Anno tricesimo tertio

Georgii II. Regis.

An Act for raising Money for finishing and compleating the Repair of *Leeds* Bridge, in the County of *York;* and for the purchasing and taking down the Houses and Buildings which straiten and obstruct the Passage to and over the said Bridge.

WHEREAS the Bridge over the River Aire, within the Township of Leeds, in the County of York, commonly called Leeds Bridge, is a County or Riding Bridge, and stands in the publick Turnpike Road leading from London to Edinburgh, by way of Derby, Sheffield, Wakefield, Leeds, Knaresbrough, and Burroughbridge, or Ripon, in the said County: And whereas by Length of Time, and by the great Number of Waggons, Carts, and Wheel Carriages, almost continually passing on the same, the said Bridge is fallen into Decay, and requires a speedy Repair; and, by the Narrowness Preamble.

Narrowness of the Road over, and the Buildings and other Incroachments made or set up at both Ends and Abutments of the said Bridge, the Way or Passage over the same is greatly confined and obstructed, and is become not only dangerous to Passengers on Foot and on Horseback, but also greatly prejudicial to the Inhabitants, Trade, and Commerce, of the said Town of Leeds: And whereas Application hath been made to the Court of Quarter Session held at Pontefract, for the West Riding of the County of York, to have the said Bridge repaired and widened; and the said Court granted the Sum of One thousand four hundred and fifty Pounds, for the repairing and widening the same: And whereas, in order to make a convenient, safe, proper, and sufficient Passage over the same, it will be absolutely necessary to purchase and take down some Houses and Buildings standing upon, adjoining, or near to, the said Bridge; but as the said Sum of One thousand four hundred and fifty Pounds, so granted by the Quarter Session, will not be sufficient for the several Purposes, it is proposed, that a further Sum should be raised, by a Taxation of, and Assessment upon, the Estates within the Borough of Leeds aforesaid; which cannot be effected without the Aid and Authority of Parliament: Wherefore, for the attaining, effecting, and carrying into Execution, the good Ends and Purposes above mentioned; May it please Your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, Recorder, and Justices of the Peace, of the Borough of Leeds aforesaid, for the time being; together with Sir Henry Ibbetson Baronet, Charles Ingram, John Atkinson, Edmund Barker, Charles Brandling, James Brooks, Anthony Cooke, Jeremiah Dixon, Thomas Lee, Thomas Medhurst, Thomas Sawer, Henry Scott, Nicholas Torr, Richard Wilson, Richard Wilson junior, Esquires; Francis Blayds, John Blayds, Hans Busk, Thomas Cookson, Richard Cotton, Thomas Fenton, Joshua Hartley, Charles Gautier, Thomas Lodge, Richard Markham, John Medhurst, D'arcy Molyneux, George Oates, Josiah Oates, Merchants; Samuel Harper, George Lumley, William Preston, Luke Sitchwell, Gervas Smith, James Smith, Richard Stephenson, John Suttell, William Tottie, Thomas Woolrich, Samuel Davenport, Benjamin Wynn, James Green, Samuel Howgate, Henry Smithson,

Commissioners Names.

Smithson, Gentlemen; Samuel Kershaw, Richard Bambridge, John Murgatroyd, John Moore, and Christopher Topham, Clerks; shall be, and they are hereby constituted and appointed, Commissioners for putting this Act in Execution, by the Ways and Means and in the Manner herein mentioned.

The first Meeting for putting the Act in Execution.

And, for that Purpose, it is hereby enacted and declared, That it shall and may be lawful to and for the said Commissioners, herein before nominated and appointed, or any Seven or more of them, to meet, and they are hereby authorized and required to meet and assemble together, in the Common Hall of the said Borough, called The Moot Hall, on the First Day of July, One thousand seven hundred and forty, between the Hours of Ten and Twelve in the Forenoon, in order to put this Act in Execution; and afterwards, from time to time, to meet and assemble together, by Adjournment or otherwise, at the same or any other convenient Place within the said Town, as they, or any Three or more of them, shall appoint, so as such Meeting do not interfere with the Business of the Magistracy or publick Affairs of the Corporation: And

Power to appoint Officers, and remove them,

that it shall and may be lawful to and for the said Commissioners, at their First or any other Meeting, to elect and appoint a Treasurer or Treasurers, or Clerk or Clerks, for receiving, issuing, and applying the Money to be raised for the Purposes of this Act, and for the entering the Orders and Proceedings of the said Commissioners, in and about the Execution of the same; and also to remove any such Treasurer or Clerk; and upon such Removal, or upon the Death of any such Officer, to appoint others in the Room and Stead of him or them so dying or removed respectively; and shall and may, out of the Money arising by virtue of this Act, make such Allowances to the said Treasurer or Treasurers, Clerk or Clerks, for their Care and Pains in their respective Offices, as to the said Commissioners, or any Five or more of them, shall seem proper and reasonable: And every such

Officers to account.

Treasurer or Treasurers shall, from time to time, when thereto required by the said Commissioners, or any Five or more of them, state and make up, and deliver unto the said Commissioners, at any of their Meetings, a true and perfect Account in Writing of all Monies by him and them received, issued, paid, and applied, by virtue, on account, or for the Purposes of this Act.

Treasurer to give Security.

And be it further enacted by the Authority aforesaid, That the Treasurer or Treasurers, to be appointed in

pursuance of this Act, shall give such Security for the due Application of the Money to be by him and them received, as the said Commissioners, or any Five or more of them, shall think fit and reasonable.

Commissioners may agree for Houses and Ground,

And it is hereby further enacted and declared by the Authority aforesaid, That the said Commissioners, or any Five or more of them, shall have full Power and Authority to agree with the Owners and Occupiers of any House or Houses, Tenement or Tenements, Building or Buildings, or of any Lands, Grounds, or Hereditaments, standing, lying, and being upon, adjoining, or near to, the said Bridge (which they respectively shall judge fit and necessary to be taken down, demolished, or otherwise made use of or employed for the repairing, amending, widening, and extending, enlarging, and facilitating, the Way, Road, and Passage, to, from, and over the same) for the Purchase of any such Houses, Buildings, Grounds, Tenements, and Hereditaments, respectively.

for enlarging the Passage.

Power for Corporations to sell Lands.

And whereas it may happen that some Person or Persons, Bodies Politic and Corporate, Feoffees in Trust or others, who are seised of Houses, Grounds, Tenements, or Hereditaments, which may be proper and necessary to be purchased for the Purposes of this Act, may be willing to treat and agree to sell such Houses, Grounds, Tenement, or Hereditaments, but are incapable of granting and conveying the same, by reason of Infancy, or other Disability; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politic and Corporate, Guardians, Trustees, and Committees for Infants, Femes Covert, Lunaticks, and charitable Uses, and for all and every other Person or Persons whatsoever, who are or shall be seised, possessed of, or interested in, any such House or Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, to sell and convey to the said Commissioners, or their Successors, or to such other Person or Persons as they, or any Five or more of them, shall appoint, all or any such Houses or Tenements, Buildings, Lands, Grounds, and Hereditaments; and that all Contracts, Agreements, Sales, and Conveyances, that shall be so made, shall be valid, to all Intents and Purposes; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding: And that all such Guardians, Committees, and Trustees, and other Person and Persons respectively, shall be, and they are hereby indempnified

unempnified for what they shall do by virtue or in pursuance of this Act; And if it shall happen that any Person or Persons, Bodies Politic or Corporate, Committees, or Feoffees in Trust, shall refuse to treat and agree as aforesaid, it shall and may be lawful to and for the said Commissioners, or any Three or more of them, and they are hereby impowered to issue out a Warrant or Warrants, Precept or Precepts directed to the Coroner of the said Borough of Leeds, who is hereby authorized and directed accordingly to impanel and return a competent Number of substantial and disinterested Persons, Inhabitants within the said Borough, qualified to serve on Juries, not less than Forty eight, nor more than Seventy two; and out of such Persons so to be impanelled, summoned, and returned, a Jury of Twelve Persons shall be drawn by the said Commissioners, or any Five or more of them, or some Person to be by them, or any Five or more of them, appointed, in such Manner as Juries for the Trials of Issues joined in his Majesty's Courts at Westminster, by an Act made in the said Year of the Reign of his present Majesty, intituled, An Act for the better Regulation of Juries, are directed to be drawn; which Persons to be impanelled, summoned, and returned, are hereby required to come and appear before the said Commissioners, or any Five or more of them, at such Time or Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen: And the said Commissioners, or any Three or more of them, are hereby authorized and impowered, by Warrant or Warrants under their Hands and Seals, from time to time, as Occasion shall require, to call before them all and every Person or Persons whatsoever, who shall be thought proper or necessary to be examined as Witnesses before them, touching or concerning the Premisses; and shall and may administer Oaths, for the better Discovery of the Truth of the Enquiries by them to be made, to any Person or Persons whatsoever; and shall and may likewise authorize the said Jury to view the Place or Places, or Matters in question, as they the said Commissioners, or any Five or more of them, shall think fit; and the said Jury upon their Oaths, to be administered by the said Commissioners, or any Five or more of them, shall inquire of and assess such Damage and Recompence as they shall judge fit to be awarded to the Owners and Occupiers, or any of them, of any such

On Refusal, to summon a Jury.

Houses, Tenements, Buildings, or Hereditaments, for their respective Estates and Interests in the same: And
who are to fix a Price: the said Commissioners, or any Five or more of them, assembled together, shall and may give Judgement for such Sum or Sums of Money, so to be assessed by such Jury or Juries respectively: And the said Verdict or Verdicts, and the Judgement, Decree, or Determination, thereupon declared and pronounced by the said Commissioners, or any Five or more of them, so assembled, and the Value and Recompence to be assessed and declared, shall be binding and conclusive, to all Intents and Purposes whatsoever, against all and every Person or Persons, Bodies Politick and Corporate, claiming any Right, Title, Trust, or Interest, in, to, or out of the said Houses and Premisses, to be affected by this Act, either in Possession, Reversion, Remainder, or Expectancy, as well Infants, Lunaticks, Ideots, Committees, Feoffees in Trust, Feme Coverts, Tenants in Tail, for Life, Years, or at Will, his, her, and their Heirs, Successors,
Verdicts and Orders to be inrolled; Executors, and Administrators; and the said Verdicts, Judgements, Orders, Sentences, and Decrees, and other Proceedings of the said Commissioners and Juries, so to be made, given, and pronounced, as aforesaid, shall be fairly written on Parchment, by the Clerk to the said Commissioners, and signed and sealed by any Five of the Commissioners present at the making and pronouncing the same: And such Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings, of the said Commissioners and Juries, shall be transmitted to and kept amongst the Records of the Quarter Sessions held for the said Borough; and the said Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings, shall be deemed and taken to be Records, to all Intents and Purposes whatsoever;
and Copies thereof to be Evidence. and the same, or true Copies thereof, shall be deemed and taken as good and effectual Evidence and Proof in any Court of Law or Equity whatsoever: And all Persons may have Recourse to the same; and, if they think proper, take Copies thereof, paying for the Search Six Pence, and for the Copy, not exceeding Two hundred Words, Six Pence, and so proportionably for any greater Number of Words.

Directions for Payment of the Money ordered. And it is hereby enacted and declared, That upon Payment of such Sum or Sums of Money, so to be awarded or adjudged, to the Party or Parties concerned, or legal Tenders thereof made to him, her, or them respectively,

at his, her, or their Dwelling-house, in case such Party or Parties can be met with; and on Refusal of the same, or in case he, she, or they shall have no Dwelling-house in the West Riding of the County of York, then, upon Payment thereof to the Common Clerk of the said Borough, for the Use of the Parties interested as aforesaid, and to be issued by him by Order of the said Commissioners, or any Five or more of them, and Notice of such Payment left in Writing at the Dwelling-house of some Tenant, or Occupier of the Premisses, it shall then, and not before, or otherwise, be lawful to and for the said Commissioners, and their Successors, and to and for their Agents and Workmen, by order of them, or any Five or more of them, to enter upon and take Possession of the said Lands, Tenements, and Hereditaments, and to make use of, apply, and dispose of the same, and all the Houses and Buildings thereupon standing and being, for the Purposes of this Act, in such Manner as the said Commissioners, or any Five or more of them, shall see fit and expedient; and the said Commissioners, and their Agents and Workmen, shall be indempnified therein, by virtue and under the Authority of this Act.

When paid, Houses may be pulled down.

And be it further enacted by the Authority aforesaid, That all Sum and Sums of Money, or other Consideration, Recompence, or Satisfaction, to be paid or made, pursuant to any such Verdict, Judgement, Sentence, Decree, or Determination, as shall be so made by the said Commissioners and Juries as aforesaid, shall be and are hereby charged and chargeable upon all Money which shall be raised or received for the Purposes of this Act, and shall be paid thereout accordingly.

Consideration to be paid out of the Money to be raised.

And be it further enacted by the Authority aforesaid, That all Costs and Charges expended in obtaining or by reason of passing this present Act, shall, as soon as may be, be paid out of the Money directed to be raised for the Purposes of this Act.

Expences of the Act.

Provided always, and it is hereby further enacted and declared, That no Person or Persons whatsoever shall act as a Commissioner, or be returned or sworn to serve on any Jury, in Case where he, they, or any of them, is or are in any wise interested or concerned in the Houses, Buildings, Lands, Grounds, Tenements, or Hereditaments, to be purchased, used, applied, and disposed of, for the Purposes of this Act, or any Part or Parts thereof respectively.

Persons interested not to act as Commissioners or Jurymen.

And it is hereby further enacted and declared, That in case any Part of the Lands or Grounds, which shall be

Lands not used may be sold.

purchased by the said Commissioners in pursuance of this Act, shall be found to be more than sufficient, and not necessary to be used and applied for the Purposes of repairing, widening, and opening, the said Bridge, and the Road and Passage to, from, and over the same, as aforesaid, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to alien, sell, convey, grant, lease, or demise, the same unto any Person or Persons who shall be willing to purchase, hire, rent, or hold the same, for the most Money, best Rent, and Consideration, respectively, that can be had or gotten for the same.

Power to build over the Mill-stream.

Provided always, and it is hereby enacted and declared, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, to make, erect, and build, or cause to be made, erected, and built, upon such Part of the Ground as shall be purchased by virtue and in pursuance of this Act, a Stone Arch over that Part of the Mill-stream or Goit passing under One Arch of Leeds Bridge aforesaid, which runs between Walter Green's House and the old School, and to make and erect such Edifice or Building thereupon as they shall think proper and convenient, so as such Arch or Building be no Obstruction, Confinement, or Impediment, to the Current of the said Mill-stream or Goit, or the scouring and cleansing the same.

Application of the Surplus Money.

And it is hereby further enacted, That the Money arising by such Sale of such Part of the same Premisses as shall be absolutely sold, and also the Money arising by Sale of the Materials of any Houses or Buildings to be purchased and taken down as aforesaid, and the Rents and Profits of such Part of the Premisses as shall be so leased or demised, shall be applied for the Purposes of this Act; and that in case any Surplus of the Money to be raised, collected, and received, by the Ways and Means herein mentioned respectively, shall remain, after the finishing and compleating of the Works hereby directed to be done, performed, and executed, pursuant to, and according to the Tenor and Purport of, this Act, such Surplus shall be paid to, and received by, the Common Clerk of the said Borough of Leeds, to be applied for and towards repairing such Bridges within the said Borough, which are and have been usually repaired and maintained by the Inhabitants of the said Borough, charged with raising Money for the Purposes of this Act, as the Justices of Peace of the said Borough at their Quarter Sessions shall order, direct, or appoint.

And

And, for the defraying the Charges and Expences of repairing and widening the Bridges, and answering the other Purposes of this Act, be it further enacted by the Authority aforesaid, That a Sum not exceeding One thousand five hundred Pounds, shall be levied and raised within the Borough of Leeds aforesaid, by or in the Nature of a County Rate, and paid within the Space of Five Years: And that, in order to raise the same, the Justices of the Peace for the said Borough, at the General Quarter Sessions of the Peace to be held in and for the said Borough, or any Adjournment of the same, shall and may, and they are hereby authorized and required, within the Space of Five Years, to be computed from the said First Day of July, One thousand seven hundred and sixty, from time to time, when and as they shall think requisite, to issue their Warrants, Precepts or Orders, to the Chief Constable of the said Borough, requiring and ordering him to collect and raise the whole or any Part of the said Sum of One thousand five hundred Pounds in the Borough of Leeds aforesaid, within such Time or Times as in such Warrants, Precepts, or Orders, respectively, shall be limited and appointed in that Behalf: And the said Chief Constable shall immediately upon the Receipt thereof ascertain and apportion how much of the said Sum shall be paid by every Town, Constablery, Township, Hamlet, or Place, within the said Borough respectively, towards making up and constituting the said Sum of One thousand five hundred Pounds, so directed to be levied, and shall forthwith issue Precepts to the several Petty Constables and other Officers of the said Towns, Constableries, Townships, Hamlets, and Places, respectively, thereby directing and requiring them respectively to assess, collect, and raise, the several Sums so charged on their respective Towns, Constableries, Hamlets, and Places, as aforesaid: And the said several Petty Constables and other Officers shall, immediately upon the Receipt of every such Precept, make, or cause to be made, a fair and equal Assessment or Assessments upon the Owners and Occupiers of Lands in, and Inhabitants of, their respective Towns, Constableries, Townships, Hamlets, and Places, for raising the Monies so directed to be raised by them respectively, in the same Manner and Proportions as Assessments are usually made to raise Money for repairing the Parish Bridges within the said Borough; and shall collect and levy the same, by such and the like Ways and

Directions for raising the Money for the Purposes of the Act.

Means

Means as Monies assessed and levied for the Repair of such Parish Bridges is now collected and levied within the said Borough; and shall pay and answer the same to the Chief Constable of the said Borough for the time being, in due Time, so as that he may pay over the Money hereby directed to be raised and levied by him, as aforesaid, unto the Treasurer or Clerk of the said Commissioners, or to such other Person or Persons as they, or any Five or more of them, shall direct or appoint, at the Time appointed for Payment thereof: And such Chief Constable is hereby directed and required to pay the same accordingly: And that, upon Receipt thereof, the said Treasurer or Clerk, or other Person or Persons so impowered to receive the same, respectively, do and shall, and is hereby required, to give unto such Chief Constable a Receipt or Acquittance under his Hand for the Sum so paid to him; and such Receipts or Acquittances shall be a full Discharge to such Chief Constable for the Sum so by him paid as aforesaid.

Not to extend to the Constablery of *Temple Newsham*.

Provided always, and it is hereby enacted and declared, That nothing herein contained shall be deemed or construed to charge any Lands or Tenements, lying and being in the Constablery of Temple Newsham, with, for, or towards, the raising and paying of any Sum of Money, directed or appointed to be raised by virtue and for the Purposes of this Act, or any Part thereof respectively.

Powers of County Rate Act of the 12 of the present King, to extend to this.

And, for facilitating the raising and Payment of the said Sum of One thousand five hundred Pounds, at the Time and in Manner aforesaid; be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, and Clauses, contained in an Act of Parliament, made in the Twelfth Year of the Reign of His present Majesty, intituled, An Act for the more easy assessing, collecting, and levying of County Rates, shall be and are hereby extended to the assessing, collecting, and levying, the said Sum of One thousand five hundred Pounds herein before directed to be raised, in as full and ample Manner, to all Intents and Purposes, as if the Powers, Authorities, Directions, and Clauses, contained in such Act, relating to the assessing, collecting, and levying, of County Rates, had been inserted and expressly enacted in and by this present Act.

Penalty on Persons refusing to execute the Act.

And it is hereby further enacted, That if any Chief Constable, Petty Constable, or other Officer, shall refuse or neglect to make or give any such Precept or Precepts,

cepts, or to make any such Apportionment or Apportionments, Assessment or Assessments, as is or are herein before directed and appointed to be made, or to raise, collect, and pay, the Sum or Sums herein before directed to be by them respectively collected, raised, and paid, according to the Directions, true Intent, and Meaning, of this Act, or shall in any Manner whatsoever wilfully neglect his or their Duty in the Premisses, every Person and Persons so offending, shall for every such Offence incur the same Penalty; to be recovered and levied in the same Manner as by any Law or Statute now in force are inflicted upon, and directed to be recovered against, any Chief Constable or Petty Constable, or other Officers, for their Refusal or Neglect to assess, collect, levy, or pay, any County Rate whatsoever.

Persons aggrieved may appeal to the Quarter Session.

Provided always, and it is hereby enacted and declared, That if any Person or Persons shall think him, her, or themselves over-rated or aggrieved by any Rate or Assessment to be made in pursuance thereof, it shall and may be lawful to and for such Person or Persons to appeal to the General Quarter Sessions of the Peace for the said Borough, or any Adjournment of the same, that shall be held next after the issuing of such Warrant or Precepts to the Chief Constable, as aforesaid; he, she, or they giving Notice in Writing of such Appeal, as well to the Treasurer and Clerk of the said Commissioners as to the Officer or Officers who made such Rate or Assessment, Six Days at least before such Quarter Sessions, or Adjournment thereof: And the Justices of the Peace at such respective Quarter Sessions, or Adjournment thereof, shall proceed to hear and determine the same, and cause such Rate or Assessment to be regulated or altered, if they see Occasion, in such Manner as to them shall seem proper, so as that the Sum Total assessed on any such Town, Constablery, Township, Hamlet, or Place, be not thereby diminished or lessened; and the Determination of the said Justices at such Quarter Sessions respectively shall be final and conclusive on all Persons concerned, and to all Intents and Purposes whatsoever; and every Rate or Assessment against which no such Appeal shall be made, shall be also binding and conclusive to all Intents and Purposes, and shall stand and be levied according to the Intent and Meaning of this Act.

Notice of Appeal to be given.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Suit shall be brought or commenced against any Person or Persons for any thing done in pursuance

of this Act, or in relation to the Premisses, that in every such Case the Action shall be commenced within Six Months after the Fact committed, and not afterwards, and shall be laid and brought in the County of York, and not elsewhere: And the Defendant or Defendants, in such Action or Actions to be brought may either plead the General Issue. Special Matter, or the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance, and by the Authority of this present Act: And if it shall appear to be so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County, City, or Place, than the County of York; that then and in such Case the Jury shall find for the Defendant or Defendants: And if, upon such Verdict; or if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue his, her, or their Action or Actions; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs. Treble Costs; and have the like Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Inhabitants of *Leeds* may be Witnesses. And it is hereby also enacted and declared, That in all Informations, Indictments, Suits, Causes, and Actions, which shall be commenced, brought, carried on, and prosecuted, for, about, concerning, or relating to, the Execution of this present Act, the Evidence of the Inhabitants of the Borough and Parish of Leeds aforesaid, being creditable Persons, shall be taken, allowed, and admitted, in all Courts and before all Persons having Cognizance of the Matters in Question.

Publick Act. And be it further enacted by the Authority aforesaid, 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 other Persons whatsoever.

FINIS.