ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 122.

An Act to amend and enlarge the Powers of an Act passed in the Thirtieth Year of His present Majesty, for better supplying the Town and Neighbourhood of *Leeds*, in the County of *York*, with Water, and for more effectually lighting and cleansing the Streets and other Places within the said Town and Neighbourhood, and for removing and preventing Nuisances and Annoyances therein; and for erecting a Court House and Prison for the Borough of *Leeds*, and for widening and improving the Streets and Passages in the said Town. [27th *May* 1809.]

WHEREAS the Powers and Provisions given and made in and by an Act passed in the Twenty-eighth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for enlightening the Streets and Lanes, and regulating the Pavements in the Town of* Leeds *in the County of* York; and also in and by an Act passed in the Thirtieth Year of the Reign of His present Majesty, intituled, *An Act for better supplying the Town and Neighbourhood of* Leeds *in the County of* York *with Water, and for more effectually lighting and cleansing the Streets and other Places within the said Town and Neighbourhood, and removing and preventing* 28 G. 2. c. 41. 30 G. 3. c. 68.

preventing Nuiſances, Annoyances, Encroachments, and Obſtructions therein, are, in conſequence of the increaſed Extent and Population of the ſaid Town and Neighbourhood, and from other Cauſes, become inſufficient to extend to all Parts thereof the Benefits of the ſaid Acts: And whereas it is highly expedient that the Inhabitants, and particularly the poorer Claſſes of the ſaid Town and Neighbourhood, ſhould be regularly and ſufficiently ſupplied with good and wholeſome Water: And whereas it would tend greatly to the Safety and Convenience of the ſaid Inhabitants, and of all Perſons reſorting to the ſaid Town, if the publick Streets, Paſſages, and Places therein and adjoining thereto were properly paved, and well and ſufficiently lighted and cleanſed, and certain Encroachments and Nuiſances therein removed: And whereas the Accommodations for the Adminiſtration of Juſtice, and for the Security of Felons and other Priſoners within the Borough of *Leeds* are wholly inadequate to ſuch Purpoſes, and various other Diſadvantages and Inconveniences to the Publick might be remedied; but which cannot be effected without the Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Acts herein-before mentioned, and all and every the Clauſes, Powers, Penalties, Proviſions, Matters, and Things therein contained (ſave and except ſo much and ſuch Part or Parts thereof as relate to Exemption from Stamp Duties), but ſubject nevertheleſs to the Proviſions, Alterations, Additions, and Amendments of this preſent Act, and which ſhall take place from and after the paſſing thereof, ſhall be and remain in full force as fully and effectually as if they were herein particularly repeated and re-enacted.

Powers of ſaid Acts continued, except, &c.

For appointing additional Commiſſioners.

II. And whereas it would be expedient that the Juſtices of the Peace acting in and for the ſaid Borough ſhould be Commiſſioners for putting the ſaid recited Act, paſſed in the Thirtieth Year of the Reign of His preſent Majeſty, and alſo this Act, into Execution, be it therefore enacted, That the ſaid Juſtices of the Peace for the ſaid Borough, and their Succeſſors for the Time being, ſhall and they are hereby declared to be Commiſſioners along with ſuch other Perſons as are or ſhall be appointed Commiſſioners under and by virtue of the ſaid Act of the Thirtieth Year of His preſent Majeſty, and that the ſaid Juſtices and Commiſſioners ſhall and may from Time to Time execute and enforce all and every the Powers, Proviſions, Regulations, Matters, and Things in the ſaid recited Acts of the Twenty-eighth Year of the Reign of His late Majeſty, and the Thirtieth Year of the Reign of His preſent Majeſty, or in this Act contained, ſave and except ſuch Part or Parts thereof as relate to the building a Court Houſe and Priſon with ſuitable Accommodations, the purchaſing of Land for the ſame, and the Rates to be made in reſpect thereof.

No Orders of Commiſſioners valid, unleſs made at Meetings, &c.

III. Provided always, and be it further enacted, That no Act, Order, or Proceeding of the ſaid Commiſſioners, or any of them, ſhall be valid unleſs made or done at ſome Meeting to be held in purſuance of this or the ſaid recited Acts, and that all Powers and Authorities, Acts and Proceedings thereby or hereby granted to or veſted in the ſaid Commiſſioners, or authorized or directed to be done by them, ſhall and may from Time to

to Time be exercised, done, or transacted by the major Part of them present at their respective Meetings to be holden in pursuance of this Act, the whole Number present not being less than Five (except where it is herein otherwise particularly directed); and that at every such Meeting for putting this and the said Acts into Execution, such one of the Commissioners present, as the major Part of them then attending shall by Ballot or otherwise appoint, shall be Chairman of such Meeting; and if upon any Question there shall be an Equality of Voices of the Commissioners assembled (including the Chairman's Vote), the Chairman shall have another and the casting Vote.

No Order made by Commissioners at one Meeting shall be revoked at another without Notice, and unless by a Majority present.

IV. And be it further enacted, That no Order made by the said Commissioners at any of their Meetings shall be revoked or altered, unless at some Meeting to be held in pursuance of this Act, Notice of which shall be given in Manner in the said last recited Act directed, and unless Thirteen or more of the said Commissioners shall attend at such Meeting, and a Majority of the Commissioners present shall agree to revoke and alter the same; any Thing in this or the said recited Acts contained to the contrary notwithstanding.

Poor Persons occupying Houses of 4 *l.* per Annum, not subject to Rates for Water.

V. And be it further enacted, That from and after the passing of this Act no Rate or Assessment laid or imposed for the Purpose of supporting, maintaining, or extending the said Water Works, shall be levied or charged upon any poor Person who shall hold, occupy, or possess as Tenant thereof, any Messuage, Dwelling House, Ground, or Tenements, the full annual Rent or Value whereof in the Whole shall not amount to the yearly Sum of Four Pounds *per Annum*, unless otherwise ordered and directed by the said Commissioners.

Penalty on Persons taking Water not entitled to the same, &c. except, &c.

VI. And be it further enacted, That if any Person or Persons (except such poor Persons as aforesaid and except in Cases of Fire), not paying Rates or Assessments in respect of the said Water Works, shall take or use any Water supplied by or from the said Works, without the Consent of the said Commissioners, or from any of the Reservoirs or Pipes thereunto belonging or therewith connected, or if any Person or Persons paying Assessments in respect of the said Works shall by himself or themselves, or by any of his, her, or their Servants, permit or suffer any other Person or Persons not paying such Assessments (except as last excepted) to take or use by themselves or their Servants, or for the Use of their Cattle, any Water arising or flowing from the said Works, Pipes, or Reservoirs, every such Person or Persons so offending shall for every such Offence forfeit and pay the Sum of Forty Shillings, to be levied in the Manner herein-after directed.

Penalty on Persons neglecting to provide Cisterns, &c.

VII. And, to prevent the wilful or negligent Waste of Water, be it further enacted, That every Person, who shall hereafter be supplied with Water from the said Works, shall and is hereby required to provide a Cistern or Cisterns, made of proper Materials, to receive and hold such Quantity of Water as shall by him or her be deemed sufficient for the Consumption of his or her Family, and also a Ball and Stop Cock fixed to the Pipe conducting the Water from any Main or other Pipe belonging to the said Works to such Cistern or Cisterns, for the Purpose of preventing the Water from running to waste when any such Cistern shall be full; and

and in caſe any Perſon or Perſons ſupplied with Water from the ſaid Works ſhall, for the Space of Fourteen Days after Notice given by the ſaid Commiſſioners, or their Clerk or other Officer, neglect or refuſe to provide ſuch Ciſtern or Ciſterns, and alſo ſuch Ball and Stop Cock, and to affix or cauſe to be affixed the ſame in Manner aforeſaid, for the Purpoſe laſt aforeſaid, to the Satisfaction of the ſaid Commiſſioners, or ſhall wilfully or negligently permit the Water received into his or her Premiſes from the ſaid Works to run waſte for Want of due Repair of ſuch Ciſtern or Ciſterns, or otherwiſe, or ſhall, for the Space of Forty-eight Hours, refuſe to allow ſuch Perſon or Perſons, as by the ſaid Commiſſioners ſhall at any Time for that Purpoſe be appointed, to enter into his or her Premiſes, between the Hours of Nine of the Clock in the Morning and Four of the Clock in the Afternoon, to inſpect any ſuch Ciſtern and the Stop Cock and Pipes thereto affixed, every ſuch Perſon or Perſons ſo offending in any of the Caſes laſt aforeſaid ſhall, for every Offence, Neglect, or Refuſal, forfeit and pay any Sum not exceeding Twenty Shillings.

Repealing ſuch Parts of the Act of the 30 G. 3. as relates to Rate for Water, &c.

VIII. And be it further enacted, That ſo much of the ſaid Act of the Thirtieth Year of His preſent Majeſty's Reign as relates to the Commiſſioners making a Rate or Aſſeſſment upon the Inhabitants of the ſaid Town and Neighbourhood, who ſhall give Notice to be ſupplied with Water, and ſo much as provides that no Rate or Aſſeſſment ſhall be laid upon any Perſon not having given Notice of his or her Intention of laying a Pipe from his or her Meſſuage, Dwelling Houſe, or other Building or Tenement, to communicate with ſome Main Pipe of the ſaid Commiſſioners, and alſo ſo much as provides that no Perſon who ſhall give Notice in Writing to the ſaid Commiſſioners, or their Clerk, of his or her Intention of no longer uſing ſuch Water, ſhall be liable to be rated after ſuch Notice ſo long as he or ſhe ſhall diſcontinue to uſe ſuch Water, ſhall be and the ſame is hereby repealed; and the Rates or Aſſeſſments reſpecting the ſaid Water Works to be impoſed and levied from and after the paſſing of this Act ſhall be annually charged and aſſeſſed upon the Occupier or Occupiers of every Houſe, Building, or Premiſes of the annual Value of Four Pounds or upwards, and ſituate in any Part or Place within the Townſhip of *Leeds*, or within Two hundred Yards of the Outſide of the Extent or Boundary thereof to which the ſaid Water Works or the Pipes or Conduits thereto belonging now or ſhall hereafter extend, according to his, her, or their probable Conſumption of Water; and the Amount of ſuch Rate or Aſſeſſment ſhall from Time to Time be paid by or levied upon ſuch Occupier or Occupiers taking, receiving, or in any Way conſuming or beginning to uſe any of the Water ſupplied by the ſaid Works, or any Part of them, until the Expiration of Six Calendar Months next after Notice in Writing ſhall be given by him, her, or them to the ſaid Commiſſioners, or their Clerk, of his, her, or their Intention of diſcontinuing to take, receive, or uſe ſuch Water; provided that ſuch Perſon or Perſons ſo diſcontinuing to take, receive, or uſe ſuch Water, ſhall not during his, her, or their Occupation of the ſame, or any other Premiſes, be afterwards permitted again to receive, take, or uſe any of the ſaid Water, without firſt paying all Monies charged or aſſeſſed upon him, her, or them, ſubſequent to the laſt Aſſeſſment paid by or levied upon him, her, or them, or ſo much thereof as the ſaid Commiſſioners ſhall require.

Rates for Water to be charged upon the Occupier, &c. of Houſes above 4 l. per Annum.

IX. And

Commissioners to give Notice as to serving other Parts of the Town with Water.

IX. And be it further enacted, That the said Commissioners shall, from and as soon as may be after the passing of this Act, give Notice in Writing, by their Clerk or other Officer, to every such Occupier as aforesaid and not then receiving Water from the said Works, but whom the said Works shall be capable of supplying with Water, and so from Time to Time as soon as the said Works shall be extended and improved so as to be capable of supplying any other Occupier or Occupiers, that they are willing and ready to supply such Occupier or Occupiers with Water, in the Manner and under the Restrictions provided by the last recited Act and this Act; and no such Person or Persons shall afterwards, during his, her, or their Occupation of any Premises, take, use, or consume any of the said Water, without first paying all Rates or Assessments in respect of the said Works which shall or may have been charged upon him, her, or them from the Expiration of Three Calendar Months next after any such Notice given by the said Commissioners as aforesaid to him, her, or them as aforesaid, and up to the Time of his, her, or their taking, using, or consuming any of the said Water; and in default of Payment, the Amount of the same, or so much thereof as the said Commissioners shall think proper, shall be levied in the Way in which the said Rates are directed to be recovered.

For lessening the Quorum of Commissioners.

X. And be it further enacted, That all Acts, Matters, or Things directed by the said Acts or this Act to be done by Seven or more of the said Commissioners, shall be in all respects as valid and effectual if done by Five or more of the same Commissioners; any Thing in the said Acts contained to the contrary in anywise notwithstanding.

The Provisions of the said Acts as to paving, &c. extended to within One Mile of the Bars of the Town.

XI. And whereas by the said Act passed in the Twenty-eighth Year of the Reign of His late Majesty, intituled, *An Act for enlightening the Streets and Lanes, and regulating the Pavements in the Town of* Leeds, *in the County of* York, divers Powers are given to the Commissioners authorized and appointed in the Manner therein directed, and divers Provisions, Penalties, and Regulations enacted for the better lighting, paving, and cleansing the Streets and other Places within the Bars of the said Town: And whereas, by the said Act of the Thirtieth Year of His present Majesty's Reign, the said Powers, Provisions, Penalties, and Regulations of the said former Statute are in some respects altered, amended, and enlarged, and in particular are extended to and directed to be put in force in all Streets, Lanes, Passages, and Places then set out and made, or thereafter to be set out and made, within One thousand Yards of the Bars of the said Town; be it now enacted, That the said recited Acts, and all and every the Powers, Provisions, Penalties, Regulations, Additions, and Amendments in them, or either of them contained (subject nevertheless to the Provisions, Alterations, Additions, and Amendments herein contained), in any Way relating to the lighting, paving, or cleansing of the Streets, Passages, or Places withing the said Town or within One thousand Yards of the Bars thereof, or to any Nuisances or Annoyances therein, or to any other Matter or Thing therein or in either of them directed to be done or omitted within the Limits aforesaid, or to any Rate or Assessment to be made for the Purposes last aforesaid, shall, together with such further Powers, Provisions, Penalties, Regulations, Matters, and Things as are by this present Act provided and enacted with respect to the same Purposes, from and after the passing thereof extend to

and be put in force in all Streets, Lanes, Paſſages, or Places now made or ſet out, or hereafter to be made or ſet out, within the ſaid Town or within One Mile of the Bars thereof, as fully and effectually as if all ſuch Powers, Proviſoes, Penalties, Regulations, Additions, Amendments, Matters, and Things were herein repeated and re-enacted as to ſuch laſt mentioned Limits; and that the ſaid Rate or Aſſeſſment for the Purpoſes aforeſaid ſhall be laid, levied, and collected after the real annual Valuation made for the Poor's Rate or Aſſeſſment.

Power to improve the Avenues into the ſaid Town.

XII. And whereas there are many narrow Openings into Streets and other Places, and Projections and Obſtructions ariſing from Buildings, or other Cauſes within the Limits laſt aforeſaid, which it might be advantageous to remove, alter, or improve, if the ſaid Commiſſioners had Powers for that Purpoſe; therefore it is further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners to contract and agree with any Perſon or Perſons, or Body or Bodies Politick, Corporate or Collegiate, Spiritual or Lay, as ſhall be or be deemed to be Owner or Owners, Proprietor or Proprietors, or otherwiſe intereſted in any Building or Buildings, Erection or Erections, projecting into, over, or upon any of the Footways, Streets, or Paſſages within the Limits laſt aforeſaid, or of any Door or Doors of any Cellar or Cellars, or of any Steps belonging thereto, or any other Projection or Encroachment in, over, or upon any ſuch Footway, or any Buildings, Lands, Tenements, or Hereditaments, which the ſaid Commiſſioners ſhall judge neceſſary and proper to be purchaſed for the improving and widening of any of the Markets, Streets, Lanes, publick Paſſages, Footways, or Places within the Limits laſt aforeſaid, for the abſolute Purchaſe of all ſuch Buildings, Erections, Cellars, Steps, Projections, Encroachments, Lands, Tenements, or Hereditaments, or any of them, and to pull down or diſpoſe of the ſame, as they ſhould think proper: Provided always nevertheleſs, that no ſuch Purchaſe as laſt aforeſaid ſhall be at any Time made by the ſaid Commiſſioners, unleſs the ſame ſhall firſt be ſanctioned and approved of by Three-fourths of the Inhabitants within the Limits laſt aforeſaid, who ſhall be aſſembled in the Veſtry of the Pariſh Church of *Leeds* for that Purpoſe, upon Notice being given of the Object of the ſaid Veſtry Meeting on Two *Sundays* next preceding ſuch Meeting immediately after Divine Service, and in the *Leeds* Newſpapers at leaſt Ten Days before ſuch Meeting: Provided alſo, that the Sum or Sums neceſſary for that Purpoſe, and for effecting the Objects or Improvements thereby propoſed, ſhall be at all Times levied and raiſed by a ſeparate Rate or Aſſeſſment, not exceeding Five-pence in the Pound on the real annual Valuation made for the Poor's Rate in any One Year, under the Direction of the ſaid Commiſſioners, in the ſame Manner and by the ſame Perſons, and ſubject to the ſame Powers, Penalties, and Proviſions as are by the ſaid recited Acts or this Act given, enacted, and declared with reſpect to any other Rate or Aſſeſſment under the Management of the ſaid Commiſſioners; any Thing herein or in the ſaid recited Acts, or either of them, contained to the contrary notwithſtanding.

The Commiſſioners not to turn the Water from Mr. Nevile's Mills, or rate them otherwiſe than as Warehouſes, &c.

XIII. Provided always, and be it further enacted, That nothing herein contained ſhall extend or be conſtrued to extend to authorize or empower the ſaid Commiſſioners to divert or turn the Water from the Mills called *The King's Mills* or *Soke Mills* in the ſaid Townſhip of *Leeds*, belonging to *John Pate Nevile* Eſquire, or to rate or aſſeſs, or cauſe to be rated or

assessed, the said Mills themselves, further or otherwise than as Warehouses or other Buildings.

Power for the Justices to make an Order for erecting a Court House and Prison with proper Accommodations, and to lay Rates for that Purpose.

XIV. And whereas it is become expedient and necessary for the Administration of Justice within the Borough of *Leeds*, that a Court House with suitable Accommodations for the more convenient holding of the Quarter Sessions of the Peace, and transacting the Business of the Magistracy within the said Borough, and also a Prison for the convenient Detention and Security of Felons and other Prisoners should be forthwith provided; be it therefore enacted, That the Justices of the Peace acting for the said Borough shall and may, and they are hereby authorized and empowered, at the next or any other General Quarter Sessions of the Peace after the passing of this Act, to make such Orders for the erecting, building, purchasing, providing, and furnishing a proper Court House with suitable Accommodations, and also a Prison, as to them, or the major Part of them, shall appear expedient and necessary; and for the paying, discharging, and defraying of all the Expences, Costs, and Charges attending the erecting, building, purchasing, providing, and furnishing the same, to order and direct a Rate or Assessment to be made or charged and levied upon all the Occupiers of Messuages, Buildings, Lands, Tenements, or Hereditaments within the said Borough, and which are usually rated to the Poor, equally, according to the real annual Value as estimated for the Poor Assessment of such Messuages, Buildings, Lands, Tenements, and Hereditaments; provided, that such Rate or Assessment shall not exceed in the Whole One Shilling and Three-pence in the Pound, and that no larger Proportion thereof than One-third, or the Sum of Five-pence in the Pound, shall be raised in any One Year; and that no Person or Persons occupying Tenements under the yearly Value of Four Pounds shall be charged with or liable to pay the said last-mentioned Rate.

Power to agree for Purchase of Lands, &c.

XV. And be it further enacted, That the said Justices of the Peace, at any of such General Quarter Sessions of the Peace as aforesaid, shall and may, and they are hereby authorized and empowered from Time to Time, to treat, contract, and agree with the Owners of and Persons interested in any Houses, Buildings, Lands, or Hereditaments, which the said Justices shall judge to be proper and necessary for the Purposes last aforesaid for the Purchase thereof, and by and out of the said last-mentioned Rate to pay, or cause to be paid for the Purchase of such Houses, Buildings, Lands, or Hereditaments, such Sum or Sums of Money as shall be agreed upon between such Owners and Persons interested as aforesaid, and the said Justices, and also the Costs and Charges attending such Agreement and Purchase as aforesaid; and that upon Payment of the Money agreed to be paid for the Purchase of any such Houses, Buildings, Lands, or Hereditaments as aforesaid, it shall and may be lawful for the said Justices of the Peace, or any Two or more of them, their Surveyors, Workmen, or Agents, at any Time thereafter to take Possession of the said Houses, Buildings, Lands, or Hereditaments.

Power to make and levy Rates.

XVI. And be it further enacted, That such and the like Powers and Authorities, Penalties and Provisions, as are by the said recited Acts or this Act given to or vested in the said Commissioners, with respect to the making, assessing, charging, collecting, levying, and recovering any Rate

or

or Aſſeſſment by them or under their Order directed to be made, charged, aſſeſſed, or levied, ſhall be uſed, exerciſed, and put in force by the ſaid Juſtices with reſpect to the ſaid Rate or Aſſeſſment, which they the ſaid Juſtices are hereby empowered to make and levy within the ſaid Borough, for the Purpoſe of providing ſuch Court Houſe and Priſon with Accommodation as aforeſaid, except ſo far as ſuch Proviſions relate to any Veſtry Meeting to be called as aforeſaid.

Power for Commiſſioners to amend Rates if improper, &c.

XVII. And be it further enacted, That if the Aſſeſſor or Aſſeſſors nominated and appointed under the ſaid recited Acts or this Act, ſhall at any Time or Times neglect or omit to rate or aſſeſs any Perſon or Perſons liable to pay or to be charged with any Rate or Aſſeſſment to be made by virtue of the ſaid Acts or this Act, or ſhall in any ſuch Rate or Aſſeſſment over-rate or under-rate any Perſon or Perſons liable to pay any ſuch Rate or Aſſeſſment, then and in every ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners to rate or aſſeſs in the ſaid Rate or Aſſeſſment ſuch Perſon or Perſons ſo omitted to be rated or aſſeſſed, and to leſſen or raiſe the Rate or Rates, Aſſeſſment or Aſſeſſments of ſuch Perſon or Perſons ſo over-rated or under-rated, or otherwiſe to alter or amend ſuch Rate or Aſſeſſment as aforeſaid, ſo as to make the ſame conformable to the true Intent and Meaning of this Act; and it ſhall be lawful for the ſaid Commiſſioners, and they are hereby empowered to ſtrike out the Name or Names of any Perſon or Perſons not liable to the Payment of the Rates hereby directed to be made; and that all ſuch Additions to, or Alterations or Amendments in ſuch Rates or Aſſeſſments, ſhall be as valid and effectual as if the ſame had been Part of the Rates or Aſſeſſments originally made.

Eſtabliſhing certain Regulations as to the Payment of Rates where Perſons quit their Premiſes.

XVIII. And be it further enacted, That in all Caſes where any Perſon or Perſons ſhall remove from or quit any Houſe, Building, Land, Ground, or other Hereditaments, the Tenant or Occupier whereof ſhall be rated or aſſeſſed, or be liable to be rated or aſſeſſed by virtue of the ſaid recited Acts or this Act, every ſuch Perſon or Perſons ſo removing from or quitting the ſame ſhall be liable to pay ſuch Rate or Aſſeſſment in proportion to the Time that ſuch Perſon or Perſons occupied the ſame reſpectively, in like Manner as if ſuch Perſon or Perſons had not removed from or quitted the ſame; and in all Caſes where any Perſon or Perſons ſhall come into or occupy any Houſe, Building, Land, Ground, or other Hereditaments rated or aſſeſſed, or liable to be rated or aſſeſſed as aforeſaid, out of or from which any other Perſon or Perſons ſhall have removed, or which at the Time of making any ſuch Rate or Aſſeſſment was empty or unoccupied, the Perſon or Perſons coming in or occupying the ſame ſhall be liable to pay ſuch Rate or Aſſeſſment, although his, her, or their Name or Names may not be inſerted in ſuch Rate or Aſſeſſment, in proportion to the Time that ſuch Perſon or Perſons ſhall occupy the ſame reſpectively, and in like Manner as if ſuch Perſon or Perſons had been originally rated or aſſeſſed by Name in ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, which ſaid Proportion in caſe of Diſpute ſhall be ſettled and aſcertained by the ſaid Commiſſioners.

Enabling incapacitated Perſons to contract and

XIX. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, and all Corporations whether Aggregate or Sole, Spiritual or Lay, and Feoffees in Truſt, Executors,

Executors, Administrators, Husbands, Guardians, Committees of or for Lunaticks and Idiots, or other Trustees whomsoever, not only for and on Behalf of themselves and their Successors, but also for and on Behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Idiots, or Femes Covert, and also to and for all Femes Covert who are or shall be seised in their own Right, and to and for all Persons whether Tenants for Life or Tenants in Tail General or Special, or for Years determinable on any Life or Lives, and to and for all and every Person or Persons whomsoever who are or shall be seised, possessed of, or interested in any Lands, Houses, Erections, Projections, Encroachments, Tenements, or other Hereditaments, or any Part thereof, which the said Commissioners and Justices of the Peace acting for the said Borough are by this Act enabled to purchase for any of the Purposes of this Act, to treat, contract, and agree with the said Commissioners and Justices for the Sale thereof, or any Part thereof, and to sell and convey all or any Part thereof, and all Estate, Right, Title, and Interest whatsoever, of, in, and to the same, to the said Commissioners and their Successors, or the said Justices for any of the Purposes of this Act; and that all Contracts, Agreements, Sales, and Conveyances which shall be so made by virtue and in pursuance of this Act, shall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Assurances in the Law whatsoever, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of the said several and respective Cestuique Trusts, and all Persons claiming or to claim by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever to the contrary thereof notwithstanding; and all Bodies Politick, Corporate, Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, and all Feoffees in Trust, Executors, Administrators, Husbands, Guardians, Committees, Trustees, and all other Persons whomsoever, are and shall be hereby indemnified for what they shall do by virtue and in pursuance of this Act.

agree for the Sale of their Estates, &c.

XX. And be it further enacted, That if any Money shall be paid or agreed, or awarded to be paid for the Purchase of any Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politick, Corporate or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee for or on Behalf of any Infant, Lunatick, Idiot, Feme Covert, or other Cestuique Trusts, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed, be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the said Commissioners or Justices respectively, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way, by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or Debts, or

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

ſuch other Incumbrance or Part thereof, as the ſaid Court ſhall authorize to be paid affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, ſtanding ſettled therewith to the ſame or the like Uſes, Intents, or Purpoſes, or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, and Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands, Tenements, or Hereditaments, which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court upon Application thereto, be inveſted by the ſaid Accountant General, in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid by Order of the ſaid Court to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed by virtue of this Act in caſe ſuch Purchaſe or Settlement were made.

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

XXI. Provided always, and be it enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments to be purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, or ſhall amount to or exceed the Sum of Twenty Pounds, then and in all ſuch Caſes the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, or Lunacy, to be ſignified in Writing under their reſpective Hands, to be paid into the Bank of *England* in the Name and with the Privity of the ſaid Accountant General of the High Court of Chancery, and be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed, or otherwiſe the ſame ſhall be paid at the like Option to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option and approved of by Five or more of the ſaid Commiſſioners for executing this Act, or Two Juſtices, ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties, in order that ſuch Principal Money and the Dividends ariſing thereon may be applied in Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Chancery.

Application of Compenſation if leſs than 20l.

XXII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as next before-mentioned ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have

have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Commiſſioners or Two Juſtices ſhall think fit; or in caſe of Infancy, Idiotcy, or Lunacy, then ſuch Money ſhall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon and Perſons ſo entitled reſpectively.

Court Houſe to be veſted in the Juſtices for publick Purpoſes.

XXIII. And be it further enacted, That all and every the ſaid Court Houſe, Priſon, and Buildings ſo to be provided or erected as aforeſaid, and the Buildings, Lands, or Hereditaments ſo to be purchaſed as laſt aforeſaid, and every Matter and Thing appertaining or in anywiſe relating thereunto, or to any of them, ſhall, at all Times from and after the purchaſing thereof, be veſted in, and the ſame are hereby declared to be veſted in the Juſtices of the Peace for the Borough of *Leeds* for the Time being, upon Truſt and to the End, Intent, and Purpoſe that the ſaid Juſtices ſhall and do from Time to Time, and at all Times for ever hereafter, peaceably and quietly permit and ſuffer the Courts of Quarter Seſſions of the Peace, and all other Courts and Meetings to be holden for the Adminiſtration of Juſtice by the ſaid Juſtices, or any of them, and of all other His Majeſty's Juſtices of the Peace and Commiſſioners of the ſaid Borough, or any Part thereof, to be holden in the ſaid Court Houſe or Buildings, and the Appurtenances thereunto belonging, and alſo permit and ſuffer the ſame to be had, uſed, and enjoyed for all ſuch other publick Uſes and Purpoſes as the Juſtices of the Peace for the ſaid Borough, or the major Part of them at any General Quarter Seſſions of the Peace, ſhall from Time to Time direct, order, or appoint, with free Liberty for all Perſons whom it ſhall and may concern to act or officiate in, and reſort to, and attend upon the ſaid Courts and Meetings as they ſhall have Occaſion or think proper.

Power to ſell overplus Lands or Buildings, &c.

XXIV. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners and Juſtices of the Peace reſpectively to ſell, diſpoſe of, and convey the Whole or any Part or Parts of any Building or Buildings, Lands, Tenements, or Hereditaments by them purchaſed by virtue of this Act, in caſe the ſame ſhall appear to them to be unneceſſary for the Purpoſes of this Act, as they ſhall judge advantageous and convenient to any Perſon or Perſons whomſoever, by Leaſe and Releaſe, Bargain and Sale enrolled, or Feoffment with Livery of Seiſin.

Accounts to be made out annually.

XXV. And be it further enacted, That in the Month of *March* in every Year, a true Account ſhall be made and written of all Monies received and paid by the ſaid Commiſſioners and Juſtices reſpectively during the preceding Year, ending upon the Thirty-firſt Day of *December*, by virtue of the ſaid recited Acts and this Act, and ſtating to and from whom the ſame has been paid or received, and for what Purpoſes, and a Copy or Duplicate of ſuch Account ſhall be depoſited with the Clerk to the ſaid Commiſſioners, who ſhall permit any Perſon or Perſons who ſhall pay any Rate or Aſſeſſment to be levied and collected by virtue of the ſaid Acts and this Act, or any Perſon on his, her, or their Behalf, to inſpect the ſame at ſeaſonable Times, paying the Sum of One Shilling and no more for every ſuch Inſpection, and the ſaid Clerk ſhall upon Demand forthwith give Copies of the ſame, or any Part thereof, upon being paid at

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the Rate of Three pence for every One hundred Words, and so in proportion for a less Number of Words, all which Accounts shall be produced and passed at a Meeting of the Inhabitants of the said Town of *Leeds*, to be held in the Month of *March* annually in the Vestry of the Parish Church of *Leeds*, of which Meeting Notice shall be given on the preceding *Sunday* immediately after Divine Service, and an Abstract of such Accounts, if ordered by such Meeting, shall be published in one or both of the *Leeds* Newspapers.

Limiting the Time for emptying Necessary Houses, &c.

XXVI. And be it further enacted, That no Necessary House or Bog House, Dunghill or Midden within the said last-mentioned Limits, shall be emptied at any other Time than between the Hours of Ten of the Clock at Night and Five of the Clock in the Morning in Sumner, and the same Hour at Night and Six in the Morning in Winter, unless otherwise ordered by the said Commissioners, or the Soil or Dirt taken therefrom permitted or suffered to remain after that Time in any of the Streets, Lanes, Entries, publick Passages or Places of the said Town; and if any Person or Persons shall empty any such Necessary House or Bog House at any other Times than as aforesaid, or permit or suffer the Soil or Dirt taken therefrom to remain in any of the said Streets, Lanes, Entries, publick Passages or Places after the Times herein-before limited for that Purpose, unless on such Order as aforesaid, or shall wilfully spill any of the Soil of any Necessary House or Bog House, or make any Ordure, Dirt, or Filth in any of the said Streets, Lanes, Entries, publick Passages or Places within the same Limits, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Hords or Fences to be made round Houses or Buildings under Repairs or erecting, &c.

XXVII. And be it further enacted, That all Persons whomsoever who have already caused to be taken down or partly taken down, or who at any Time or Times hereafter shall take down or begin to take down any House or other Building whatsoever, within the Limits last aforesaid, or cause the same to be so done, or who shall alter or repair, or begin to alter or repair the outward or external Part or Parts of any such House or other Building, shall cause one or more proper and sufficient Hord or Fence, or Hords or Fences to be erected or set up to guard all such Houses and other Buildings, and the Grounds whereon such Houses stood respectively, from the Street, Lane, or other publick Place or Passage near thereto, before such Building shall be begun to be altered, repaired, or taken down, and shall continue such Hord or Fence, Hords or Fences standing and in good Condition, during such Time as the said Commissioners, or any Two of them, shall judge it necessary for the publick Safety, and as they shall by Writing under their Hands order and direct; and if any such Person or Persons shall refuse or neglect to erect and set up any such Hord or Fence, Hords or Fences as aforesaid, or shall not continue the same standing, and in good Condition as aforesaid, then and in either of the said Cases every such Person shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds; and in case of Refusal or Neglect, it shall be lawful for such Two Commissioners as aforesaid, or for their Clerk or Surveyor by their Order, to cause such House or Houses, Building or Buildings, Ground or Grounds to be well and sufficiently fenced in, or the Fence already set up well and sufficiently repaired, as the Case shall require, and such Fence or Fences to be continued as aforesaid, and the Person or Persons so neglecting or refusing shall,

over and above the aforesaid Penalty, pay all such Charges and Expences of such fencing or repairing, upon Demand made by the said Commissioners or by their Clerk.

For removing Annoyances, &c.

XXVIII. And for the better Accommodation and Safety of Passengers, and the Preservation of good Order, and Prevention of Obstructions and Annoyances within the Limits last aforesaid, be it further enacted, That if any Person or Persons shall upon any of the Footways which are now or at any Time hereafter shall be made, above or upon the Side of the Carriage-way, and used as Footways in any of the Streets, Lanes, Entries, publick Passages and Places within the Limits last aforesaid, run, draw, drive, wheel, or carry any Truck, Wheel, Sledge, Wheelbarrow, Bier, Hand-barrow, or Carriage whatsoever, or shall roll any Cask (other than for the necessary loading and unloading thereof) in, upon, from, or out of any Carriage, or shall wilfully ride, lead, or drive any Horse, Mare, Gelding, Mule or Ass, Ox, Bull, Cow, Sheep, Swine, or other Cattle, upon any of the said Footways, or burn, dress, sweep, or cleanse any Piece or Pieces of Cork, or hoop, fire, cleanse, wash, or scald any Cask or Casks, in any of the said Streets, Lanes, Entries, publick Passages or Places, or shall hew, saw, or cut, or cause to be hewn, sawn, or cut, any Stone, Wood, or Timber, or bore any Piece or Pieces of Timber, or make or repair any Coach, Waggon, Trolly, Dray, Sledge, or other Carriage, or any Wheel, or any Part thereof, in any of the said Streets, Lanes, Entries, publick Passages or Places (save and except such Carriage or Carriages as may want repairing from sudden Accident happening thereto in any of the said Streets, Lanes, Entries, publick Passages and Places), or shall shoe, farry, or bleed any Horse, Mare, Gelding, Mule or Ass, except in case of Accidents, or turn or suffer to go loose any Horse, Mare, Gelding, Mule, Ox, Cow, Beast, Swine, or other Cattle, in any of the said Streets, Lanes, Entries, publick Passages or Places; or if the Driver of any Waggon, Cart, Dray, Sledge, or other Carriage used for carrying Goods and Merchandize, shall ride on the Shafts or any Part of such Waggon, Cart, Dray, Sledge, or other Carriage, in any of the said Streets, Lanes, Entries, publick Passages or Places, or if any Person or Persons shall shew or expose any Stallion in any such Street, Lane, Entry, publick Passage or Place, or shall expose to Sale any Horse, Mare, or Gelding, Ox, Bull, Cow, Sheep, Swine, or other Cattle therein (except such Places wherein Fairs or Markets are or may be held for the Sale of Horses and Cattle, and during the Times of such Fairs and Markets only), or shall fodder any Cattle in any such Streets, Lanes, Entries, publick Passages or Places (except in the Fairs and Markets where Cattle usually stand), or if any Person shall slaughter any Cattle, Calves, Sheep, Lambs, or Swine, in any of the said Streets, Lanes, or publick Passages or Plaees (other than and except that Part of the said Town called *The Shambles*, beginning at the North Side of *Kirkgate End*, and extending Northwards to a Street called *Wood Street*), or if any Person shall sift, throw, cast, or lay any Ashes (except in the Times of Frost, and so as to prevent Accidents), or any Dirt, Muck, Dung, Soil, Filth, Rubbish, Refuse of Garden Stuff, Blood, Offal, Carrion, Entrails, or any other offensive Matter or Thing, in any Part of such Streets, Lanes, Entries, publick Passages or Places within the said last-mentioned Limits, or shall at any Time or Times (except as herein-after is excepted) hang up, place, or expose any Goods, Wares, or Merchandize, or any other Matter or Thing, at or near the

Door or Doors of any Houſe or Houſes, Shop or Shops, or other Places, ſo as to incommode or obſtruct the Paſſage of any Perſon on any of the ſaid Footways, then every Perſon ſo offending in any of the Caſes aforeſaid ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Forty Shillings; or if any Perſon or Perſons ſhall make or aſſiſt in making any Fire or Fires commonly called *Bonfires*, or ſhall ſet fire to or let off any Gun, Piſtol, or Cracker, or throw any Squib, Serpent, Rocket, or Firework whatſoever within any of the ſaid Streets, Lanes, Entries, publick Paſſages or Places, and ſhall be convicted thereof before any Juſtice of the Peace for the ſaid Borough by the Oath of One credible Witneſs, every Perſon ſo offending in any of the Caſes aforeſaid ſhall for every ſuch Offence forfeit and pay to the ſaid Commiſſioners, or to their Treaſurer, any Sum not exceeding Twenty Shillings, to be applied for the Purpoſes of this Act.

Power to order Nuiſances, &c. to be removed.

XXIX. And be it further enacted, That if any Hogſtye, Swinecote, Neceſſary-houſe, Dunghill, or Midden, in or near any of the ſaid Streets, Lanes, Entries, Paſſages or Places, ſhall be offenſive to any of the Inhabitants within the Limits laſt aforeſaid, or any other Perſon or Perſons, the ſame ſhall and may be deemed a Nuiſance by the ſaid Commiſſioners and an Offence againſt this and the ſaid Acts, and it ſhall be lawful for the ſaid Commiſſioners upon Complaint thereof to them made, by Notice in Writing under the Hands of Three or more of them, or under the Hand of their Clerk or Surveyor, to order any ſuch Nuiſance or Offence to be removed; and in caſe the ſame ſhall not be removed within Three Days after ſuch Notice given to the Perſon or Perſons who ought to remove the ſame, ſuch Perſon or Perſons ſhall forfeit and pay any Sum not exceeding Ten Shillings daily for every Day that the ſame ſhall continue unremoved after the Expiration of the ſaid Notice.

Penalties on Perſons ſuffering Beaſts or Cattle wandering in the Streets.

XXX. And be it further enacted, That if any Horſe, Mare, Gelding, Swine, Beaſt or Cattle, ſhall be found wandering in or about any of the ſaid Streets, Lanes, Entries, publick Paſſages or Places within the Limits laſt aforeſaid, it ſhall and may be lawful for any Officer or Officers of the ſaid Commiſſioners or of the ſaid Juſtices, or any Conſtable or Conſtables of the ſaid Townſhip, and they are hereby required to impound ſuch Horſe, Mare, Gelding, Swine, Beaſt or Cattle, in ſuch Place as ſhall be appointed for that Purpoſe by the ſaid Commiſſioners within the Limits laſt aforeſaid, and the ſame to detain in ſuch Place until the Sum of Five Shillings, and the Expences of impounding ſuch Horſe, Mare, Gelding, Swine, Beaſt, or Cattle, ſhall be fully paid and ſatisfied; and in caſe ſuch Penalty and Expence ſhall not be paid within Three Days after ſuch Horſe, Mare, Gelding, Swine, Beaſt or Cattle, ſhall be impounded, it ſhall be lawful for ſuch Perſon or Perſons as ſhall be appointed by the ſaid Commiſſioners for that Purpoſe, to ſell or cauſe ſuch Horſe, Mare, Gelding, Swine, Beaſt or Cattle, to be publickly ſold, returning the Overplus (if any be) upon Demand to the Owner or Owners thereof, after deducting the ſaid Penalty and the Charges of impounding, keeping, and Sale.

Penalty on Perſons leaving Carts, &c. in the Streets.

XXXI. And be it further enacted, That if any Cart, Waggon, Sledge, Trolly or Dray, ſhall be left or ſuffered to ſtand and continue in any Street, Lane, Entry, publick Paſſage or Place within the laſt-mentioned Limits, either in the Night or in the Day-time, either loaded or unloaded,

or with or without Horſes, for any longer Time than for the neceſſary loading or unloading thereof, or if any ſuch Cart, Waggon, Sledge, Dray, Trolly or other Carriage, ſhall be ſet, placed, or left upon any Part of the Footcroſſings made or to be made in any of the ſaid Streets, Lanes, Entries, Paſſages and Places, or if any Cart, Waggon, Sledge, Trolly, Dray or other Carriage, ſhall be ſet or placed athwart or acroſs any Part of the ſaid Streets, Lanes, Entries, publick Paſſages and Places, for the Purpoſes of loading or unloading the ſame, where there ſhall not be ſufficient Room left for another loaded or unloaded Cart, Waggon, Dray, Sledge, or other Carriage to paſs, or if any Coach, Chaiſe, or other Carriage be ſuffered to ſtand in any of the ſaid Streets, Lanes, Entries, publick Paſſages and Places, for a longer Time than ſhall be neceſſary for the taking up and ſetting down Paſſengers or Travellers with their Luggage, or for loading or unloading thereof reſpectively, or if any Wheel of any Carriage ſeparated from any Carriage be rolled or drawn on any Part of the ſaid Footways, or if any Timber, Iron, Lead, Bricks, Stones, Lime, Mortar, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Caſks, Hogſheads, Barrels, Goods, Wares, Merchandizes, Materials, or other Things whatſoever, ſhall be laid, placed, or left in any ſuch Street, Lane, Entry, Paſſage or Place (except Hords and Fences as aforeſaid), ſo as to ſtop, obſtruct, incommode, or annoy any Perſon or Perſons, Carriage or Carriages paſſing therein, or the free and open Paſſage to any Houſe, Shop, or other Building, and the ſame ſhall remain for a greater Space of Time than ſhall be neceſſary for the houſing or removing thereof, then and in ſuch Caſe the Owner or Owners of every ſuch Waggon, Cart, Dray, Sledge, Trolly, Coach, Chaiſe, or other Carriage, Timber, Iron, Lead, Bricks, Stones, Lime, Mortar, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Caſks, Goods, Wares, Merchandize, Materials, and Things, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Twenty Shillings, and the ſame ſhall moreover be deemed Nuiſances, and any one of the Officers belonging to the ſaid Commiſſioners, without any Peace Officer or other Perſon being preſent, ſhall, either in the Daytime or by Night, ſeize or cauſe to be ſeized the Cart, Waggon, Sledge, Trolly, Dray, or other Carriage ſo left or ſuffered to ſtand and continue, contrary to the true Intent and Meaning of this Act, together with the Horſe or Horſes thereunto belonging or affixed (if any), or the Timber, Iron, Lead, Bricks, Stones, Lime, Mortar, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Caſks, Hogſheads, Barrels, Goods, Wares, Merchandizes, Materials, or other Things, ſo laid, placed, or left as aforeſaid, and remove or cauſe the ſame to be removed to ſuch Place within the Limits laſt aforeſaid as ſhall be appointed for that Purpoſe, there to be kept and detained until the Owner or Owners thereof, or his, her, or their Servant or Servants ſhall claim the ſame, and pay to the Perſon or Perſons in whoſe Cuſtody the ſame ſhall then be the Sum of Ten Shillings, together with the Charges and Expences of removing and keeping the ſame; and in caſe the ſame ſhall not be claimed, and the ſaid Sum of Ten Shillings and Coſts paid within Six Days next after ſuch Seizure, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any Five or more of them, to cauſe the ſame to be ſold, reſtoring the Overplus (if any there be) upon Demand to the Owner or Owners thereof, after deducting the ſaid Penalty and the Charges of ſuch Removal, Keeping, and Sale, which Penalty ſhall be applied to the Purpoſes of this Act.

XXXII. And

Rubbiſh, &c. not to be put in the Streets.

XXXII. And be it further enacted, That no Perſon or Perſons ſhall at any Time throw, caſt, lay, or leave any broken Glaſs, Earthenware, broken Pots, Bruſhends, Brickbats, Cinders, Sleck, Shop Dirt, Aſhes (except as aforeſaid), or Street Sweepings, or other Rubbiſh whatſoever, into or upon any of the Streets, Lanes, publick Paſſages or Places within the Limits laſt aforeſaid on any Pretence or Account whatſoever, but that all Perſons having any ſuch Rubbiſh or Thing above-mentioned to be removed from their reſpective Houſes, Shops, Yards, Warehouſes, Fronts, or other Places, ſhall from Time to Time carry away or cauſe the ſame at their own Expence to be carried away and laid at ſome convenient and proper Place beyond the Limits laſt aforeſaid; and every Perſon who ſhall throw, caſt, lay or leave, or cauſe or permit to be thrown, caſt, laid or left, any ſuch Rubbiſh or other Things (except as aforeſaid) in any of the ſaid Streets, Lanes, Ways, Paſſages or Places, ſhall for every Offence forfeit and pay the Sum of Five Shillings, and ſhall moreover pay to any Perſon appointed by the ſaid Commiſſioners, or any Five of them, for taking away the ſame, ſuch Sum as the ſaid Commiſſioners, or any Five of them, ſhall from Time to Time direct by any Writing under their Hands, not exceeding One Shilling for every Time it ſhall be neceſſary for a common Cart loaded in the ordinary Way to go therewith, which Payment to the Perſon ſo appointed ſhall and may be recovered in the ſame Manner as any Penalty under this Act may be recovered.

The Truſtees of publick Buildings to ſweep the Streets oppoſite thereto.

XXXIII. And be it further enacted, That the Truſtee or Truſtees for the Time being of all publick Buildings fronting to any of the Streets, Lanes, publick Paſſages or Places within the Limits laſt aforeſaid, ſhall ſweep and cleanſe or cauſe to be ſwept and cleanſed ſuch Part or Parts of the ſaid Streets, Lanes, publick Paſſages and Places as ſhall be in the Front of ſuch publick Buildings reſpectively, once in every Week at the leaſt, (that is to ſay) every *Saturday* in the Week, or oftener if Occaſion ſhall require, between the Hours of One and Three in the Afternoon, and ſhall remove, take, and carry away all the Dirt and Soil to be collected by ſuch Sweeping, on Pain of forfeiting for every ſuch Offence or Neglect any Sum not exceeding Five Shillings.

Penalty on Perſons not removing Signs, &c. projecting into the Streets, &c.

XXXIV. And be it further enacted, That any Perſon who ſhall not remove any Sign or other Emblem uſed to denote the Trade, Occupation, or Calling of ſuch Perſon, and all Sign Poſts and Boards, Sign Irons, Stalls, and other Projections into and Annoyances to any of the Streets or other publick Paſſages or Places within the Limits laſt aforeſaid, within Six Days next after Notice in Writing ſhall have been given to him or her ſo to do by the ſaid Commiſſioners, or their Clerk or other Officer, or who ſhall hereafter place any ſuch Projection, Annoyance, or Obſtruction as aforeſaid, every ſuch Perſon ſo offending in either or any of the Caſes aforeſaid ſhall forfeit and pay for every Day on which ſuch Projection, Annoyance, or Obſtruction ſhall remain to be ſo placed for any Part of the Day, any Sum not exceeding Ten Shillings, to be levied and recovered as any Penalty may be recovered under this Act.

Penalty on Perſons not removing Stalls &c. before certain Times in the Evening.

XXXV. And be it further enacted, That all Stalls, Crates, Benches, and Lumber uſed within the Limits laſt aforeſaid by any Perſon or Perſons keeping Stalls or Standings in the ſaid Streets, Lanes, publick Paſſages or Places, ſhall be taken or carried away before Twelve of the Clock at Night

Night upon every *Saturday* in every Week, and before Nine of the Clock in the Evening of all other Days by the reſpective Perſons uſing the ſame, on Pain of forfeiting any Sum not exceeding Five Shillings for every ſuch Offence or Neglect.

Penalty on Perſons damaging or breaking Lamps.

XXXVI. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or maliciouſly break, throw down, take away, extinguiſh, damage, or ſpoil any Lamp or Lamps put up by virtue of the ſaid recited Acts or this Act, or the Poſts, Irons, or other Furniture thereof, or wilfully hinder or obſtruct any of the ſaid Commiſſioners, or their Officers employed in any Manner in the Execution of this Act, every Perſon ſo offending in any of the Matters aforeſaid ſhall, on Conviction thereof by the Oath of One credible Witneſs, or his or their own Confeſſion before any Juſtice of the Peace for the ſaid Borough (which Oath ſuch Juſtice is hereby empowered to adminiſter), forfeit and pay for the Firſt Offence the Sum of Twenty Shillings, for the Second Offence the Sum of Forty Shillings, and for the Third and every other Offence the Sum of Five Pounds; and in caſe any Perſon or Perſons ſhall careleſsly, negligently, or accidently break, throw down, or otherwiſe damage any of the ſaid Lamps, or the Irons, Poſts, or other Furniture thereof, or extinguiſh the Lights thereof, and ſhall not immediately on Demand make Satisfaction for the Damage done thereto, then and in ſuch Caſe it ſhall be lawful for any Juſtice of the Peace for the ſaid Borough, upon Proof thereof by Oath as aforeſaid, or by the Confeſſion of the Party, to award ſuch Sum or Sums of Money, by Way of Satisfaction for ſuch Damage, as ſuch Juſtice ſhall think reaſonable; and in Default of Payment thereof for Six Days after Demand made, to cauſe the ſame to be levied and recovered in the ſame Manner as any Penalty may be recovered under this Act.

Eſtabliſhing certain Regulations as to the Gratings or Coverings to Openings in the Streets, &c.

XXXVII. And be it further enacted, That when any Opening ſhall be made in the paving or pitching of any of the ſaid Streets, Lanes, Entries, publick Paſſages and Places, for the Purpoſe of conveying Coals or other Things into any Vault or Cellar under the ſame, or for the Purpoſe of admitting Light into any Room, Chamber or Cellar, the Grating or Covering to ſuch Opening ſhall be made at the Expence of the Perſon or Perſons making ſuch Opening, and ſhall be made of Iron, or ſuch other Materials, of ſuch Dimenſions, and in ſuch Manner and Form, as the ſaid Commiſſioners or their Surveyor ſhall direct and approve of; and ſuch Grating or Covering ſhall from Time to Time be repaired, varied, and altered at the Expence of the Perſon or Perſons for whoſe Uſe and Benefit the ſame ſhall be poſſeſſed and enjoyed, and in ſuch Manner and Form as the ſaid Commiſſioners or Surveyor ſhall direct and appoint; and in caſe any Perſon or Perſons ſhall cauſe any ſuch Grating or Covering to be made, repaired, varied or altered, or ſhall neglect or refuſe to make, repair, vary or alter ſuch Grating or Covering, contrary to ſuch Direction and Appointment as aforeſaid, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Shillings for every Day the ſaid Offence ſhall be continued.

For preventing Accidents in the Streets, &c.

XXXVIII. And be it further enacted, That if at any Time hereafter any Hole or Opening ſhall be made in any Street, Lane, publick Paſſage or Place within the laſt-mentioned Limits for any Purpoſe whatſoever, the Perſon or Perſons employed or concerned in making ſuch Hole or Open-

ing ſhall cauſe a ſufficient Light to be affixed in or near the ſame for ſecuring Paſſengers and Cattle from Accidents, ſuch Lights to be continued every Night during the Time ſuch Hole or Opening ſhall remain, from Sun-ſetting to Sun-riſing, at the Expence of the Perſon or Perſons concerned in making ſuch Hole or Opening, and the Perſon or Perſons neglecting to affix or continue ſuch Light as aforeſaid, ſhall forfeit and pay any Sum not exceeding Forty Shillings nor leſs than Ten Shillings for every ſuch Neglect.

Power to appoint additional Overſeers of the Poor.

XXXIX. And be it further enacted, That the Juſtices of the Peace for the ſaid Borough ſhall and may, and they are hereby authorized and empowered to nominate and appoint an additional Overſeer or Overſeers of the Poor in ſuch of the Diviſions of the ſaid Townſhip of *Leeds* as ſhall appear to them to be too populous or extenſive for the due and proper Diſcharge of Duty by one Overſeer, ſuch additional Overſeer or Overſeers to be appointed at the Time and in the Manner and for the Purpoſes directed by the Laws now in force.

Recovery and Application of Penalties.

XL. And be it further enacted, That it ſhall and may be lawful for any One or more Juſtice or Juſtices of the Peace of and for the ſaid Borough to hear and determine any of the Offences (not herein directed to be otherwiſe heard) which are made ſubject to and puniſhable by any pecuniary Penalties directed by this or the ſaid recited Act, and upon any Information or Complaint, which ſhall in all Caſes be made within Twenty-one Days next after the Offence committed, exhibited before him or them, to iſſue a Summons for the Party accuſed to appear before him or them, or the Juſtices at any Petty Seſſions of the Peace for the Borough aforeſaid, at ſuch Time and Place as ſhall be therein appointed; and upon Appearance, or Contempt of the Party accuſed in not appearing according to ſuch Summons, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices (ſuch Summons being firſt proved to be either perſonally ſerved on the Party or Parties, or left at his, her, or their laſt or uſual Place of Reſidence) to proceed to the Examination of any Witneſs or Witneſſes upon Oath (which Oath ſuch Juſtice or Juſtices is and are hereby empowered and required to adminiſter), and to hear the Circumſtances of the Caſe, and thereupon, or upon Confeſſion of the Party, to give and ſign ſuch Conviction and Judgement for the Forfeiture and Payment of ſuch Penalty, or to acquit the Party accuſed for Want of due Proof of the Offence, as ſhall be juſt and conformable to the Tenor and true Meaning of this Act; and where the Party or Parties ſo accuſed ſhall be convicted upon or by reaſon of any ſuch Complaint or Information, then the Penalty or Forfeiture wherein he, ſhe, or they be ſo ſeverally convicted, and all and every the Penalties and Forfeitures, and all Fines by and under this Act incurred and impoſed (the Manner of recovering and levying whereof is not otherwiſe hereby particularly directed), ſhall and may, by Warrant or Warrants under the Hand and Seal or Hands and Seals of any One or more of ſuch Juſtice or Juſtices, which he or they are hereby empowered and required to grant, be levied and recovered with the Coſts of Conviction and Recovery thereof, to be aſcertained by ſuch Juſtice or Juſtices, by Diſtreſs and Sale of the Offender's Goods and Chattels wherever ſuch Goods and Chattels can be found, rendering the Overplus of ſuch Diſtreſs (if any be) to the Party or Parties whoſe Goods and Chattels ſhall be ſo diſtrained; and in caſe ſufficient Diſtreſs cannot be found, it

ſhall

ſhall and may be lawful to and for ſuch Juſtice or Juſtices, and he and they is and are hereby required and empowered, by Warrant under his Hand and Seal or their Hands and Seals, to commit ſuch Offender or Offenders to the Common Gaol or Houſe of Correction, there to be and remain without Bail or Mainprize, until he, ſhe, or they ſhall have fully paid ſuch Penalty or Forfeiture, and all Coſts and Charges attending ſuch Proceedings as aforeſaid (to be aſcertained by ſuch Juſtice or Juſtices), or have paid ſuch Compoſition for the ſame as the ſaid Commiſſioners of the *Leeds* Water Works ſhall have agreed to make (and which Compoſition they are hereby empowered to make), or ſhall otherwiſe be delivered by due Courſe of Law, and all and every the Penalties, Fines, and Forfeitures which ſhall be incurred, impoſed, or recovered by virtue of this Act, and which are not herein directed to be otherwiſe wholly applied, ſhall be applied immediately from and after the Recovery, Impoſition, and Payment thereof reſpectively, as follows; (that is to ſay), One Moiety thereof to the Informer, and the other Moiety thereof to be paid to the Treaſurer or Clerk for the Time being to the ſaid Commiſſioners reſpectively, or to ſuch other Perſon or Perſons as they ſhall appoint for the ſame Uſes and Purpoſes as the Money raiſed by the Rates to be levied under the Direction and Authority of the ſaid Commiſſioners reſpectively is to be applied; and in all Actions, Proſecutions, Informations, Cauſes, and Proceedings whatſoever relating to or concerning the Execution of this or the ſaid Acts, no Perſon ſhall be diſqualified from giving Evidence by reaſon of his or her being charged with and liable to pay any Rate or Aſſeſſment by virtue of this or the ſaid recited Acts.

Diſtreſs not deemed unlawful for Want of Form, nor Parties diſtraining deemed Treſpaſſers.

XLI. And be it further enacted, That where any Diſtreſs and Sale ſhall be made for any Sum or Sums of Money directed to be levied, or any Perſon or Perſons ſhall be apprehended or committed by virtue of this or the ſaid Acts, ſuch Diſtreſs and Sale, Arreſt or Commitment, ſhall not be deemed unlawful, nor the Party or Parties doing the ſame reſpectively be deemed a Treſpaſſer or Treſpaſſers on Account of any Defect or Want of Form or other Irregularity in any Warrant of Appointment or other Warrant, or in any Rate, Aſſeſſment or Summons, Conviction, Order, Commitment, or other Proceeding or Proceedings whatſoever relating to or concerning any ſuch Diſtreſs and Sale, Arreſt or Commitment, nor ſhall the Party or Parties making ſuch Diſtreſs and Sale, Arreſt or Commitment reſpectively, be deemed or conſtrued a Treſpaſſer or Treſpaſſers *ab initio* on Account of any Irregularity which ſhall afterwards be done or tranſacted in any ſuch Caſe by him, her, or them, but the Perſon or Perſons aggrieved by any ſuch Irregularity ſhall and may by Action on the Caſe recover Satisfaction for the ſpecial Damage only, and in every ſuch Action ſhall have no more Coſts than Damages, nor ſhall any Order made or other Matter or Thing to be done or tranſacted in or relating to the Execution of this or the ſaid Acts be removed by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, any Law or Statute to the contrary notwithſtanding.

Form of Conviction, &c.

XLII. And, for the more eaſy Conviction of Offenders, be it further enacted, That any Juſtice of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this or the ſaid Acts ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in Words to the ſame Effect:

'Borough of Leeds in the County of York.' } BE it remembered, That on the Day of in the Year of the 'Reign of His Majesty King *A. B.* is [*or*, are] con-'victed before me, one of His Majesty's Justices of the Peace in and for 'the said Borough, by virtue of an Act passed in the Forty-ninth Year of 'His Majesty King *George* the Third, intituled, *An Act*, [*here insert 'the Title of this Act, specifying the Offence and the Time and Place when 'and where the same was committed*] contrary to the said Act, for which 'Offence I adjudge the said *A. B.* to have forfeited the Sum of '[*and if mitigated*] and which I mitigate to the Sum of 'Given under my Hand the Day and Year 'first above written.'

Saving the Rights of the Coporation of Leeds.

XLIII. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, lessen, or defeat any Right, Interest, or Property of the Corporation of *Leeds* of any Power, Privilege, Franchise, or Authority, but all and every such Powers, Privileges, Franchises, and Authorities may be exercised and enjoyed in as full and ample a Manner, to all Intents and Purposes, as the same were exercised and enjoyed at any Time before the passing of this Act.

For paying the Expences of passing this Act.

XLIV. Provided always, and be it further enacted, That the Costs and Expences of obtaining this Act shall be paid and borne in the Manner and according to the Proportions following; (that is to say,) Twenty-five *per Centum* of the said Costs and Expences out of the Monies to be raised by the first Rate to be made after the passing of this Act, for the Purposes of the *Leeds* Water Works; Twenty-five *per Centum* further Part of the said Costs and Expences out of the Monies to be raised by the first Rate to be made after the passing of this Act, for the Purposes of Lighting the said Town; Twenty-five *per Centum* further Part of the said Costs and Expences out of the Monies to be raised by the first Rate to be made after the passing of this Act, for reimbursing the Constables of the said Township of *Leeds* the Expences relating to their Office; and Twenty-five *per Centum* the Remainder of the said Costs and Expences out of the Money which shall be raised by the first Rate to be made after the passing of this Act, for the Purpose of building a Court House, Conveniences, and Prison.

Publick Act.

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

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