Anno quarto

Georgii III. Regis.

An Act for the better ſupplying the Town of *Knaresborough*, and that Part of the Townſhip of *Scriven*, with *Tenter-gate*, adjoining upon the ſaid Town, with Water.

WHEREAS the Inhabitants of the Townſhip of Knareſborough, and of that Part of the Townſhip of Scriven, with Tenter-gate, which adjoineth upon Knareſborough aforeſaid, have hitherto been obliged, at great Expence and Trouble, to ſupply themſelves with Water, conveyed by Carts, and in Leather Bags, upon Horſeback, from a certain River called the Nidd, which runs by Knareſborough, aforeſaid, which is not only a very great Expence to the ſaid Inhabitants, but would alſo be of the utmoſt ill Conſequence in caſe of Fire: And whereas the ſaid Inhabitants of the ſaid Town of Knareſborough, and of the ſaid Townſhip of Scriven, with Tenter-gate, have come to an Agreement with Leonard Atkinſon, and John Lomas, to ſupply the ſaid Town and Townſhip with Water; and the ſaid Leonard Atkinſon, and John Lomas, are willing, and have undertaken, at their own proper Coſts and Charges, to convey good and pure Preamble.

Water from the said River to the said Town of Knaresborough, and that Part of the said Township of Scriven, with Tenter-gate, which will be very desirable, and of great Use and Benefit to the Inhabitants thereof respectively. But as such Undertaking cannot be carried on and completed, unless Powers necessary for that Purpose are given by 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 it shall and may be lawful to and for the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, upon any Part of the Lands or Grounds, lying contiguous or adjoining to the said River, on the North Side thereof, between the High Bridge and Low Bridge aforesaid, to erect Conduits, Cisterns, Reservoirs, Water-houses, or Engines, and other Buildings, necessary for the receiving, keeping, and distributing Water into the said Town and Township, and upon, through, or over any Part of the said River, between the High Bridge and Low Bridge aforesaid, to erect, build, or make such Dam or Dams as they shall think most convenient, for collecting, taking, or carrying Water out of or from the said River, into the said Cisterns, Reservoirs, or Water-houses. And also, That it shall and may be lawful to and for the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, and their Deputies, Agents, and Workmen, with Horses, Carts, and Carriages, to enter into and upon the Lands and Grounds of any Person or Persons whomsoever, Bodies Politic or Corporate whatsoever, lying on the North Side of the said River, between the said Reservoirs or Water-houses, and such Town and Township; and to lay Under-ground Aqueducts and Pipes, in such Manner, and through such Places, as shall be most convenient for conveying Water from such Reservoir or Reservoirs, Conduits, Water-houses, or Engines, to the said Town and Township; and in like Manner to erect and build, and from time to time, and at all Times hereafter, to repair or alter such Reservoir or Reservoirs, Conduits, Water-houses, or Engines, and other Buildings, Dam or Dams, or to repair or alter all or any of such Aqueducts or Pipes, when such Repair or Alteration shall be needful for the more effectual conveying Water to the said Town and Township in Manner aforesaid: And, That it shall and may be lawful to and for the said Leonard

Power to erect Engines, &c. between High Bridge and Low Bridge, North of the River;

to lay Aqueducts, &c.

and repair the same.

Leonard Atkinson, and John Lomas, their Heirs and Assigns, to erect, make, or build Sheds, Work-houses, and other Buildings, necessary for the carrying on and compleating the said Undertaking, in or upon such Parts of the Commons or Waste Grounds lying nearest or most contiguous to the Low Bridge aforesaid, as they shall think most convenient for that Purpose; and also that the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, shall from time to time, and at all Times, as often as Need shall require, have free Liberty and Power of Ingress and Egress, with Horses, Carts, and Carriages, into, through, and over the Lands and Grounds adjacent to the Place or Places where the said Reservoirs, Water-houses, or Engines, and other Buildings, shall be erected, and the said Dam or Dams made, save and except the Lands called Bellman, or any of the Estate or Lands on the South West Side of the said River Nidd, belonging to Sir Thomas Slingsby Baronet, and also into, through, and over the Lands and Grounds adjacent to the Places where the said Pipes shall be so laid, for the necessary Execution and Performance of the said Undertaking; and likewise from time to time, and as often as Need shall require, to lay on any convenient Place within the said Town and Township, all such Materials, Utensils, and Instruments, as shall be necessary for the carrying on, repairing, amending, and maintaining the said Works, and also thereon to prepare the Materials, as they shall think fit.

Undertakers may erect Sheds, &c. upon the Commons,

and prepare Materials thereon;

And be it further enacted by the Authority aforesaid, That the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, before they shall proceed in making such Reservoir or Reservoirs, Dams, Conduits, Water-houses, or Engines, Sheds, Work-houses, and other Buildings, or in laying such Aqueducts and Pipes, by cutting, digging, or altering the Lands of the Inheritance, or in the Possession of any Person or Persons whomsoever, Bodies Politic or Corporate whatsoever, shall first treat with the Owners thereof for Leave so to do; and in case they shall not agree, that then, and in such Case, the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, shall and may proceed to carry on and compleat the said Undertaking, Satisfaction for the Damages done in Consequence, or by the Authority of this Act, being made in Manner herein after mentioned: And that in case the said Leonard Atkinson, and John Lomas, their Heirs or Assigns, shall find it needful to lay any Pipes in or near the Highway, it shall and may be lawful for them so to do, so as they do sufficiently

May agree with Owners of Grounds, &c.

If they do not agree,

Undertakers to proceed, and make Satisfaction.

Undertakers may lay Pipes in the Highway, &c.

ly and effectually, at their own proper Expence, from time to time, repair, amend, and make good such Part of the said Highway, as they, or their Workmen or Agents, shall so break up.

Liabilities to be incurred.

And, to the Intent that due and reasonable Satisfaction may be made and given by the said Leonard Atkinson and John Lomas, their Heirs and Assigns, and all Persons claiming under them, to all Proprietors, Landholders, and Occupiers, or others, who shall receive any Loss or Damage by Reason or Occasion of any Matter or Thing to be done by the Authority or in Consequence of this present Act, either by building or erecting such Reservoirs, Water-houses, or Engines, Sheds, Work-houses, and other Buildings, or by making or laying such Dam or Dams, or by Carting over, or otherwise using their Grounds as aforesaid, or having the same prejudiced in any Manner whatsoever, by reason of laying the said Pipes and Materials, and conveying the said Water as aforesaid; be it enacted by the Authority aforesaid, That in case the Parties cannot agree, it shall and may be lawful for the High Steward for the Honor, Manor, and Bailiwick of Knaresborough aforesaid, or his Deputy for the time being, and they are hereby authorized and required, upon the Request of either of the said Parties, to summon before them a Jury of Twenty four or more indifferent Men, residing within the said Honor, Manor, and Bailiwick of Knaresborough aforesaid (qualified to be impanelled at the Assizes) not interested in the said Undertaking, or in any of the Lands, Grounds, or Possession in Question, and out of the Persons so summoned and returned, or out of such of them as shall appear upon such Summons, the said High Steward, or his Deputy aforesaid, shall swear, or cause to be sworn, Twelve, who shall be the Jury for the Purposes aforesaid, which Jury, upon the Examination of Witnesses upon Oath (which Oath the said High Steward or his Deputy is hereby authorized and required to administer) shall determine upon their Verdict, what Satisfaction shall be given or paid by the said Leonard Atkinson and John Lomas, their Heirs and Assigns, to any such Person or Persons, Bodies Politic or Corporate, by whom any such Loss or Damage shall be sustained as aforesaid, and assess and proportion the same according to the several and respective Estates and Interests of every such Person, Corporation, or Body Politic, in the Lands, Grounds, or Possessions in Question, Notice being first given by Papers affixed at the Market Cross and Church Doors of the said Town of Knaresborough,

High Steward of *Knaresborough*, or his Deputy, to summon a Jury,

Jurors may be challenged.

Penalty on High Steward, &c.

Notice being first given.

boroughs, and also [illegible] Dwelling-houses of the several Occupiers of the Lands, Grounds, and Possessions in Question, One Month at least before such Enquiry, which said Verdicts shall, by the said High Steward or his Deputy, be transmitted to, and shall be entered by the Clerk of the Peace for the time being, for the West Riding of the said County of York, on the Rolls of the Sessions, and shall be kept among the Records of the Sessions of the Peace for the said Riding, Transcripts whereof shall be delivered by the Clerk of the Peace for the said Riding, to such Person or Persons as shall require the same, and the same shall be taken and adjudged to be good and sufficient Evidence or Proof in any Court of Law or Equity whatsoever, and shall be final, binding, and conclusive, to all Intents and Purposes, against all and every such Person or Persons, Party or Parties whatsoever, and whomsoever, their Heirs, Successors, Executors, Administrators, and Assigns, and all and others claiming any Interest in the said Lands or Grounds, or any thing thereunto belonging, as well Infants, Feme Coverts, Tenants in Tail, Copyholders, or others, and no Certiorari, Writ of Error, or other Process, out of any of His Majesty's Courts of Record, shall be allowed or awarded to remove the same, or any of them.

Verdicts to be entered,

and to be binding.

Provided always, and be it further enacted by the Authority aforesaid, That all Persons concerned shall have their lawful Challenges against any of the said Jury Men, when they come to be sworn; and Two or more of His Majesty's Justices of the Peace, acting in and for the West Riding of the said County of York, are hereby impowered and directed, upon Complaint made by either of the said Parties, to impose any reasonable Fine or Fines on such High Steward, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premisses, and upon any of the Persons who shall be summoned and returned on such Jury, and shall not appear, or shall refuse to be sworn on the said Jury, or being so sworn, and refusing to give, or not giving their Verdict, or in any other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act, and on any of the Persons who being required to give Evidence before the said Jury, touching the Premisses, shall refuse or neglect to appear, or appearing shall refuse to be examined and give Evidence, and from time to time to levy such Fine or Fines, by Distress and Sale of the Offenders Goods and Chatties, by Warrant under the Hands and Seals of such Justices,

Jurors may be challenged.

Penalty on High Steward, &c. not appearing.

Justices, rendering the Overplus (if any) to the Owner on Demand, so as no such Fine shall exceed the Sum of Ten Pounds upon any One Person for One Offence; and all such Fines shall be paid to the Party or Parties aggrieved, in such Manner as the other Penalties or Forfeitures, Rates or Rents, herein after authorized by this Act to be raised and paid, are to be applied.

Undertakers entering Premises on Sir[illegible] to pay Rent annually.

Proviso in case Verdict given for no more, or for less than had been tendered.

Provided also, and be it further enacted by the Authority aforesaid, That in case any Jury to be summoned and sworn as aforesaid, shall give a Verdict for no more, or for less Monies than shall have been offered by the said Leonard Atkinson and John Lomas, their Heirs or Assigns, before the summoning and returning such Jury for such Recompence or Satisfaction, that then the Expences of summoning and maintaining such Jury and the Witnesses, shall be borne by the Person or Persons, Bodies Politick or Corporate, with whom the said Leonard Atkinson and John Lomas, or their Heirs, shall have such Controversy or Dispute; and such Expences having been ascertained and settled by Two of His Majesty's Justices of the Peace for the West Riding of the said County of York, shall be deducted and taken out of the Monies so assessed and adjudged, as so much Money advanced to and for the Use of such Person or Persons, Bodies Politick or Corporate, and the Payment or Tender of the Remainder of such Monies shall be deemed, to all Intents and Purposes, to be a Payment and Tender of the whole Sum or Sums so assessed and adjudged.

Not to erect any other Building than shall be absolutely necessary.

Premises not to be entered upon till Satisfaction made.

Provided also, That until Payment or such Recompence or Satisfaction, as shall be so agreed to be paid, or shall be ascertained, or assessed by Verdict, to or for the Use of the several Persons, or Bodies Politick or Corporate, to whom Satisfaction shall be so agreed or determined to be made, or until Tender thereof shall be made to every such Person, or Body Politick or Corporate, his, her, or their known Agents or Receivers, or until Payment thereof to the said High Steward, or his Deputy, to and for the Use of such Persons, or Bodies Politick or Corporate, it shall not be lawful for the said Leonard Atkinson and John Lomas, their Heirs or Assigns, or their Workmen or Servants, by virtue of this Act to enter on, dig, break up, or make use of, any of the Lands, Grounds, or Possessions of any such Person or Persons, Bodies Politick or Corporate whatsoever, in order to erect any Reservoirs, Water Houses, or Engines, and other Buildings, or to lay or make any

Undertakers may lay Pipes from the Main.

Dam

Dam or Dams, over, across, or through the said River, or to lay any Pipes or Aqueducts for the Purposes of this Act; any thing herein before contained to the contrary notwithstanding.

Undertakers erecting Engines on Sir *T. Slingsby's* Estate, to pay 8*l.* 5*s.* 4*d.* annually.

And be it further enacted by the Authority aforesaid, That in case the said Leonard Atkinson and John Lomas, their Heirs or Assigns, shall think proper to erect any such Conduits, Cisterns, Reservoirs, Water Houses, Engines, or other Buildings, in or upon that Part of the Lands, Grounds, or Possessions belonging to, or in the Possession of Sir Thomas Slingsby, Baronet, upon which the Old Mill formerly stood, adjoining to the Castle Hill, near Knaresborough aforesaid, and shall make any such Dam or Dams through or over that Part of the said River where the Dam formerly was, belonging to the said Mill; then, and in such Case, the said Leonard Atkinson and John Lomas, their Heirs and Assigns, shall pay to the said Sir Thomas Slingsby, his Heirs and Assigns, or to the Owner or Proprietor for the time being of the said Lands, Grounds, or Possessions, the annual or yearly Rent or Sum of Eight Pounds, Five Shillings, and Four Pence, the said Leonard Atkinson and John Lomas, their Heirs and Assigns, deducting or being allowed the Land Tax, to be paid yearly in respect thereof, and the same shall be accepted and taken, and is hereby declared to be as and for the full Satisfaction and Discharge for such Right or Liberty; any thing herein before contained to the contrary notwithstanding.

Not to erect any other Building than shall be absolutely necessary.

Provided always, and be it further enacted by the Authority aforesaid, That it shall not be lawful for the said Leonard Atkinson and John Lomas, their Heirs or Assigns, to erect or build any Corn Mill or Mills, or any other Building or Erection, upon that Part of the Premisses aforesaid, belonging to the said Sir Thomas Slingsby, than such as shall be absolutely necessary for the carrying on and effecting the Purposes of this Act.

Undertakers may lay Pipes from the Main.

And be it further enacted by the Authority aforesaid, That the said Leonard Atkinson and John Lomas, their Heirs and Assigns, shall and may, from time to time, have full Liberty, Power, and Authority, without Molestation or Disturbance by their Servants and Workmen, to lay Branches from the Main Pipes aforesaid, in or through any of the Streets, Passages, Common Grounds, or Places, in and about the said Town and Township, and Parts adjacent, and also to erect Water Houses, Reservoirs, Fountains, and Stopcocks, Troughs, and Cisterns, in such Places as to them shall seem most convenient for the better providing for and supplying the Inhabitants thereof, and for the Purposes aforesaid, to break

break up the Pavements in any of the Streets, Common Grounds, or Places in and about the said Town and Township, and Parts adjacent, and also to dig and sink Trenches for laying and repairing the Pipes and Branches aforesaid, from time to time as Need shall require; and that the said Leonard Atkinson and John Lomas, their Heirs and Assigns, and other Persons employed in the said Undertaking, shall not, in making the said Reservoir or Reservoirs, Conduits, or other Works, or in laying the said Aqueducts or Pipes within or without the said Town and Township, or hereafter in repairing or altering the same, break up Ground any deeper or in any other Manner than shall be absolutely necessary for the Purposes of this Act: And that the said Leonard Atkinson and John Lomas, their Heirs and Assigns, shall, as soon as may be after such Ground shall be broken up, at their own Expence, cause the same to be filled up again and levelled: And if any Street or Pavement shall be broken up in the Execution of this Act, shall repair the same, and by all Ways and Means contrive and order, that such Undertaking be carried on with as little Damage and Annoyance as the respective Circumstances will admit.

Grounds not to be broken up further than necessary;

and to be made good again.

No Buildings to be disturbed.

Provided nevertheless, That nothing herein contained shall extend, or be construed to extend, to impower the said Leonard Atkinson and John Lomas, their Heirs or Assigns, nor any Person or Persons employed by them, to lay any Pipe or Pipes, or to lay or prepare any Materials, or also dig or erect any Work in, through, under, or upon, any Messuage, Tenement, or other Building already erected, unless the Consent and Approbation of the respective Owners thereof for the time being, be first had and obtained for that Purpose.

Penalty on interrupting Workmen, &c. after Satisfaction made.

And, for preventing wilful and malicious Acts, tending to hinder, interrupt, or destroy the said Water Works, and to prevent or destroy the Execution of this Act, be it enacted by the Authority aforesaid, That if the said Leonard Atkinson and John Lomas, their Heirs or Assigns, or their Agents or Workmen, shall, at any Time hereafter, be wilfully or maliciously interrupted or disturbed by any Person or Persons whomsoever, in entering into, digging or breaking up, for the Purposes of this Act, any such private or several Grounds or Possessions, or in making such Reservoir or Reservoirs, Conduits, Water Houses, Engines, and other Buildings, or in laying such Aqueducts or Pipes (after such Payments made for Satisfaction as aforesaid) or at any Time hereafter in altering or repairing the same, or be

otherwise molested or interrupted in the Execution of the said Undertaking, by any Person or Persons whomsoever; such Offender or Offenders shall forfeit and pay to the said Leonard Atkinson and John Lomas, their Heirs and Assigns, the Sum of Ten Pounds, with full Costs of Suit, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at Westminster, wherein no Essoin, Privilege, Protection, or Wager at Law shall be granted, nor more than One Imparlance: And further, That the said Leonard Atkinson and John Lomas, their Heirs and Assigns, shall have Remedies, by Bill, in his Majesty's Courts of Chancery or Exchequer, and Injunctions to quiet their Possession under the Power given by this Act. And, for defraying the Expences of obtaining and putting this Act in Execution; be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, and they are hereby impowered and directed to ask, demand, receive, and take of and from every Inhabitant or Occupier of any House, Tenement, or Hereditament, within the said Town and Township, who shall chuse, and shall have the Water which shall be conveyed to the said Town and Township laid into their respective Houses, Tenements, or Hereditaments, or who shall otherwise make use of or enjoy the Benefit thereof, such Rent, or Sum or Sums of Money to be paid yearly or otherwise to the said Leonard Atkinson, and John Lomas, and their Heirs, as the said Leonard Atkinson, and John Lomas, their Heirs or Assigns, and the said Inhabitants or Occupiers shall, from time to time, by Writing under their Hands, agree upon and appoint, so as the annual Rent or Sum to be paid by any Inhabitant or Occupier, who shall have the Water laid into his, her, or their respective Houses, Tenements, or Hereditaments, do not exceed, for any One Dwelling-house, separate Tenement, or Hereditament, the Sum of Ten Pounds; and in like Manner, that the annual or yearly Rent or Sum to be paid by any such Inhabitant or Occupier, who shall be a Common Brewer, or who shall make use of the Water to be conveyed in pursuance of this Act in his or their Trade or Business, shall not exceed the Sum of Fifty Pounds for every such Brew-house or Malt-house, occupied or possessed by such Person or Persons making use thereof for the Purposes aforesaid; all which said Rents, Sum or Sums of Money, shall be and

Undertakers not to be molested in their Possession.

Undertakers quieted in their Possession.

Rates to be paid by Persons having the Water laid into their Houses, or using the same.

the same are hereby vested in the said Leonard Atkinson, and John Lomas, and their Heirs.

Inhabitants to make use of the Water, paying for the same according to Rates

Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for every such Inhabitant or Occupier, within the said Town and Township, to make use of the said Water as aforesaid, making such Satisfaction for the same as shall be agreed upon between them and the said Leonard Atkinson, and John Lomas, and their Heirs, such Satisfaction being in Proportion to the Rents or Sums of Money paid by any other Inhabitant or Occupier making use of such Water as aforesaid; and that

in case they can't agree, Dispute to be settled by Justices.

in case any Difference shall arise between the said Leonard Atkinson and John Lomas, their Heirs or Assigns, and any such Inhabitant or Occupier, concerning the Rents or Sums of Money so to be paid yearly for or in respect thereof; then it shall and may be lawful to and for Two or more Justices of the Peace for the time being, acting in and for the West Riding of the said County of York, at any Time within One Month after Complaint made thereof, to hear and determine the Matter of such Complaint; any thing herein before contained to the contrary notwithstanding.

Persons aggrieved may appeal;

Provided also, and be it further enacted, That if the said Leonard Atkinson, and John Lomas, or their Heirs, or any such Inhabitant or Occupier, shall think themselves, himself, or herself, aggrieved by the Determination of any such Justices, in respect to the Difference that may arise between them as aforesaid, it shall and may be lawful for him, her, or them, to appeal to the Justices of the Peace at any General Quarter Sessions of the Peace, to be held in and for the West Riding of the said County of York, within Four Calendar Months after such Determination made, such Appellant or Appellants first giving, or causing to be given, Fourteen Days Notice at the least, in Writing, of his, her, or their Intention to bring such Appeal, to the Person or Persons with whom such Difference shall have arisen; and within Seven Days after such Notice, entering into a Recognizance before some Justice of the Peace in and for the said West Riding, with Two sufficient Sureties, conditioned to try such Appeal at, and abide the Order of, the said Quarter Sessions; and the said Justices at the said Sessions, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear, and finally determine, such Appeal in a summary Way, and make such Order thereon, and award such Costs as they shall think pro-

pers; and the Determination of the said Justices, at such Quarter Sessions, shall be binding and conclusive to all Intents and Purposes, and shall not be liable to be removed by Certiorari, or other Process whatsoever.

In Habitants to make use of the Water, paying for the same.

Remedy for recovering Rates.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, neglect or refuse to pay the respective Rents or Sums of Money to to be agreed upon and paid in pursuance of this Act, for the Space of Twenty Days after Demand made of the same, it shall and may be lawful to and for the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, with the Assistance of the Constable or Headborough of the said Town of Knaresborough, and Township of Scriven respectively, (who is hereby required to be aiding and assisting therein) to enter into the Dwelling-house or Houses of such Person or Persons who shall make Default in Payment of the Sum or Sums of Money, by him, her, or them payable, at any Time in the Day Time, and there to seize and distrain upon all or any Part of the Goods or Chattles in such House or Houses, and to take and carry away the same, leaving at such Dwelling-house the Cause of such Distress and Taking; and in case the Inhabitant or Owner of the Goods and Chattles so taken and distrained, shall not, within Five Days next after such Distress made, and Notice thereof as aforesaid given, replevy the same, with sufficient Sureties to be given, according to the Laws in being for Distresses, in Cases of Non-payment of Rent, and according to the Custom within the Honor, Manor, and Bailiwick of Knaresborough aforesaid, in such Cases; that then, after such Distress and Notice as aforesaid, and Expiration of the said Five Days, the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, shall and may with the Constable or Headborough of the said Town of Knaresborough, and Township of Scriven respectively, cause the Goods and Chattles so distrained to be appraised and valued by Two Sworn Appraisers (whom such Constable or Headborough are hereby impowered to swear) according to the best of their Understanding and Judgement; and after such Appraisement, it shall and may be lawful to and for the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, to sell and dispose of the Goods and Chattles so distrained for the best Price that can be got for the same, towards Satisfaction of the respective Rents or Sums to to be agreed upon and payable by virtue of this Act, and of the Charges of such Distress and Sale, leaving the Over-

In case they can't agree, Dispute to be settled by Justices.

Persons aggrieved may appeal.

Notice of Appeal to be given.

plus (if any) in the Hands of the said Constable or Headborough, for the Owners Use.

Actions may be brought for Damages and Costs

And be it further enacted by the Authority aforesaid, That upon any tortious taking away, or forcible detention of the Goods and Chattles so distrained as aforesaid, the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, shall and may, in a special Action on the Case, recover Treble Damages, and Costs of Suit, against the Offender or Offenders, in any such tortious taking away, or forcible detainer; and for want of sufficient Distress, and in case no such Distress shall be thought proper to be made, then it shall and may be lawful to and for the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, to commence One or more Action or Actions at Law, upon the Case or Debt, against any Person or Persons so refusing or neglecting to pay the respective Rents or Sums of Money so to be agreed upon and payable by virtue of this Act, and shall and may, upon such Action or Actions, recover the Monies so due and payable, with full Costs of Suit; And moreover, if a Verdict or Judgement passes for the Plaintiff, in such Action or Actions, or in case a Replevin be brought upon such Distress as aforesaid, and a Verdict or Judgement passes, or is rendered against the Person or Persons suing forth or taking out such Replevin; that then, and in each of the Cases aforesaid, the Person or Persons against whom such Verdict or Judgement shall pass, shall pay full Costs of Suit to the said Leonard Atkinson, and John Lomas, their Heirs and Assigns, for their own Use and Benefit.

or for want of Distress,

If Distress be made wrongfully, or Plaintiff be nonsuited, &c.

Provided always, and be it further enacted by the Authority aforesaid, That if any Distress shall be made, where no Money shall appear to be due, or if any Action shall be brought against any Proprietor or Inhabitant of any of the said Dwelling-houses or Tenements, and the Plaintiff or Plaintiffs therein named shall be nonsuited, or discontinue his or their Action, or a Verdict or Judgement shall pass against him or them; that then, and in every such Case, the Party injured by such Distress or Action, shall have and receive his or their full Costs of Suit.

injured Party to have Costs.

Inhabitants may lay Branch Pipes.

Provided also, That it shall and may be lawful to and for such Person or Persons who shall have the Water laid by Pipes into his or their Dwelling-houses or Tenements, to distribute the same, at his or their own Expence, by Branches from such Pipes, into all or such Parts of the said Dwelling-houses or Tenements, as he or they shall think proper and most convenient;

venient; any thing herein before contained to the contrary notwithstanding.

Persons paying for Water, &c. not to gain a Settlement.

Provided also, and be it further enacted by the Authority aforesaid, That no Person or Persons, by being charged with or paying any Rent, Rate, or Sum of Money, in consequence or pursuance of this Act, nor by being in any Means employed under this Act, shall thereby gain any legal Settlement.

Works, &c. vested in Undertakers.

And be it further enacted by the Authority aforesaid, That the Right and Property of all Reservoirs, Conduits, Water-houses, Engines, Dams, Buildings, Aqueducts, Pipes, or other Necessaries erected, made, or used for the Purposes of this Act, and of the Materials for making, providing, or preserving, the same, shall be, and the same are hereby vested in the said Leonard Atkinson and John Lomas, their Heirs and Assigns, as Tenants in Common, and not as Joint Tenants, and to no other Use, Intent, or Purpose whatsoever.

Penalty on injuring them.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully break the Door or Lock, or any Part of the Building, or any Conduit, Reservoir, Water-house, Engine, or Dam, to be erected and provided in pursuance of this Act, or in case any Person or Persons, his, her, or their Children, or Servants, not compounding or paying for such Water, in pursuance of this Act, shall fetch or carry away any Water for their own Use, from such Conduit, Reservoir, Water-house, or other Place, where the same shall be, or to or for the Use of any other Person or Persons not paying or compounding for the same as aforesaid; or in case any Person or Persons, compounding or paying for the same, in pursuance of this Act, his, her, or their, Children or Servants, shall fetch or carry away any such Water, to or for the Use of such Person or Persons who shall not compound or pay for the same, or permit the same to be done, or shall wilfully cause the Water to run to waste from any such Conduit, Water-house, Engine, or Dam, provided for the Purposes of this Act, or shall wilfully and maliciously cut, damage, break, steal, carry away, or destroy, all or any Part of the Aqueducts or Pipes laid under Ground, or otherwise made use of for the Purposes of this Act, or any Part of any Buildings or Materials used or provided for the Purposes aforesaid, or shall cast or put into the said River, or the Conduits, Reservoirs, Cisterns, Engines, or Pipes, provided or used for the Purposes of this Act, any Filth, Dirt, Rubbish, Cats, dead Carcasses, or Carrion, or other unwholesome Thing, or wash

wash or cleanse therein any Wool, Cloaths, Skins, or other noxious Things, or make or convey any Sink, Sewer, or Ditch, into any of the said Conduits, Reservoirs, or Cisterns, or to have any Fall into the same, or do any other Annoyance thereto; every Person so offending in any of the said Cases, and being thereof convicted by his, her, or their own Confession, or by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace for the said West Riding, (which Oath such Justice is hereby authorized and required to administer) shall, for every such Offence, pay to the said Leonard Atkinson and John Lomas, their Heirs and Assigns, so much Money as shall be adjudged by such Justice, to be adequate to the Damage done, or the Offence committed by any such Offender respectively; and if any such Offender shall not, on such Conviction, forthwith pay the said Money so adjudged to be by him, her, or them paid, or give Security for the same to the Satisfaction of the said Leonard Atkinson and John Lomas, their Heirs and Assigns, it shall and may be lawful for such Justice of the Peace, and he is hereby authorized and required to levy the same by Distress and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) to the Owner on demand; and in case no such Distress can be made or found, it shall and may be lawful to and for such Justice to commit every such Offender to the House of Correction, there to remain and be kept to hard Labour for any Time not exceeding One Month, at the Discretion of such Justice, unless such Offender should sooner pay the said Money.

Not to molest Dyers or Skinners.

Provided always, and be it further enacted by the Authority aforesaid, That nothing herein contained shall extend, or be construed to extend, to prejudice, interrupt, or molest, any Person or Persons, from carrying on and exercising the Trade or Business of a Dyer or Skinner, in the several Places now used for that Purpose, near or adjoining unto the said River, but that such Person or Persons shall, at all Times hereafter, have such Right and Liberty to make use of the Water in the said River, for the Purposes of carrying on his or their Trade or Business, in like Manner as he or they have used or enjoyed the same before the passing of this Act; any thing herein before contained to the contrary notwithstanding.

Waste Water to be the Property of the Undertakers.

And be it further enacted by the Authority aforesaid, That all the spare and waste Water to be collected by Works made by Authority of this Act, after serving the Inhabi-

tants of the said Town and Township, shall and may be conveyed by the said Leonard Atkinson and John Lomas, their Heirs and Assigns, to their own Use and Benefit, so as they shall not make use of the same for the Purposes of working any Corn Mill or Corn Mills, or for supplying the same in any Respect whatsoever.

Undertakers supplying a sufficient Quantity of Water, no other Works to be erected:

And be it further enacted by the Authority aforesaid, That during such Time, and so long as the said Leonard Atkinson and John Lomas, their Heirs and Assigns, shall continue to supply the Inhabitants of the said Town and Township with a sufficient Quantity of good and wholesome Water; it shall not, and may not be lawful for any other Person or Persons, to make or cause to be erected any Water works within or near the said Town and Township, so as to prejudice or injure the said Leonard Atkinson and John Lomas, their Heirs and Assigns, in respect of the Undertaking provided for by this Act.

And whereas it is requisite, That some convenient Time should be fixed for the said Leonard Atkinson and John Lomas, and their Heirs, to finish and compleat the said Undertaking, so as that the Inhabitants of the said Town and Township may receive the Benefit thereof as soon as possible; be it therefore enacted by the Authority aforesaid, That the said Water-works shall be erected, and the said Undertaking completed and finished within the Space of Three Years, to be computed from the First Day of August, in the Year of our Lord One thousand seven hundred and sixty four, so as effectually to supply the Inhabitants with good and pure Water, according to the Intent and Meaning of this Act; any thing herein before contained to the contrary thereof in any wise notwithstanding.

They are to compleat the Works in 3 Years.

And be it further enacted by the Authority aforesaid, That in case of any Fire happening within any Part of the said Town and Township, it shall and may be lawful to and for any Inhabitant thereof, or other Person or Persons whomsoever, to open any Pipe, Water House, Reservoir, or Cistern, that shall be laid or made in Pursuance of this Act, and to make use of such Water in order to extinguish such Fire, without any Satisfaction being made to, or Molestation given by the said Leonard Atkinson and John Lomas, their Heirs and Assigns, for the same; such Inhabitant or other Person or Persons, not wilfully wasting the said Water, and doing as little Damage as may be to such Pipe, Water House, Reservoir, or Cistern.

In case of Fire, any Person may open the Water House, &c.

Undertakers may get Stones upon the Waste;

And be it further enacted by the Authority aforesaid, That for the Purposes of carrying on, repairing, amending, and maintaining, the several Buildings and Works to be erected and made in Pursuance and by Authority of this Act; it shall and may be lawful to and for the said Leonard Atkinson and John Lomas, their Heirs and Assigns, and their Workmen, to dig, get and search for any Quarries or Rocks of Stone, and also to dig and search for Gravel and Sand, and with Carts and Carriages, to lead and take away the same, when found, from, out of, in, or upon, the Waste or Common Grounds belonging to the Honor, Manor, and Baliwick, of Knaresborough aforesaid, in such Parts thereof only as shall be assigned or allotted to them for that Purpose, by the Lord of the said Honor, Manor, and Baliwick, or his Agent for the time being, (and which he is hereby required to do) the said Leonard Atkinson and John Lomas, their Heirs and Assigns, making such Satisfaction for the same as shall be adjudged adequate and equivalent by Two indifferent People, to be chosen for that Purpose out of the Neighbourhood, by each of the Parties interested therein, in case they shall differ about the same, and also filling up, making good, and repairing, at their own Costs and Charges, as soon as may be afterwards, such Quarry, Gravel Pit, and Sand Pit, and any Road or Pavement that may be broke up by reason thereof, so as that the same may be as little Annoyance and Damage to the Owners or Proprietors of such Soil, and to the Publick, as possible.

Expences of this Act to be paid.

Application of Residue.

making Satisfaction for the same;

They may borrow Money,

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Leonard Atkinson and John Lomas, their Heirs and Assigns, from time to time, to borrow and take up at Interest any Sum or Sums of Money which they shall think necessary for the Purposes of this Act, and by Writing or Writings under their Hands and Seals, to assign over the several Rents or Sums of Money to be paid and raised by virtue of this Act, or any Part or Proportion thereof, for any Term or Number of Years, to the Person or Persons lending the same, for securing the Repayment of any such Sum and Sums of Money and Interest thereupon, and that it shall and may be lawful for any such Person to whom such Assignment or Mortgage shall be made, to assign or transfer such Security to any Person or Persons whomsoever, and such Assignee may in like Manner assign, and so toties quoties, that all such Rents or Sums of Money

Writings to be without Stamps.

and assign Rates.

Public Act.

to

to be paid and collected by virtue of this Act, shall, at all Times hereafter, be exempt from the Payment of any Taxes, Rates, Assessments, or Impositions whatsoever, any Law or Statute to the contrary notwithstanding. Rents to arise from the Premises exempt from Taxes.

And be it further enacted by the Authority aforesaid, That the Charges and Expences incurred in obtaining this Act of Parliament, shall be paid by the said Leonard Atkinson and John Lomas, and their Heirs, out of the first Monies that shall be raised by virtue of this Act, or borrowed upon the Credit thereof, in case the same shall not be sooner satisfied and discharged. Expences of this Act how to be paid.

And be it further enacted by the Authority aforesaid, That the Monies to be borrowed upon the Credit of this Act, and the Rents or Sums of Money to be had and received by the Authority hereof, shall, after paying and defraying the Expences of obtaining this Act as aforesaid (in case the same be not sooner paid) be applied by the said Leonard Atkinson and John Lomas, their Heirs and Assigns, in the next Place, and from time to time, in the erecting and building Dams, Reservoirs, Cisterns, Water Houses, and Engines, and in repairing the same, and in laying Pipes and Aqueducts to convey Water to the said Town and Township, in such Manner as they shall think proper; and in discharging and keeping down the Interest of the Money which shall be borrowed upon the Credit of this Act, and (subject thereto) that the Surplus of such Rents and Payments shall belong, be paid to, and equally divided between the said Leonard Atkinson and John Lomas, their respective Heirs, Executors, and Administrators, or as they shall appoint: Application of Residue.

Provided always, and be it further enacted by the Authority aforesaid, That no Mortgage, Assignment, or other Security for borrowing of Money, or other Writing whatsoever, relating to the Execution, or in pursuance of this Act, shall be charged or chargeable with any Stamp Duty whatsoever. Writings to be without Stamps.

And be it enacted by the Authority aforesaid, That this Act shall be deemed and taken as a Publick Act, and Notice shall be taken thereof as such in all Courts of Justice and elsewhere, without specially pleading the same; and the same shall be beneficially expounded for effecting the Purposes aforesaid; and if any Action shall be brought, or Suit commenced, against the said Leonard Atkinson and John Lomas, their Heirs and Assigns, or any Person or Persons acting under them, for any Thing done pursuant to this Act, or in relation to the Premises, Publick Act.

Premiſſes, the Defendant or Defendants, in ſuch Action, may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, in any Trial to be had thereupon, and that the ſame was done in purſuance of this Act, and by the Authority thereof; and if the ſame ſhall appear to have been ſo done, then the Jury ſhall find for the Defendant; and if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her, or their Action or Actions; or if a Verdict ſhall paſs, or Judgement upon Demurrer, or otherwiſe, be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for the ſame as any other Defendant or Defendants hath or have for Coſts in any other Caſes by Law.

General Iſſue.

Treble Coſts.

FINIS.