lamps in every Pariſh.
Mint Yard.			
Blake Street and Lendal, one Side of the Street	3		
Mint Yard, both Sides		3	6
Saint Helen, Saint Helen's Square.			
Stonegate and St. Helen's Square, both Sides of the Street	6		
Low Swinegate, ditto		3	
Davygate, ditto		6	
Blake Street, ditto	3		
Lendal, one Side	1		19
Saint Martin's, in *Coney Street.*			
Coney Street, both Sides of the Street	14		
Lendal, one Side	3		
Jubbergate, ditto		1	
St. Helen's Square, ditto	1		19
New Street.			
New Street, both Sides of the Street	5		5
Saint Giles.			
Botham, one Side of the Street on the Right-hand Side		3	
Gillygate, both Sides		4	7
Saint Dennis, in *Walmgate.*			
Walmgate, both Sides of the Street		7	7
Saint Margaret's, in *Walmgate.*			
Walmgate, both Sides of the Street		5	5
Saint Peter in the Willows, in *Walmgate.*			
Walmgate, both Sides of the Street		2	2
The Liberty of *Saint Peter.*			
Minſter Yard, from the Gates of the Prebendal Houſe of Stillington to Precentor Lane		14	
Precentor Lane		4	
Bookbinder Lane		1	
Uggleforth, from the Great Gate to the Minſter Yard		4	
Little Alice Lane		3	
Beddern		3	29

F I N I S.