



ANNO SECUNDO

# VICTORIÆ REGINÆ.

\*\*\*\*\*

## Cap. xvii.

An Act for discharging the Inhabitants of the Manor of *Leeds* in the Township and Parish of *Leeds* in the County of *York* from the Custom of grinding Corn, Grain, and Malt at certain Water Cornmills in the said Manor; and for making Compensation to the Proprietor of the said Mills.

[14th *May* 1839.]

**W**HEREAS His Majesty King *Charles* the First did, by His Letters Patent bearing Date on or about the Second Day of *September* in the Seventh Year of His Reign, and in the Year of our Lord One thousand six hundred and thirty-one, give, grant, and confirm unto *Edward Ferrers* of *Barn Elms* in the County of *Surrey*, Esquire, and *William Ferrers*, Gentleman, Son of the said *Edward Ferrers*, (*inter alia*,) all that the said Fulling-mill at *Leeds* lying and being within the Lordship or Manor of *Leeds* aforesaid in the County of *York*, with all Soke and Suit to the same Mill belonging or appertaining, of the yearly Rent or Value of Three Pounds Eighteen Shillings and Eight-pence, and also all those the aforesaid Two Cornmills at *Leeds* under One Roof within the Lordship of *Leeds* aforesaid, with all Houses, and all Soke and Suit to the said Cornmills appertaining or belonging, within *Leeds* aforesaid, *Leeds Kirkgate*,

[*Local.*]

4 Y

and

Letters  
Patent,  
7 Charles 1.

and *Leeds Mainriding*, in the said County of *York*, of the yearly Rent or Value of Thirteen Pounds Eight Shillings and Eight-pence, and also all and singular the Messuages, Dwelling Houses, Buildings, Structures, Barns, Stables, Dovehouses, Garden Plots, Orchards, Gardens, Commons, Waste Grounds, Ways, Paths, Passages, the Osier Hopps, Willow Holts, the Wears, Milldams, and Floodgates, Waters, Watercourses, Rivers, Rivulets, Streams, Banks, standing Waters, Fishponds, and Fisheries, Liberty of Fishing, Woods, Underwoods, and Trees, Suit to the Mill, Soke, Toll, Mulcture, Liberty of taking Toll, Tributes, Customs, Rents, Revenues, Rights, Jurisdictions, Franchises, Liberties, Privileges, Profits, Commodities, and Emoluments whatsoever, with all and singular their Rights, Members, and Appurtenances, of what Kind, Nature, or Sort soever, or by what Name or Addition of Names soever they might be known, called, named, set forth, expressed, reputed, or taken, situate, lying, and being, proceeding, increasing, renewing, happening, or coming to be enjoyed or used within the County, Town, Fields, Parishes, Places, or Hamlets aforesaid, or in or within any One or more of them, or anywhere wheresoever to the said Mills, Messuages, Lands, Tenements, Meadows, Pasture Grounds, Pastures, and other the Premises before granted, or to any One or more of them, or to any Parcel thereof, in any Manner belonging, appertaining, incident, or appendant, or at any Time theretofore being, had, known, accepted, occupied, used, demised, letten, enjoyed, or reputed as Members, Part, or Parcel of the same Mills, Messuages, Lands, Tenements, and all and singular other the Premises therein-before granted, or any of them, for the yearly Rent therein mentioned to be respectively reserved, and also the Reversion or Reversions what and whichsoever of all and singular the Premises so granted as aforesaid, or of any Parcel thereof, in what Manner soever made, being of Record or not of Record, to have, hold, and enjoy the said Mills, Messuages, Houses, Buildings, Lands, Tenements, Meadows, Cottages, Closes, Waters, Watercourses, Streams, Banks, standing Waters, Woods, Underwoods, and the Ground and Soil thereof, Profits, Commodities, Advantages, Privileges, and Emoluments whatsoever, and all and singular other Premises above expressed and specified, and thereby given, granted, or confirmed, with all Soke, Suit, Mulcture, Profits, and all other their Rights, Members, and Appurtenances, unto and to the only proper Use and Behoof of the said *Edward Ferrers* and *William Ferrers*, and their Heirs and Assigns, in Fee-farm for ever, to be holden of His said Majesty, His Heirs and Successors, as of his Manor of *Enfield* in the County of *Middlesex*, by Fealty only, in Free and Common Soccage, and not in Capite nor by Knights Service, yielding and paying yearly to His said Majesty, His Heirs and Successors, out of and for the said Fulling-mill within the Lordship of *Leeds* aforesaid, with all Soke and Suit to the same Mill pertaining or belonging as aforesaid, Three Pounds Eighteen Shillings and Eight-pence, and out of and for the said Two Cornmills under One Roof within the Lordship of *Leeds* aforesaid, with the Houses, and all Soke and Suit to the same Mills pertaining and belonging as aforesaid, Thirteen Pounds Eight Shillings and Eight-pence of lawful Money of *England*, to the Hands of the Receiver General of the Duchy of *Lancaster*, or his Deputy for the Time being, or to the  
Hands

Hands of the particular Receiver of the same Premises, or his Deputy therein for the Time being, at the Feast of *St. Michael* the Archangel and the Annunciation of the Blessed Virgin *Mary*, by equal Portions: And whereas it hath been and is alleged by the Owners and Proprietors of the said Mills, and the Tenants or Lessees thereof, that all the Resiants within the Manor of *Leeds* aforesaid (except as herein-after mentioned) have been from Time immemorial used and accustomed and of Duty were bound to grind and crush at the said Mills (being the Mills which were originally the Lord's Mills within the said Manor, and the Additions made thereto from Time to Time by such Owners and Proprietors), and not elsewhere, all the Corn, Grain, or Malt which they or any of them have consumed or shall consume in their respective Dwelling Houses within the said Manor in a ground State, and have been accustomed from Time immemorial and were of Duty bound and still are bound to carry such their Corn, Grain, and Malt to the said Mills or one of them, to be there ground or crushed, or to deliver the same to the Carriers or Loaders of Corn belonging to the said Mills to be carried to such Mills or one of them, to be there ground or crushed, and that for the grinding and crushing of the said Corn, Grain, and Malt the said Resiants have also from Time immemorial paid and still of right ought to pay a reasonable stated Toll or Mulcture to the Owners or Farmers of the said Mills, that is to say, One Sixteenth Part of the said Corn and Grain (except Malt) ground at the said Mills, and for all Malt ground or crushed at the said Mills One Thirty-second Part thereof; and further, that no Person, being a Tenant or Resiant within the said Manor, ought to grind or crush for the Purpose of Sale, or to sell or consume in his Dwelling House within the said Manor, or to sell to any other of the Resiants within the said Manor, any Meal or Flour, the Produce of Corn, Grain, or Malt not ground or crushed at the said Mills or one of them, to be by them consumed in their respective Dwelling Houses within the said Manor; and that no Person, being a Resiant within the said Manor, ought to purchase any Meal or Flour, the Produce of Corn, Grain, or Malt not ground or crushed at the said Mills or one of them, for the Purpose of selling the same to any other of the Resiants within the said Manor, to be by them consumed within their respective Dwelling Houses within the said Manor; and that it is a Fraud upon or an Evasion of the said Custom for any Resiant within the said Manor to consume, sell, or purchase any such Meal or Flour: And whereas the Owners or Proprietors of the said Mills, under or by virtue of the said Grant so made thereof by the said Letters Patent, have claimed the Right and Privilege of grinding at the said Mills all the Corn, Grain, and Malt which should be spent or used ground by the Tenants, Inhabitants, and Resiants of and within the said Manor of *Leeds* (except as herein-after mentioned), and in prosecution of such Claim, and to enforce a Submission thereto, have at different Periods of Time commenced and carried on divers Suits in the Duchy Court of *Lancaster*, in which Suits Decrees have from Time to Time been obtained, and a fresh Suit has lately been instituted in Her Majesty's High Court of Chancery against several of the Inhabitants of the said Manor, by the Proprietor of the said Mills, for the Purpose of compelling the said Inhabitants to render an Account of all

all the Corn, Grain, and Malt ground by them within the last Six Years at other than the said Cornmills: And whereas the Inhabitants of those Parts of the said Manor of *Leeds* which have heretofore been Parts of the Possessions of the Knights Templars or of the Hospitallers and Knights of *St. John of Jerusalem* claim to be exempt, by reason of Privileges to them specially granted, from all Liability in respect of all or any of the said alleged Customs, and from all Fines, Mulctures, and Penalties for any Neglect or Breach of such Customs or any of them, and from all and all manner of Soke, Suit, and Service pertaining to the said Mills, or to the Owners or Proprietors of the same, in respect thereof, under or by virtue of the Grant made by the said Letters Patent; and the Claim to Exemption made by such last-mentioned Inhabitants is allowed by the said Proprietors of the said Mills to be good in Law: And whereas *Edward Hudson* of *Leeds* aforesaid, Corn Merchant and Miller, claims to be the present Owner, and Messrs. *Dyson* and *Jackson* are the present Occupiers of the said Mills: And whereas by a Contract in Writing, bearing Date the Fifteenth Day of *November* now last past, and made and entered into between the said *Edward Hudson*, as the Owner and Proprietor of the said Soke Mills, on the First Part, and *Edward Baines junior, Joshua Benn, John Beckwith, James Brownridge, James Baldwin, John Croisdale, John Dodgson, Thomas England, John Forster, James Green, John Howard, James Hargreaves, John Metcalfe, William Naylor, George Nussey, Thomas Otley, Joseph Summersgill, Jeremiah Scott, Charles Scarborough, Simeon Spenceley, John Scott, Peter Wadman, William Walker, John Walker, and James Walker*, Inhabitants of the Town of *Leeds* aforesaid, and also Members of a Committee appointed by and on behalf of the Inhabitants and Owners of Estates lying within the Manor of *Leeds* aforesaid, for the Purposes therein-after mentioned, of the Second Part, after reciting, among other things, that a public Meeting of the Owners of Property in the said Manor, convened by the Mayor of the Borough of *Leeds* aforesaid, on Requisition to him for that Purpose, was held at the Court House in *Leeds* aforesaid on the Thirtieth of *October* then last, at which it was resolved, that for the Avoidance of future Litigation and Expence it was desirable to extinguish by a fair Compromise the Claims of the said *Edward Hudson* to the Soke, Suit, and Service alleged to belong of right to him as Owner of the said Soke Mills, and the several Persons, Parties to the now-reciting Agreement of the Second Part, were appointed a Committee to treat with the said *Edward Hudson* for an Extinction of such Soke and Suit, in case an Act of Parliament could be obtained for carrying the Agreement for that Purpose into effect; and reciting, that the said *Edward Hudson* had proposed to the said Parties thereto of the Second Part to sell and dispose of all his Right, Claim, and Interest in and to all Soke, Suit, Service, Mulcture, and Privilege in respect of the grinding of Corn, Grain, Malt, and other Things, and all other his Claims and Rights under any Grant, Patent, or Charter in respect of any such Soke or Suit within the said Manor of *Leeds* or the Township of *Leeds*, for the Sum of Thirteen thousand Pounds, to be paid to him at the Times and in manner therein-after mentioned, and that the said Parties thereto of the Second Part had agreed, on behalf of themselves and the several  
other

other Inhabitants of and Owners of Property within the said Manor, to accept such Offer, provided an Act of Parliament for extinguishing such Soke and Suit, and for raising and levying the Money requisite for paying such Purchase Money and the Expences connected therewith, could be obtained in the then next (that is, this present) Session of Parliament, as therein-after mentioned; it is witnessed, that, in pursuance and furtherance of the Intention of the said Parties respectively, the said *Edward Hudson* thereby, for himself and his Heirs, covenanted and agreed with the said several Persons, Parties thereto of the Second Part, and with any Two, Three, or more of them jointly, and with each and every of them severally and respectively, and with their several and respective Heirs, Executors, and Administrators, to sell and release, and the said several Persons, Parties thereto of the Second Part, (on behalf of the said Inhabitants and Owners of Property within the said Manor and Township,) for themselves jointly and severally, and for their several and respective Heirs, Executors, and Administrators, covenanted and agreed with the said *Edward Hudson*, his Heirs, Executors, and Administrators, to purchase the Freedom from and Extinction of all and all manner of Soke, Suit, and Service then due and owing, or claimed to be due and owing, from the Inhabitants of the said Manor of *Leeds* or of any Part of the said Township of *Leeds*, to the Owner for the Time being of the said Water Cornmills, otherwise called the Queen's Mills, or by whatever other Name the same Soke Mills might be called, for the Price or Sum of Thirteen thousand Pounds, to be paid as therein-after mentioned, so that all and every the Inhabitants of and Resiants within the said Manor and Township might be for ever discharged and exonerated from the Custom of grinding Corn, Grain, and Malt, or other Things at the said Mills, and from all Fines, Mulctures, and Penalties in respect of the alleged Breach or Non-observance of such Custom, in such Manner as should be contained and set forth in the Act of Parliament to be obtained for the Purpose; and it was thereby further agreed and declared, that the said Sum of Thirteen thousand Pounds, and the Interest thereof, and the Expence of applying for and obtaining the said Act, and all other Expences attending or occasioned by the said Agreement, as therein mentioned, should be raised and levied by such Rates or Assessments upon the Inhabitants and Property in the said Manor and Township as should be directed and authorized by such Act of Parliament, and that the said Purchase Money should be paid to the said *Edward Hudson* by such Instalments and with such Interest as therein particularly mentioned and provided; and it was by the said Agreement provided, that in case such Act of Parliament as aforesaid should not be obtained during the then next Session of Parliament, the same Agreement and every Part thereof should be null and void, and the Parties thereto and the Inhabitants of the said Manor and Township should respectively be in the same Position and entitled to the same Rights and Privileges as if such Agreement had never been made: And whereas, in pursuance of the said Agreement, and in order to avoid further Litigation, and to put an End to all Disputes, and to prevent any Question hereafter arising, it hath been proposed, on behalf of the Inhabitants of the said Manor and Township

[Local.]

4 Z

ship

Inhabitants discharged from the Custom and Obligation of grinding Corn, &c. at the Soke Mills, and enabled to erect Mills, &c.

ship of *Leeds*, and agreed to by the said *Edward Hudson*, that the Inhabitants of the Manor and Township of *Leeds* aforesaid shall be emancipated from the said Soke, and from the Obligation of grinding any Corn, Grain, or Malt at the said Mills, in consideration of the Sum of Thirteen thousand Pounds to be paid by the said Inhabitants to the said *Edward Hudson* at the Times and in manner herein-after mentioned: And whereas the said Agreement cannot be carried into effect without the Aid and Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That from and after the passing of this Act all and every the Freehold and Copyhold Tenants, Resiants and Inhabitants, and all and every other Person and Persons whomsoever, who now are or who shall at any Time hereafter be or become Resiants, Residents, or Inhabitants of and within the said Manor and Township of *Leeds*, or the Liberties, Limits, Precincts, or Territories thereof, shall be and they are hereby freed, exonerated, discharged, and for ever exempted of and from the said Usage, Duty, Custom, and Obligation of grinding at the said Mills, or any of them, any Corn, Grain, or Malt whatsoever, and such Usage, Duty, Custom, or Obligation shall from henceforth cease and determine, and be for ever extinguished; and it shall be lawful for the said Freehold and Copyhold Tenants, Resiants, Residents, and Inhabitants, and all other Persons who now are or may hereafter be or become Resiants, Residents, or Inhabitants of and within the said Manor and Township of *Leeds*, and the Liberties, Limits, Precincts, and Territories thereof, from Time to Time and at all Times hereafter, to grind their Corn, Grain, and Malt at any Mill or Mills they may think fit, and to erect and use, at their free Will and Pleasure, within the said Manor and Township of *Leeds*, any Steam-mills, Windmills, Watermills, Horsemills, Handmills, Queen's or other Mills, or other Instruments for grinding Corn, Grain, or Malt, and to purchase for Sale or for their own Consumption Flour which may have been ground elsewhere than at the said Soke Mills, and to deal with their Corn, Grain, Malt, and Flour in the same Manner in all respects as if the said Manor and Township of *Leeds*, or any Part thereof, or any of the Precincts or Territories thereof, were not and had not at any Time been within the said Soke, or the Inhabitants thereof bound by or amenable to the Custom or Usage herein-before mentioned: Provided always, that in case any Part of the Purchase or Compensation Money herein-after directed to be paid to the Owner of the said Mills, or of the Interest thereof, as herein-after mentioned, shall not be paid within Three Calendar Months after the respective Times by this Act directed for the Payment thereof, then as well the said recited Agreement so entered into between the said *Edward Hudson* and the said Inhabitants, as also all and every the Provisions herein contained for extinguishing the said Soke, and for exonerating the Inhabitants and Resiants within the said Manor from the Observance of the same, and from all Penalties in respect of the alleged Non-observance thereof, and also for extinguishing the said Suits now pending, shall be absolutely null and void, and the Privileges

leges and Claims of the Owner of the said Mills shall be and be considered in the same Condition and liable to be enforced in the same Way as if this Act had not passed.

II. And be it further enacted, That all Suits commenced and prosecuted and now depending in the Court of Chancery, or in the Duchy Court of the County Palatine of *Lancaster*, wherein the said *Edward Hudson, William Whitaker, James Brownridge, George Foxcroft, William Sanderson, James Baldwin, Thomas Otley, John Holroyd, Joseph Cusworth, William Dawson, Charles Crabtree, James Linfoot, John Boocock, Joseph Summersgill, George Burniston, John Walker, and William Walker*, or any of them, are Parties, and all other Suits now depending in the said Courts or either of them, or in any other Court, against any Inhabitants of the said Manor and Township of *Leeds*, or the Liberties, Precincts, or Territories thereof, and all Claims and Demands which the present, previous, or any future Owner or Lessee of the said Mills has or claims, or may have, make, or claim upon or against any of the said Inhabitants of the Manor or Township of *Leeds*, touching or in anywise concerning the said Usage, Duty, Custom, or Obligation herein-before mentioned, or any Breach or Non-observance thereof, shall, from and after the passing of this Act, be stayed and fully relinquished, and no further Proceedings be had or taken therein or thereon on the Part either of Plaintiff or Defendants upon any Pretence or Pretext whatsoever; and the Costs, both of Plaintiff and Defendants, of the Suit now depending against the Parties above named, shall be paid by the Trustees herein-after named out of the Monies to be raised by virtue or in pursuance of this Act.

Suits now depending to be determined.

III. And inasmuch as by the Extinguishment of the said Soke the Security for the Payment of the Two annual Rents of Three Pounds Eighteen Shillings and Eight-pence, and Thirteen Pounds Eight Shillings and Eight-pence, reserved by the said Letters Patent, may be diminished, it is expedient that the said *Edward Hudson*, or other the Owner for the Time being of the said Mills, should be obliged to purchase the said Rents, in case the Owners thereof, or the Persons for the Time being entitled to the Receipt thereof, should require him so to do; be it therefore further enacted, That it shall be lawful for the said *Edward Hudson*, or other the Owner for the Time being of the said Mills, and he and they is and are hereby required, upon the Application in Writing of the Person for the Time being entitled to the Receipt of the said Rents or either of them, to purchase the said Rents, or such of them as shall at any Time be required to be sold, at such Price or Sum of Money as the same shall be valued at by Two indifferent Persons, one of whom shall be nominated by the said *Edward Hudson* or other the Owner for the Time being of the said Mills, and the other of them by the Person being authorized to sell the said Rents, and if such Two Persons shall not agree, then by such Third indifferent Person as any Two Justices of the Peace for the Borough of *Leeds*, not interested in the Matter in reference, shall, upon the Application of either of the said Parties, nominate; and it shall be lawful for the Persons for the Time being entitled to the said Rents, or to the Receipt or

The Owner of the Mills to redeem the reserved Rents.

Enjoyment

Enjoyment thereof, whether Tenants in Tail or for Life, or for any other partial or qualified Estate or Interest, Husbands, Guardians, and Committees, and all Trustees and all other Persons whomsoever, not only for and on behalf of themselves and their Heirs, but also for and on behalf of all Persons entitled in Remainder or Reversion or Expectancy after them, and for and on behalf of their Wives, Wards, Lunatics, and Idiots respectively, and in the same Manner and to the same Extent as such Wives, Wards, Lunatics, and Idiots respectively could have done by Law under the Power of this Act in case they had been sole, of full Age, and of sound Mind, and for and on behalf of their Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons, and for all Femes Covert seised, possessed of, or interested in their own Right or entitled to Dower or other Interest therein, and for all other Persons whomsoever seised, possessed of, or interested in or entitled to the said Rents or either of them, or any Estate or Interest therein, to sell and convey the same to the said *Edward Hudson* and his Heirs, or other the Owner for the Time being of the said Mills, or to such Person or Persons as he or they shall direct; and every such Conveyance shall be made at the Expence of the said *Edward Hudson* or other the Owner for the Time being of the said Mills.

Application  
of Com-  
pensation  
Money when  
amounting  
to 200*l.*

1 G. 4. c. 35.

IV. And be it further enacted, That if any Money shall be agreed or awarded to be paid as last herein-before mentioned which any Tenant in Tail or for Life, or for any other partial or qualified Estate or Interest, Husband, Guardian, Committee, Trustee, or other Person, for or on behalf of any Feme Covert, Ward, Lunatic, Idiot, or other Cestuique Trust, or any Person whose Lands are limited in strict or other Settlement, or any Person under any other Disability or Incapacity, shall be entitled unto or interested in, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account there *ex parte* "The Trustees for executing the *Leeds Soke Act*," pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George the Fourth*, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the general Orders of the same Court, and without Fee or Reward; and shall, when so paid in, there remain until the same shall, by Order of the said Court, made in a summary Way, upon Petition, to be presented to the said Court by the Party who would have been entitled to the Receipt of the said Rents respectively, be laid out in the Purchase of Lands, which shall be conveyed, limited, and settled to, for, and upon such or the like Uses, Trusts, and Purposes, and in the same or the like Manner (so far as the Circumstances of the Case will admit), as the said Rents respectively stood settled or limited; and in the meantime and until such Order shall be made the said Money may, by Order of the said Court upon Application thereto, be invested by the said Accountant General in his Name  
in



in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in other Government or Real Securities; and in the meantime and until such Annuities or Securities shall be ordered by the said Court to be sold for the Purpose aforesaid, or shall be called in or cancelled, the Dividends or Interest and annual Produce thereof shall from Time to Time, by Order of the said Court, be paid to the Party who would for the Time being have been entitled to the Receipt of the said Rents respectively.

V. Provided always, and be it further enacted, That if any Money agreed or awarded to be paid as last aforesaid, belonging to any Person under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then the same shall, at the Option of the respective Persons for the Time being entitled to the Receipt of the said Rents respectively, or of their respective Husbands, Guardians, or Committees, in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, with the Approbation of the said Trustees, signified in Writing under the Hands of any Five or more of them, be paid into the said Bank of *England*, in the Name and with the Privity of the said Accountant General, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid (at the like Option and with the like Approbation) to Three Trustees, to be nominated by the respective Persons exercising such Option, such Nomination to be approved of by the said Trustees, and such Nomination and Approbation to be signified in Writing, under the Hands of the nominating and approving Parties; and the Money so paid to such Trustees, and the Dividends and Produce arising thereon and therefrom, shall be by such Trustees applied in like Manner as is herein-before directed with respect to the Money so to be paid into the Bank of *England*, but without being required to obtain any Order of the said Court touching the Application thereof.

Application of Compensation Money when less than 200*l.* and exceeding 20*l.*

VI. Provided also, and be it further enacted, That where any Money so agreed or awarded to be paid as last herein-before mentioned shall not exceed the Sum of Twenty Pounds, the same shall be paid to the respective Parties who would for the Time being have been entitled to the Receipt of the said Rents respectively, for their own Use and Benefit; or in case of Coverture, Infancy, Idiotcy, Lunacy, or other Incapacity, then such Money shall be paid to their respective Husbands, Guardians, Committees, or Trustees, to and for the Use and Benefit of the Parties respectively entitled thereto.

Application of Compensation Money when not exceeding 20*l.*

VII. And be it further enacted, That Nineteen Persons, to be elected and chosen in manner herein-after mentioned, shall be Trustees for carrying this Act into execution.

Number of Trustees.

VIII. And be it further enacted, That no Person shall be elected and chosen a Trustee for carrying this Act into execution unless he shall be an Owner of Lands or Tenements within the said Township

Qualification of Trustees.

[*Local.*]

5 A

ship

ship of *Leeds* of the annual Value of Twenty Pounds, or shall be an Occupier of Lands or Tenements within the same Township rated to the Relief of the Poor within the said Township at a Sum not less than Forty Pounds *per Annum*.

Inhabitants to meet, and choose Trustees.

IX. And be it further enacted, That it shall be lawful for such of the Inhabitants of the said Manor and Township, and other Persons who are liable to be rated to the Rates by this Act authorized, to assemble and meet together at the Court House in *Leeds* aforesaid, or at some other convenient Place within the said Manor or Township, on the Third *Monday* next after the passing of this Act, or as soon after as conveniently may be, at the Hour of Ten in the Forenoon; and after appointing a Chairman of such Meeting (who shall have a Second or casting Vote upon every Question where there shall be an equal Number of Votes, including the Chairman's first Vote), then and there forthwith to elect and choose Nineteen Persons, qualified as aforesaid, to be the Trustees for carrying this Act into execution; and every Person so to be chosen shall, upon his Acceptance of his said Office, signify the same by signing his Name in a Book to be provided for that Purpose.

Other Trustees to be elected in case of Vacancies reducing the Number below Ten.

X. And be it further enacted, That whenever the Trustees to be elected and chosen by the said Inhabitants and other Persons, or to be nominated and appointed by the Owner of the said Mills, for carrying this Act into execution, as herein is directed, or to be elected to supply Vacancies in manner herein-after mentioned, shall by reason of Death or Refusal to act, or by Resignation, Bankruptcy, Insolvency, or other Incapacity, be reduced below the Number of Ten, it shall be lawful for the Clerk for the Time being of the said Trustees, or in case there shall be no such Clerk then for any Two or more of the surviving or continuing Trustees, and he and they is and are hereby required, within One Calendar Month after such Vacancies shall have taken place as aforesaid, by a public Notice in Writing to be affixed to the Door of the Court House in *Leeds*, to require all Persons who are rated to the Rate by this Act authorized, and who at the Time of such Meeting shall have paid such Rate, if the same shall have been lawfully demanded, to meet together on some Day which shall be at least Three and not more than Ten Days next after such Notice shall have been given, at such Time and in such Place as in the said Notice shall be specified, for the Purpose of electing a sufficient Number of other Persons, qualified as aforesaid, to be Trustees in the Room or Stead of the Trustees so dying, resigning, or becoming disqualified to act as aforesaid, so as to make up the full original Number of Nineteen Trustees; and every Person so to be chosen as a Trustee under this Act shall, upon his Acceptance of such Office, signify the same by signing his Name in a Book to be provided by the Trustees for that Purpose.

The Owner of the Mills may appoint Trustees, if the Inhabitants do

XI. Provided always, and be it further enacted, That if the Inhabitants of the said Manor and Township, and other Persons rated to the Rate by this Act authorized, shall not, within the Space of Three Calendar Months next after the passing of this Act, elect and choose Nineteen Persons qualified as aforesaid to be the Trustees for carrying

carrying this Act into execution, then and in such Case it shall be lawful for the said Owner for the Time being of the said Mills, by any Deed or Instrument in Writing under his Hand and Seal, to nominate and appoint Nineteen Persons, qualified as aforesaid, to be the Trustees for carrying this Act into execution; and such Persons, when so nominated and appointed, shall have the same Powers and Authorities, and be subject to the same Penalties for Refusal or otherwise, and to the same Liabilities in all respects, as if they had been elected and chosen at a public Meeting of the Inhabitants of the said Manor and Township, and other Persons subject to be rated to the Rate by this Act authorized: Provided also, that if the said Inhabitants and other Persons shall at any Time, when the Number of Trustees elected and chosen by them, or nominated and appointed by the said Owner of the said Mills (as the Case may be), shall by any of the Cases aforesaid be reduced below the Number of Ten, refuse or neglect for the Space of Two Calendar Months after such Vacancies shall have occurred to elect and choose a sufficient Number of other Persons qualified as aforesaid to be Trustees in the Room and Stead of the Trustees creating such Vacancies, so as to make up the full original Number of Nineteen Trustees, then and in every such Case it shall be lawful for the said Owner of the said Mills to nominate and appoint a sufficient Number of Persons, qualified as aforesaid, to supply such Vacancies as is herein-before provided for the Nomination and Appointment of Trustees by the said Owner of the said Mills, in case of the Refusal or Neglect of the said Inhabitants and other Persons to make such original Election and Choice of Trustees as aforesaid; and every Person so to be nominated and appointed a Trustee by the said Owner of the said Mills shall upon his Acceptance of such Office signify the same by signing his Name in a Book to be provided by the Trustees for that Purpose.

not within  
Three  
Months.

XII. And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act (except in administering the Declaration herein-after mentioned) until he shall have made and subscribed a Declaration in the Words or to the Effect following, before any Two or more of the said Trustees, who are hereby authorized and empowered to administer the same:

Trustees to  
make a De-  
claration.

‘ I do solemnly and sincerely declare, That I am  
‘ rated to the Poor of the Township of *Leeds* at the Sum of  
‘ Pounds at the least [or that I am the Owner of  
‘ Lands or Tenements within the said Township of the annual Value  
‘ of Pounds at the least, *as the Case may be*],  
‘ and that I will truly, honestly, and impartially act in the Execution  
‘ of the Trusts and Powers reposed in me by virtue of an Act of  
‘ Parliament passed in the Second Year of the Reign of Her Majesty  
‘ Queen *Victoria*, intituled *An Act* [*here insert the Title of this Act*];  
‘ and I make this solemn Declaration conscientiously believing the  
‘ same to be true.’

And an Entry or Minute of the making and subscribing such Declaration, and of the Time at which the same shall be so made and subscribed,

subscribed, shall be written in the Book of Proceedings of the Trustees herein-after mentioned.

Penalty on  
Persons  
making false  
Declarations.

XIII. And be it further enacted, That every Person who shall wilfully and corruptly make and subscribe a Declaration under this Act, knowing the same to be untrue in any material Particular, shall be deemed guilty of a Misdemeanor.

Penalty in  
case of Trus-  
tees acting  
without  
making De-  
claration, or  
without  
being duly  
qualified.

XIV. And be it further enacted, That if any Person shall act as a Trustee in the Execution of this Act (except in administering the Declaration before mentioned) without being duly qualified as aforesaid, or being disqualified by any of the Causes aforesaid, or before he shall have made and subscribed the said Declaration, he shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and every Person so sued or prosecuted shall prove that he was qualified, or (as the Case may be) that he was not disqualified, at the Time of acting, or otherwise shall pay the said Penalty and Costs, without any other Proof or Evidence on the Part of the Plaintiff than that such Person had acted as a Trustee in the Execution of this Act: Provided nevertheless, that no Act or Proceeding touching the Execution of this Act, which shall have been done or performed by any such unqualified or disqualified Person, previously to his being convicted of the Offence before mentioned, shall be thereby impeached or rendered nugatory, but every such Act or Proceeding shall be as valid and effectual as if such Person had been duly qualified, or had not been disqualified as before mentioned.

Penalty on  
Persons  
elected not  
serving the  
Office of  
Trustee.

XV. And be it further enacted, That if any Person duly qualified to fill the Office of Trustee according to the Provisions of this Act shall be elected, chosen, nominated, or appointed a Trustee in manner aforesaid, and shall refuse to accept such Office, or neglect for the Space of Ten Days after he shall have been personally served with a Notice in Writing signed by the Clerk for the Time being to the said Trustees, or if there shall be no Clerk of the said Trustees signed by the Chairman of the Meeting at which such Person shall have been elected a Trustee, of his Election to such Office, to signify his Acceptance thereof, in manner herein-before mentioned, and to make and subscribe the Declaration herein-before appointed to be made and subscribed, or having accepted such Office shall within the Space of Twelve Calendar Months after such Acceptance resign the same, being at the Time of such Resignation duly qualified as aforesaid to hold such Office, every Person so offending shall, upon the Complaint of any Person who shall be an Owner of Lands or Tenements in the said Manor and Township of the annual Value of Twenty Pounds, or who (being an Occupier of Lands or Tenements within the said Manor) shall be rated to the Relief of the Poor of the said Township in the said Sum of Forty Pounds at the least, and  
1 upon

upon Conviction of such Offence before any Two Justices of the Peace for the said Borough of *Leeds*, forfeit and pay the Sum of Twenty Pounds, to be recovered, together with the Expences attending the Recovery thereof, by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of such Justices, and which Warrant such Justices are hereby empowered and required to grant; and the Overplus (if any) of the Money so recovered or levied, after discharging such Penalty or Forfeiture, and Costs and Expences aforesaid, shall be rendered to the Owner of the Goods and Chattels so seised and distrained; which Penalty, when recovered, shall be paid to the Trustees for the Time being, and shall be applied by them in aid of the Assessments herein-after required to be made by them: Provided always, that no Person disabled by Lunacy or Imbecility of Mind, or by Deafness, Blindness, or other permanent Infirmary of Body, shall be liable to such Fine as aforesaid: Provided also, that every Person so elected to such Office who shall be above the Age of Sixty-five Years, or who shall have already served such Office respectively, or paid the Fine for not accepting such Office respectively, shall be exempted from accepting or serving such Office, if he shall claim such Exemption within Five Days after Notice of his Election.

XVI. And be it further enacted, That the said Trustees, whenever they shall be required so to do, by Writing under the Hand of the said Owner of the said Mills, or by Writing under the Hand of any Ten Persons liable to be charged to any Proportion of the Assessments to be made in pursuance of this Act, shall, within Seven Days after they shall have been required so to do, by Notice in Writing left with the Clerk of the said Trustees, and also with One of the said Trustees, deliver to the said Owner of the said Mills, or to such Person as he or they or any such Ten Persons as aforesaid shall respectively appoint, a true List of all the Trustees for the Time being, with their respective Descriptions and Residences, signed by Two at least of the said Trustees, which List so signed shall be conclusive Evidence that the several Persons therein named were Trustees at the Time of the Delivery of such List in all Proceedings to be had against the said Trustees, or any or either of them, except in such Proceedings as may be had by any of the said Trustees against any of their own Body.

Lists of Trustees to be delivered, when required.

XVII. And be it further enacted, That the First Meeting of the Trustees for carrying this Act into execution shall be held at the Court House in *Leeds* aforesaid, or at some other convenient Place within the said Manor or Township, within Seven Days after the first Election of Trustees, or after the first Nomination of Trustees by the said Owner of the said Mills (as the Case may be), or as soon after as conveniently may be, between the Hours of Ten in the Forenoon and Two in the Afternoon; and the Trustees then and there present, being at least Five in Number, shall proceed in the Execution of this Act, and shall and may then and from Time to Time thereafter adjourn to and meet at such Times and at such Places within the said Manor or Township as the major Part of them

First Meeting of Trustees,

[Local.]

5 B

present

present at any such Meeting shall think proper and appoint; and if it shall happen that Five of the said Trustees shall not appear at any Time and Place appointed for a Meeting within the Space of One Hour from the Time appointed for the holding of such Meeting, then and so often as the Case shall happen such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week, at the same Place and at the same Time, until a sufficient Number of Trustees shall attend at such Meeting, when they shall proceed to Business, and not before.

Meetings on  
Emergencies.

XVIII. And be it further enacted, That if, for Want of a proper Adjournment at any Meeting of the said Trustees, there shall be no Time fixed for the next Meeting, or if at any Time it shall be thought necessary that a Meeting of the Trustees should be holden after any Adjournment on an earlier Day than the Day to which such Meeting shall have been adjourned, then and in every such Case it shall be lawful for the Chairman who may have presided at the last Meeting, or for any Two of the Trustees, to direct the Clerk of the Trustees (or if there shall be no Clerk then by some Writing under the Hand or Hands of such Chairman or of such Two Trustees) to summon the Trustees to meet at such Place, being within the said Manor or Township, and at such Time, as he or they shall think proper, either to transact the usual and ordinary Business of this said Trust, or any special Business which may be specified in such Summons; and all Acts done by the Trustees present at any such Meeting shall be as valid and effectual to all Intents and Purposes as they would have been in case such Trustees had met in pursuance of a regular Adjournment, and on the adjourned and regular Day of Meeting; provided that Notice of such Meeting, written or printed, and signed by the Clerk or by the Chairman of the last Meeting, or by any Two of the Trustees, shall have been sent in manner herein-after mentioned to each of the said Trustees Two Days at least before every such Meeting.

Notice of  
Meetings.

XIX. Provided always, and be it further enacted, That previously to any Meeting of the said Trustees in pursuance of this Act (except the first acting Meeting) there shall from Time to Time be sent to the last or usual known Place of Abode of each of the said Trustees, through the Post Office or by special Messenger, a Notice, written or printed, signed by the Clerk to the said Trustees, or by any Two of the said Trustees, of the Time and Place of such intended Meeting, which Notice shall be so sent Two Days at least before every such Meeting.

Majority of  
Trustees may  
act.

XX. And be it further enacted, That all the Powers given by this Act, to the said Trustees may be exercised by the Majority of such of them as shall be present at any Meeting to be holden or convened in manner herein-before mentioned (the Number of the said Trustees at such Meeting not being less than Five), and that at each and every such Meeting One of the Trustees, to be nominated by a Majority of the Trustees then present, shall preside and take the Chair as Chairman of such Meeting; and in all Cases in which the

the Number of Votes, including the Vote of the Chairman, shall happen to be equal, the Chairman shall have another or a casting Vote.

XXI. And be it further enacted, That fair and regular Entries shall be made, in a proper Book or proper Books to be provided for that Purpose, of the Names of the Trustees who shall attend the respective Meetings hereby authorized to be held under this Act, and of all their Acts, Orders, and Proceedings relative to the Execution of this Act; and such Entries shall be signed by the Chairman of each respective Meeting, or the Clerk to the said Trustees; and every such Book shall be deposited with and remain in the Custody of the Clerk or Treasurer for the Time being of the said Trustees, and shall at all reasonable Times be open for the Inspection of the said Trustees or any of them, without Fee or Reward; and all Entries in such Books, being signed as aforesaid, shall be deemed and taken to be original Acts, Orders, and Proceedings, and shall be allowed to be produced and read in Evidence, as well on behalf of the said Trustees as otherwise, in all Causes, Suits, and Actions, and in all Proceedings, Civil and Criminal, touching or relating to any thing done in pursuance or by virtue of this Act, without Proof of such Meeting having been duly convened; and every such Book shall, at all reasonable Times, be open to the Inspection of every Person paying the Rates or Assessments hereby authorized to be made, on Tender or Payment of One Shilling for each Person; and if the Clerk or Treasurer, or other Person having the Custody thereof for the Time being, shall not permit or shall refuse to permit the said Trustees to peruse and inspect such Book or Books, or shall not permit or shall refuse to permit any other Person duly authorized, on Tender or Payment of the said Sum of One Shilling, to peruse and inspect such Book or Books, such Clerk, Treasurer, or other Person shall for every such Offence forfeit and pay the Sum of Five Pounds, to be levied, recovered, and applied in manner hereinafter provided.

XXII. And be it further enacted, That the said Trustees shall and they are hereby required to cause some Book or Books to be provided and kept, and true and regular Accounts to be from Time to Time entered therein of all Sums of Money which shall have been received by or shall have come to the Hands of them the said Trustees, or to the Hands of any Person for their Use, under or by virtue and for the Purposes of this Act, and of the Names of the Persons from whom the same shall have been received, and also a like Account of all Monies which shall have been paid or disbursed by the said Trustees, and of the Names of the Persons to whom and upon what Occasion they shall have paid or disbursed the same, and also an Account of the Names of all such Persons as shall have neglected to pay their respective Rates, and of the Monies due from them respectively, which Book and Books, and all other Accounts and Papers relating to the said Trust, shall at all seasonable Times be open to the Inspection of the said Trustees, or any of them, without Fee or Reward, and of every Person paying the Rates or Assessments hereby authorized to be made, on Tender or Payment of

Proceedings  
to be entered.

Books to be  
kept of Re-  
ceipts and  
Payments.

of One Shilling each Person; and the said Trustees, and every Person paying the Rates or Assessments hereby authorized to be made, or any of them, shall and may take Copies of or Extracts from the said Book or Books, or any Part thereof, without paying any thing for the same; and in case the Officer or Person with whom or in whose Custody the said Books, Accounts, and Papers shall have been or may be deposited, or who may be appointed to keep the same, shall refuse to permit or shall not permit the said Trustees, or any of them, or the Persons paying the Rates or Assessments hereby authorized, or any of them, on Tender or Payment by such Persons of the said Sum of One Shilling, to inspect the same at all seasonable Times, or shall refuse to permit or shall not permit the said Trustees or Persons aforesaid, or any of them, to take such Copies or Extracts as aforesaid, such Officer or Person so refusing or offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, to be levied, recovered, and applied in manner herein-after provided.

Abstract of  
Accounts to  
be trans-  
mitted to the  
Town Clerk  
of the  
Borough of  
Leeds an-  
nually.

XXIII. And be it further enacted, That once in every Year an Abstract or Summary of the said Accounts shall be prepared by the Treasurer or other Officer of the said Trustees as they shall appoint, showing the total Receipts and Expenditure of all the Assessments or other Funds received under the Authority of this Act, and a Statement of the Balance of such Account; and such Abstract or Summary of Accounts shall be audited by the said Trustees, and signed by them at some Meeting to be held under the Authority of this Act; and on or before the First Day of *January* in each Year the said Trustees shall cause a Copy of the said Abstract or Summary of Accounts to be transmitted free of Charge to the Town Clerk for the Time being of the said Borough of *Leeds*; and the said Abstract or Summary of Accounts shall at all seasonable Times be open to the Inspection of any Person who shall desire to see the same, upon Payment or Tender to the said Town Clerk of the Sum of One Shilling for every such Inspection; and in case the said Town Clerk shall refuse to permit or shall not permit any Person to inspect the said Abstract or Summary of Accounts on Payment or Tender of the said Sum of One Shilling, he shall for every such Offence forfeit and pay the Sum of Five Pounds, to be levied, recovered, and applied in manner herein-after provided: Provided always, that if the said Trustees shall refuse or neglect to cause such Abstract or Summary of the said Accounts to be prepared or to be transmitted to the said Town Clerk as aforesaid, they shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Auditors to  
be elected.

XXIV. And be it further enacted, That at the First Meeting of the Inhabitants of the said Manor and Township, and other Persons who are liable to be rated to the Rates by this Act authorized, which shall be held for the Purpose of electing Trustees for carrying this



Act into execution, as herein-before mentioned, or at some Adjournment thereof, the Persons then and there present, and liable to be rated as aforesaid, shall, after the Election of the said Trustees, proceed to elect Two other Persons (being qualified to serve as Trustees as herein-before mentioned) to be Auditors for the Purpose of auditing the Accounts of the said Trustees once in every Year, prior to an Abstract or Summary of the said Accounts being transmitted to the Town Clerk of the said Borough of *Leeds* in manner herein-before provided; and in case of the Death, Resignation, or Disqualification of both or either of the said Auditors before the Objects and Purposes of this Act shall have been fully completed and executed, it shall be lawful for the Clerk of the Trustees, or in case there shall be no such Clerk, then for any Two or more of the said Trustees for the Time being, and he and they is and are hereby required, within One Calendar Month after such Vacancy shall have occurred, to convene a Meeting of the Persons liable to be rated as herein-before mentioned in the same Manner as Meetings are by this Act required to be convened for the Purpose of electing Trustees upon Vacancies, and the Persons then and there assembled shall elect some other Persons or Person (as the Case may be) qualified as aforesaid to supply the Place of the Auditors or Auditor so dying, resigning, or becoming disqualified as aforesaid, and so *toties quoties* as often as any such Vacancy shall occur.

XXV. And be it further enacted, That the said Trustees may from Time to Time appoint a Treasurer and a Clerk, and also a Collector or Collectors of the Rates or Assessments to be made as herein-after mentioned, and all such other Officers for the Execution of this Act as they shall think proper, and shall and may from Time to Time suspend, displace, or remove such Treasurer, Clerk, Collectors, and Officers, or any of them, and appoint others in the Room or Stead of those suspended, displaced, or removed, or who may die, or relinquish their Offices, and shall and may, out of the Monies to be received by virtue of this Act, pay such Salaries, Wages, and Allowances to the said Officers and other Persons as the said Trustees shall think reasonable. For appointing Officers.

XXVI. Provided always, and be it further enacted, That it shall not be lawful for the said Trustees to appoint any Person who may be appointed their Clerk in the Execution of this Act, or the Partner of such Clerk, or any Clerk or other Person in the Service or Employment of such Clerk or of his Partner, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, or any Clerk or other Person in the Service or Employment of such Treasurer or of his Partner, to be the Clerk to the said Trustees for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being a Partner of such Clerk, or a Clerk or other Person in the Service or Employment of such Clerk or of his Partner, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Treasurer, or the Partner of such Treasurer, or a Clerk or other Person in the Service Prohibiting the same Person from acting as Clerk and Treasurer.

[*Local.*]

5 C

or

or Employment of such Treasurer or his Partner, shall accept the Office of Clerk in the Execution of this Act, or shall act as the Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any Treasurer shall hold any Place of Profit or Trust under the said Trustees other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered, with full Costs of Suit, in any of Her Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Security to  
be taken  
from Treas-  
urer and  
Collector.

XXVII. And be it further enacted, That it shall be lawful for the said Trustees and they are hereby required to take good and sufficient Security from the Treasurer, and also from every Collector to be appointed by virtue of this Act, for the due Execution of their respective Offices of Treasurer and Collector according to the true Intent and Meaning of this Act, which Security shall be to the full Amount of the Sum likely to be in the Hands of the Treasurer and Collectors respectively at any one Time; and such Security shall be given to the said Trustees by the Style and Title of "The Trustees for carrying into execution an Act passed in the Second Year of the Reign of Her Majesty Queen *Victoria*, intituled [here set forth the Title of this Act]," and shall remain a valid and subsisting Security, notwithstanding any Change of Trustees or Re-appointment of the said Officer or Officers, and may be sued upon by the said Trustees for the Time being, when required, by the Style and Title aforesaid; and in case any such Treasurer or Collector shall neglect or refuse or shall be unable for the Space of Fifteen Days next after his Appointment to give or offer such Security to the Satisfaction of the said Trustees, then the Appointment of every such Person shall be null and void to all Intents and Purposes, and the said Trustees shall forthwith appoint some other fit and proper Person to the Office of Treasurer or Collector (as the Case may be) instead of the Person so refusing or neglecting or being unable to give such Security as aforesaid, and so from Time to Time until some Person shall be found who shall be willing and able to give sufficient Security for the due Execution of his Office.

Requiring  
Officers to  
account.

XXVIII. And be it further enacted, That every Treasurer, Clerk, Collector, and other Officer and Person who shall be appointed or employed by or under the said Trustees by virtue of this Act, shall under his Hand, and at such Times and in such Manner as the said Trustees shall direct, deliver to the said Trustees, or to such Person as they shall appoint, true and perfect Accounts in Writing of all such Matters and Things as may be committed to his Charge, and also of all Monies which shall have been by him received by virtue and for the Purposes of this Act, and how much thereof shall have been expended and disbursed, and for what Purposes, together with proper Vouchers for such Payments, and shall pay all such Monies as shall remain in his Hands or due from him to such Person and at such Time and Place as the said Trustees shall from Time to Time direct or appoint; and if any such Treasurer, Clerk, or Collector, Officer or  
1 Person,

Person, shall refuse or wilfully neglect to make and render any such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Trustees, or to such Person as they shall appoint to receive the same, within Three Days next after being thereunto required by the said Trustees or any Three of them, by Notice in Writing signed by the said Trustees or any Three or more of them, and given to or left at the last known or usual Place of Abode of such Treasurer, Clerk, Collector, Officer, or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or any Duplicates or Copies thereof respectively, or to give Satisfaction to the said Trustees or such other Person aforesaid respecting the same, then and in any of the Cases aforesaid the said Trustees may and they are hereby authorized and empowered to cause an Action to be brought against the Treasurer, Clerk, Collector, Officer, or Person so neglecting or refusing as aforesaid, for Recovery of the Monies that shall remain due from him, with Costs of Suit; or if Complaint shall be made by the said Trustees, or by any Person on their Behalf, of any Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the Borough of *Leeds*, such Justice may and he is hereby authorized and required to issue a Summons, under his Hand and Seal, for the Treasurer, Clerk, or Collector, or other Officer or Person so neglecting or refusing as aforesaid, to appear before him; and upon the said Treasurer, Clerk, Collector, Officer, or Person appearing, or having been so summoned and not appearing, without some sufficient and reasonable Excuse, to be allowed by such Justice, or not being to be found, it shall be lawful for the said Justice to hear and determine the Matter of such Complaint in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness, upon Oath or Affirmation (which Oath or Affirmation such Justice is hereby empowered to administer), it shall appear to such Justice that any Monies remain due from such Treasurer, Clerk, Collector, Officer, or Person, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Treasurer, Clerk, Collector, Officer, or Person; and if no Goods and Chattels of such Treasurer, Clerk, Collector, Officer, or Person shall be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the Distress, or if it shall appear to such Justice that any such Treasurer, Clerk, Collector, Officer, or Person had refused or wilfully neglected to render and give such Accounts as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remained in the Custody or Power of such Treasurer, Clerk, Collector, Officer, or Person, and he refused or wilfully neglected to deliver up or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justice shall and he is hereby required to commit such Offender to some Gaol, Prison, or House of Correction, there to remain without Bail or Mainprize until he shall have given a true and perfect Account as aforesaid, or until he shall have paid such Money as aforesaid, or shall have compounded for such Money with the said Trustees, and shall have paid such Composition

Penalty on Officers refusing to account.

If Balance not paid, it may be levied by Distress.

On Failure of Distress the Offender to be committed.

in

in such Manner as they shall appoint (which Composition the said Trustees are hereby empowered to make and receive), and until he shall deliver up all such Books, Papers, Writings, or Duplicates, or Copies of the same as aforesaid: Provided always, that no such Person who shall be committed for Want of such Distress alone shall be committed by virtue of this Act for any longer Space of Time than Six Calendar Months: Provided further, that it shall be lawful for such Justice of the Peace, if he think fit, before committing such Offender, to issue his Warrant to search for such Vouchers, Books, Papers, or Writings so withheld by any such Treasurer, Clerk, Collector, or Officer, or other Person, under which Warrant the Officer thereby authorized shall enter into and search the Dwelling House or other Premises of such Treasurer, Clerk, Collector, or Officer, or other Person, or such other Place as the Justice shall authorize to be entered or searched, and take away and deliver to the Trustees any of the said Vouchers, Books, and Papers that may be found: Provided also, that in case, after the Committal of any such Person by virtue of the Authority aforesaid, the Books, Papers, Writings, or other Documents in respect of the Nondelivery of which he shall have been so committed as aforesaid shall be obtained by means of any such Warrant as aforesaid, it shall be lawful for the said Justices of the Peace, on Application of the Party so committed, and Proof of the Fact that such Books, Papers, Writings, or other Documents have been delivered up to the said Trustees, to discharge such Person from Custody.

For recovering Books from Executors or Assignees of Officers.

XXIX. And be it further enacted, That in case of the Death of any such Treasurer, Clerk, Collector, Officer, or other Person so to be appointed as aforesaid, or of his becoming bankrupt, before he shall have delivered up all Books, Papers, Writings, and other Things concerning his Office or relating to the Execution of this Act, the Executors or Administrators of such Treasurer, Clerk, Collector, Officer, or Person, or the Assignees of his Estate and Effects, or other Persons possessing the same, or in whom the same have or has been vested, shall, upon Demand, deliver up to the said Trustees, or to any Person appointed by them, all such Books, Papers, Writings, and other Things; and in case of Nondelivery thereof for the Space of Five Days next after the same shall have been demanded it shall be lawful for the said Trustees to proceed in any of Her Majesty's Courts of Record at *Westminster* against such Executor or Administrator or Assignees, or other Person possessing the Estate and Effects which did belong to such deceased or bankrupt Officer or Person, for Recovery of such Books, Papers, Writings, and Things, or for the wilful Damage or Nondelivery thereof.

Commitment of Offender not to discharge his Surety.

XXX. And be it further enacted, That no Prosecution or Commitment under the Provisions of this Act of any Treasurer, Clerk, Collector, or other Officer or Person to be appointed or employed under the Powers of this Act, shall acquit or discharge any Surety or Security that shall or may be taken by or given to the said Trustees for the due and faithful Execution by such Treasurer, Clerk, Collector, or other Officer or Person of his or their Office, or for the Payment of the Monies received or to be received by him or them respectively.

XXXI. And

XXXI. And be it further enacted, That if any Collector to be appointed as aforesaid shall at any Time keep or retain in his Hands more than the Sum of Ten Pounds for any longer Space of Time than Ten Days (provided that the Treasurer for the Time being shall within that Time be ready to receive the same) he shall forfeit a Sum not exceeding Twenty Shillings for every Day he shall retain any Sum exceeding the said Sum of Ten Pounds beyond the said Period of Ten Days.

Collector not to retain above Ten Pounds at one Time.

XXXII. And be it further enacted, That in all Cases in which it may be necessary for any Person to serve any Notice, Writ, or other legal Proceedings upon the said Trustees, the Service thereof upon the Clerk of the said Trustees, or upon any One of the said Trustees, shall be deemed good and sufficient Service of the same respectively on the said Trustees.

How Notices may be served.

XXXIII. And be it further enacted, That the said Trustees may sue and be sued in the Name of their Clerk for the Time being, or in the Name of any of the Trustees, and all Actions and Proceedings which it may be necessary to bring or institute for or concerning any thing which shall be done by virtue or in pursuance of this Act, or for or in respect of any Matter or Thing arising out of this Act, may be brought and instituted in the Name of their Clerk for the Time being, or in the Name of any One or more of the said Trustees; and no Action, Suit, or other Proceeding which may be so brought or instituted by or against the said Trustees shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by the Death, Resignation, or Disqualification of such Trustee, or by any Act or Default of such Clerk or Trustee done or suffered without the Consent or Direction of the said Trustees, but such Clerk or Trustee shall be deemed Plaintiff or Defendant in any such Action or Suit (as the Case may require): Provided always, that in all Cases wherein the Clerk for the Time being or any Trustee as aforesaid shall be Plaintiff or Defendant on the Record in any Action or Proceeding in which in effect the said Trustees shall be suing or sued in the Name of such Clerk or of such Trustee as aforesaid, such Clerk or such Trustee may and shall, if not otherwise interested, be a good and competent Witness in such Action or Proceeding, either for or against the Trustees; and all Affidavits of Debt or Service which may be necessary to be made in reference to any such Action or Proceeding may be lawfully made by such Clerk or such Trustee (as the Case may be), notwithstanding he or they shall be nominal Plaintiff or Defendant on the Record as aforesaid: Provided also, that every such Clerk or Trustee in whose Name any Action or Proceeding shall be instituted or defended as aforesaid shall always be reimbursed out of the Monies to be received by virtue of this Act all such Damages, Costs, and Expences as he shall incur or become chargeable with by reason of his being so made Plaintiff or Defendant, and shall not be personally answerable or liable for the same, unless such Action or Proceeding shall arise in consequence of his own wilful Neglect or Default, or have been instituted or defended without the Order or Direction of the said Trustees.

Trustees may sue and be sued in the Name of their Clerk or of any Trustee.

[Local.]

5 D

XXXIV. And

Compensation to be paid to the Proprietor of the Mills.

XXXIV. And be it further enacted, That the said Trustees shall pay or cause to be paid to the said Owner of the said Soke Mills, in manner herein-after directed, the Sum of Thirteen thousand Pounds of lawful current Money of the United Kingdom of *Great Britain and Ireland*, as a Compensation for the Emancipation of the Inhabitants of the said Manor of *Leeds*, and the Liberties, Precincts, and Territories thereof, from the said Soke, and in full Satisfaction for all Loss, Injury, and Diminution of Income or Profit, which the present or any previous or future Proprietor or Lessee of the said Mills may have sustained or incurred or shall sustain or incur by reason or in consequence of the Tenants, Resiants, Residents, and Inhabitants of the said Manor, and the Liberties, Precincts, and Territories thereof, being exonerated and discharged from the Usage, Custom, or Duty of grinding Corn, Grain, or Malt at the said Mills; which said Sum of Thirteen thousand Pounds shall be paid by Four equal Instalments of Three thousand two hundred and fifty Pounds each on the Days and Times following; that is to say, the first Instalment or Sum of Three thousand two hundred and fifty Pounds within Twelve Calendar Months from the passing of this Act, together with Twelve Months Interest at the Rate of Four Pounds *per Centum per Annum*, and the like Sum of Three thousand two hundred and fifty Pounds within each successive Period of Twelve Calendar Months next following the Expiration of the said first Period of Twelve Calendar Months, together with Interest on each of such Instalments at the Rate aforesaid, to be computed from the passing of this Act until the actual Payment of each Instalment.

Assessments may be made for raising the several Instalments and Interest.

XXXV. And to the end that the said Trustees may be enabled to raise and pay the said Sum of Thirteen thousand Pounds and the Interest thereof by the Instalments and at the Times and in manner aforesaid, and also the several other Expences herein-after mentioned, be it further enacted, That it shall be lawful for the said Trustees and they are hereby required, once or oftener in every Year (as they shall see Occasion or shall think fit), to make and sign a sufficient Rate or Assessment, to be called "the Soke Rate," upon all Persons, Owners, Inhabitants, and Occupiers of Lands, Tenements, Hereditaments, and Premises within the said Manor and Township of *Leeds*, and the Liberties, Precincts, and Territories thereof, (save and except the Owners and Occupiers of the said exempt Lands and Tenements heretofore the Possessions of the Knights Templar and of the Hospitallers or Knights of *Saint John of Jerusalem*, in respect of such exempt Lands and Tenements,) for raising from Time to Time the said several Instalments and Interest herein-before directed to be paid, and also all Costs, Charges, and Expences of making or incident to or attending upon the collecting the same, and the carrying the Purposes of this Act into execution, and the Costs, Charges, and Expences incident to or attendant upon the obtaining this Act, and also the Costs and Expences of the Suit so instituted by the said *Edward Hudson* as aforesaid, and which is now in progress: Provided always, that no such Rate or Assessment or Rates or Assessments shall in any One Year exceed the following Sums; that is to say, the Sum of Three Shillings in the Pound upon all Buildings and  
Premises

Premises used or occupied as Maltkilns, Maltheuses, or otherwise, for the Manufacture or Storage of Malt, or as Common Breweries, and upon all Hotels, Taverns, licensed Public Houses or Beershops, the Occupiers of which shall at the Time of making such Assessment brew their own Ale or Beer; the Sum of One Shilling and Three-pence in the Pound upon all other Hotels, Taverns, licensed Public Houses, or Beershops; the Sum of Four-pence Halfpenny in the Pound upon all Premises consisting of a Dwelling House and Shop or Warehouse connected together, and occupied by the same Tenant, and rated to the Relief of the Poor at the Sum of Ten Pounds *per Annum* or upward; the Sum of Sixpence in the Pound upon all Dwelling Houses not connected with any Shop or Warehouse, and rated to the Relief of the Poor at the Sum of Ten Pounds *per Annum* or upwards; all which Rates or Assessments herein-before specified shall be paid in equal Moieties by the Owners and Occupiers respectively of such Property; and the Sum of Three Halfpence in the Pound on all other the rateable Property within the said Manor not included in any of the foregoing Descriptions, which shall be paid wholly by the Owners of such Property; every such Rate or Assessment to be made according to the Proportion to which such Person shall have been rated in the Rate last made and acted upon for the Relief of the Poor of the said Township of *Leeds* previously to the making such Rate or Assessment; and every such Rate and Assessment shall be made in such and the like Proportions as are herein-before set forth in respect of the several Classes of Property liable to be so assessed; and in case at any Time the Sum of Money which shall be so assessed and paid over to the said Trustees shall not be sufficient for the Purposes for which any such Rate or Assessment was made, it shall be lawful for the said Trustees and they are hereby required, either to make and sign such additional Rates or Assessments as shall be sufficient to make up the Deficiency of such original Rate or Assessment in manner aforesaid, or to add the Amount of such Deficiency to the Amount to be raised by the next succeeding Rate or Assessment; and in case at any Time the Sum of Money so assessed and paid over to the said Trustees shall be more than sufficient for the Purposes aforesaid, the said Trustees shall and they are hereby empowered to apply the same in aid of the next Rate or Assessment to be made for the Purposes aforesaid: Provided that all Persons who shall become resident within the said Township, and liable to be rated to the Soke Rate, after the making of any such Rate, and during the Period for which the said Rate was made, shall in the Soke Rate made next after they shall become resident be rated and assessed from the Quarter Day next succeeding the Day they became resident: Provided nevertheless, that no Hotel, Tavern, or other licensed Public House liable to be assessed to the Rates by this Act authorized to be made shall be liable to be so assessed upon any higher Rental than One hundred and twenty Pounds *per Annum*, notwithstanding the same may be rated at a higher Sum in the said Rate made for the Relief of the Poor.

XXXVI. And for the Purpose of determining all Disputes which may arise touching the Right of Exemption from any Rate or Assessment to be made under the Authority of this Act of any Property claimed to belong to the Possessions of the Knights Templars or of

For determining Disputes respecting Claims of the Exemption.

the Hospitallers as aforesaid, be it enacted, That it shall be lawful for the Justices of the Peace acting in and for the Borough of *Leeds* aforesaid, and they are hereby required, to hold a Special Sessions at any Time, not less than Twenty-one Days nor more than Thirty Days next after the making of any such Rate or Assessment as aforesaid, to be a Court of Appeal for the hearing and determining of all Disputes respecting such Claims of Exemption; and the Decision of the said Justices (not less than Three being present at such Hearing and Decision) shall be binding and conclusive upon all Parties; and the Justices at such Sessions shall and may also award such Costs to the Party appealing or appealed against as they shall think proper; and it shall be lawful for such Justices and they are hereby required, by Warrant under the Hands and Seals of any Two or more of them, to cause the Costs which shall be awarded to be levied by Distress and Sale of the Goods of the Party or Parties liable to pay the same, rendering the Overplus (if any), upon Demand, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale.

Power to  
Trustees to  
inspect Poor  
Rates, &c.

XXXVII. And for the Purpose of enabling the said Trustees to make such Rates and Assessments as aforesaid, be it further enacted, That it shall be lawful for the said Trustees, or any Person they may appoint, at all seasonable Times, to take Copies of or Extracts from the Rate for the Relief of the Poor of the Township of *Leeds* last made, and also from the Town's last Valuation Book for the Time being, without paying any thing for the same; and if the Overseers of the Poor, or the Person or Persons having the Custody of such Rate or Valuation Book, shall refuse to permit or shall not permit the said Trustees, or the Person they may appoint as aforesaid, to take Copies of or Extracts therefrom, the Overseers of the Poor, or the Person or Persons so refusing or not permitting such Copy or Extract to be taken or made, shall forfeit and pay any Sum not exceeding Five Pounds, to be levied, recovered, and applied in manner herein-after provided.

Assessments  
how to be  
collected.

XXXVIII. And be it further enacted, That the said Trustees for the Time being shall from Time to Time, within Ten Days after such respective Rates or Assessments shall have been made as herein-before mentioned, deliver a Copy thereof to the Collector for the Time being; and such Collector is hereby required to collect the Sums therein assessed accordingly, in the same Manner as the Rates made for the Relief of the Poor.

Directing  
how Assess-  
ments shall  
be recovered  
in case of  
Neglect or  
Refusal.

XXXIX. And be it further enacted, That in case at any Time any Person shall refuse or neglect to pay any Sum of Money at which they shall be severally rated or assessed by virtue of this Act, and all Arrears, it shall be lawful for any one of Her Majesty's Justices of the Peace for the said Borough of *Leeds*, and he is hereby authorized and directed, by Writing under his Hand, on Complaint made by the said Trustees for the Time being, or any Five of them, or any Officer or other Person appointed by them, to summon every or any Person who shall have refused and neglected as aforesaid to appear at a Time and Place to be mentioned in such Summons before such Justice, or before any Justice of the Peace for the said Borough  
who



who shall be then and there present, the Collector of such Rate or Assessment having previously made Oath that he or they had duly demanded the said Rate or Assessment, and that the same was then in arrear and unpaid; and it shall be lawful for any Person appointed to collect and receive such Rate or Assessment, or for any other Person authorized by the said Trustees, to serve such Summons upon every or any Person so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person thereby intended to be summoned, or by leaving the same at his last known or usual Place of Abode; and if any Person so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he shall attend, and shall not show good and sufficient Cause to such Justice as may be then and there present that he is not chargeable with or liable to pay any such Rate or Assessment, then and in every such Case every such Person shall pay the Rate or Assessment in respect of which such Summons was issued, and also the Costs and Charges of such Summons; and in all Cases where such Rate or Assessment shall not be paid upon the Return of such Summons, it shall be lawful for the Justice who shall have signed and issued such Summons, or who shall have directed such Summons to be signed as aforesaid, or for any other Justice of the Peace for the said Borough, and he is hereby authorized and required, upon Oath made before him of the due Service of such Summons by the Person who shall have served the same, and Proof on Oath that such Rate or Assessment is actually due and owing, to grant a Warrant under his Hand and Seal, authorizing or directing any such Person appointed to collect such Rate or Assessment as aforesaid, or other Person, to levy such Rate or Assessment and all Arrears thereof, and the said Costs and Charges of the Summons (if the same shall not have been paid before), and the Costs and Charges of every such Warrant, and also the Costs and Charges and Expences of executing the same, by Distress of the Goods and Chattels of the Person so neglecting or refusing; and if within Five Days next after any Distress shall be made the said Rate or Assessment, with all Arrears due thereon, together with all the said Charges and Expences of executing the same Warrant, and of making such Distress, and of keeping such Goods and Chattels, shall not be paid, then the said Person appointed to collect as aforesaid, or other Person authorized by the said Warrant, shall cause the said Goods and Chattels to be appraised by an Appraiser, and to be sold either on the Premises where the same shall be distrained or elsewhere, or such Part thereof as in his Judgment shall be sufficient to pay the said Rate or Assessment, together with all Arrears due thereon, and the said Costs, Charges, and Expences of the said Summons, Warrant, Distress, Removal, or keeping Possession of such Goods and Chattels so distrained, and the reasonable Costs and Charges of appraising and selling the same, and shall return the Overplus (if any) to the Owner of such Goods and Chattels respectively, upon Demand thereof made by him.

XL. And be it further enacted, That every Warrant of Distress for Nonpayment of any such Rate or Assessment to be made under this Act shall be in the Words or to the Effect following: Form of  
Warrant of  
Distress.

[*Local.*]5 *E*

‘ Borough

‘ Borough of *Leeds* } To the Collector or Collectors of the Soke Rate  
 ‘ to wit. } in the Township of *Leeds* in the West Riding  
 ‘ of the County of *York*, and to all Constables and other  
 ‘ Peace Officers acting for the same Borough :

‘ **W**HEREAS the under or herein-after mentioned Persons [*or Per-*  
 ‘ son] were and are [*or was and is*] duly assessed or liable to an  
 ‘ Assessment duly made for the Purposes of an Act made in the  
 ‘ Year of the Reign of Her Majesty Queen *Victoria*, intituled [*here*  
 ‘ *insert the Title of this Act*]: And whereas the said Persons [*or Per-*  
 ‘ son] have [*or has*] refused or neglected to pay the said several Sums  
 ‘ [*or Sum*] of Money at and against their [*or his or her*] Names [*or*  
 ‘ Name] hereunder or herein-after respectively set down for Money  
 ‘ due from them [*or him or her*] for or towards the Purposes in the  
 ‘ said Act mentioned; and the said several Sums [*or the said Sum*] are  
 ‘ [*or is*] still remaining due, in arrear, and unpaid, as appeareth upon  
 ‘ Oath to *A. B.*, one of Her Majesty’s Justices of the Peace for the  
 ‘ said Borough; and the said several Persons [*or Person*] having been  
 ‘ summoned to appear before me to answer the Premises, as also  
 ‘ appeareth to me the said Justice upon Oath, and the said several  
 ‘ Persons [*or Person*] so summoned [*or any of them*] not having  
 ‘ shown any sufficient Cause why such Sums [*or Sum*] of Money  
 ‘ should not be paid: These are therefore, in Her Majesty’s Name, to  
 ‘ will and require you or any of you forthwith to levy the said several  
 ‘ Sums [*or Sum*] due from the said Persons [*or Person*] or here-  
 ‘ after set at and opposite to their [*or his or her*] Names [*or Name*]  
 ‘ respectively, by Distress and Sale of their [*or his or her*] respec-  
 ‘ tive Goods and Chattels, such Goods and Chattels being kept for  
 ‘ the Space of Five Days before the same are sold, rendering to them  
 ‘ respectively [*or him or her*] the Overplus (if any), the reasonable  
 ‘ Charges of such Distress, Sale, and Keeping being first deducted;  
 ‘ and if no sufficient Distress can be had or taken, that then you cer-  
 ‘ tify the same, to the end that such further Proceedings may be had  
 ‘ therein as to the Law doth appertain: And I do hereby strictly  
 ‘ charge and command all and singular the Constables and other Her  
 ‘ Majesty’s Peace Officers acting for the said Borough to be aiding  
 ‘ and assisting in all Things relating to the Premises. Given under  
 ‘ my Hand and Seal this Day of in the  
 ‘ Year of our Lord

‘ *A. B.* (L. s.)’

For recover-  
 ing Assess-  
 ments in case  
 of Removal  
 of Goods,  
 &c.

XLI. And for the better enforcing the Payment of the Assessments to be made by virtue of this Act, be it further enacted, That if any Person liable to pay any of the said Rates or Assessments shall at any Time begin to remove his Goods or Furniture from his House and Premises within the Manor or Township aforesaid, or to sell or dispose of such Goods or Furniture by public Auction, or to sell or dispose of or carry away his Goods or Furniture as aforesaid without paying all Arrears then due or assessed in respect of or by virtue of this Act, in which the current Quarter shall be considered as due, that then and in any of the said Cases it shall be lawful for the Collector for the Time being to the said Trustees to collect and levy such Rates or Assessments and all Arrears due thereon (the Rate or Assessment for such Quarter wherein such Removal or Sale shall begin

begin to be made as aforesaid to be considered as due, although previous to the Time for Payment of the Rate or Assessment for such Quarter) by Distress and Sale of the Goods and Chattels of the Party so beginning to remove, sell, or take away any such Goods or Furniture as aforesaid; and if within Five Days next after such Distress shall be made the said Rates or Assessments, and all Arrears due thereon, together with the reasonable Charge of taking and keeping the said Distress, shall not be paid, the said Collector shall cause the said Goods and Chattels to be appraised and sold, or such Part thereof as shall be sufficient to pay such Rates or Assessments, together with all Arrears due thereon, and the reasonable Charges of making such Distress, and keeping and selling the same, returning the Overplus (if any) to the Owner of such Goods and Chattels.

XLII. And be it further enacted, That in case at any Time hereafter any Person who has been rated and assessed to or who is liable to the Payment of any Rates or Assessments which shall be made by virtue of this Act shall quit his House or Premises within the said Manor or Township, for or in respect whereof he shall be rated or assessed, before he shall have paid any such Rates or Assessments, then and in every such Case it shall be lawful for any Person appointed to collect or receive any such Rates or Assessments (Oath being made by him that he doth suspect that such Person has removed his Goods and Chattels), by Warrant under the Hand and Seal of any one of Her Majesty's Justices of the Peace for the Borough of *Leeds* (and which Warrant such Justice is hereby authorized to grant), to distrain and appraise and sell the Goods and Chattels of such Person who shall have so quitted his House or Premises before he shall have paid the said Rates or Assessments for the Sum of Money due from any such Person by virtue of such Rates or Assessments or any of them, or any Part thereof, and for all Costs, Charges, and Expences occasioned by such Warrant, Distress, Appraisement, and Sale, in any County, City, or Place to which such Person shall have removed, in such and the same Manner as if such Person had continued in the said Manor or Township, or any of the Precincts, Liberties, or Territories thereof.

For the Recovery of Rates from Persons quitting their Premises.

XLIII. Provided always, and be it further enacted, That it shall be lawful for the said Trustees, at any Meeting to be held for the Purposes of this Act, from Time to Time to compound with any Person whomsoever for the Rates or Assessments to be made in pursuance of this Act, and to take such Sum of Money in lieu thereof as the said Trustees so assembled or the major Part of them shall think proper; and also at their Discretion to excuse the Owner of any Cottage Property of a less annual Value in the Rate Book than Five Pounds from the Payment of any such Rates or Assessments in respect of such Cottage Property, being at the Time actually unoccupied and unproductive.

Persons may compound.

XLIV. And be it further enacted, That the Goods and Chattels of each and every Person renting or occupying any Lands or Farms, Messuages, Cottages, or Dwelling Houses, in the said Manor or Township, shall be liable to be distrained and sold for the Payment of

Goods of Tenants liable to Rates.

Tenants paying the Rates may deduct them from their Rent.

of the said Rates or Assessments respectively; and that every Person who shall pay any of such Rates or Assessments hereby charged on his Landlord or Receiver, or upon whose Goods and Chattels the same shall be levied in pursuance of this Act, shall and may deduct the same from and out of the Rent due and payable from Time to Time to his Landlord or Receiver, for so much Money as he shall have so paid, or which shall have been levied on his Goods and Chattels in pursuance of this Act.

Recovery and Application of Penalties.

XLV. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, the Manner of levying and recovering whereof is not herein otherwise particularly directed, may, in case of Nonpayment thereof, be recovered, in a summary Way, by the Order and Adjudication of some Justice of the Peace having Jurisdiction within the said Manor or Township, on Complaint for that Purpose made, and afterwards be levied, as well as the Costs and Expences (if any) of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Person liable to pay the same, by Warrant under the Hand and Seal of such Justice, who is hereby authorized and required to grant the same, and to summon before him any Witness touching or concerning such Offence, Matter, or Thing, and to hear and determine the same; and the Overplus (if any) of the Money so raised or recovered, after discharging such Fine, Penalty, or Forfeiture, the Costs of such Distress and Sale, and other the Costs and Expences aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be distrained; all which Fines, Penalties, and Forfeitures, not directed to be otherwise applied, shall be paid to the Trustees for the Time being for carrying this Act into execution, and shall be applied by them in aid of the Assessments by this Act directed to be made by them; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid, it shall be lawful for such Justice and he is hereby required to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justice for his Appearance at such Time as shall be appointed for the Return of such Warrant of Distress, such Time not being more than Eight Days from the taking of such Security, and which Security any such Justice is hereby empowered to take by way of Recognizance or otherwise; and if upon the Return of any such Warrant it shall appear that no sufficient Distress could be had whereupon to levy the said Fines, Penalties, and Forfeitures, and such Costs and Expences as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of such Justice, upon the Confession of the Offender or otherwise, that he has not sufficient Goods and Chattels whereupon such Fines, Penalties, Forfeitures, Costs, and Expences could be levied if a Warrant of Distress should be issued, such Justice shall not be required to issue such Warrant of Distress, but may, by Warrant under his Hand and Seal, commit such Offender to some Common Gaol or House of Correction for the said Borough of *Leeds*, or for the West Riding of the County of *York*, there to remain for any Time not exceeding Three Calendar Months, or until

such Fine, Penalty, or Forfeiture shall be paid and satisfied, together with all Costs and Charges attending such Distress, Sale, and other Proceedings as aforesaid, to be ascertained by such Justice, or until such Offender shall be otherwise discharged by due Course of Law.

XLVI. And be it further enacted, That in all Cases in which by this Act any Fine, Penalty, or Forfeiture is made recoverable by Information before any Justice of the Peace before whom Complaint shall be made for any Offence committed against this Act, it shall be lawful for such Justice to summon before him the Person complained against, and upon Proof of the due Service of such Summons upon such Person, by delivering the same to him personally, or by leaving the same at his usual or last known Place of Abode, to hear and determine the Matter of the said Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Fine, Penalty, or Forfeiture incurred, and to proceed in the Recovery of the same, although no Information in Writing or in Print shall have been exhibited before such Justice; and all such Proceedings by Summons without Information in Writing or in Print shall be as valid and effectual to all Intents and Purposes as if an Information in Writing or in Print had been exhibited.

Justices may proceed by Summons in the Recovery of Penalties.

XLVII. And be it further enacted, That if any Person having been summoned as a Witness to give Evidence before any Justice of the Peace touching any Complaint for any Offence against this Act, whether on the Part of a Prosecutor or of the Person complained against (a reasonable Sum for his Costs and Charges having been tendered to him), shall refuse or neglect to appear at the Time and Place for that Purpose appointed, without a reasonable Excuse for such Refusal or Neglect, to be approved of by such Justice, or appearing shall refuse to be examined on Oath or Affirmation, and to give Evidence before such Justice, then in either of the said Cases such Person shall forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

For compelling Witnesses to attend.

XLVIII. Provided always, and be it further enacted, That in any Case (other than is already provided for as to the Claims to Exemption in respect of privileged Property) if any Person shall think himself aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, he having first paid the said Rate or Assessment, or if any Person shall think himself aggrieved by any other Matter or Thing to be done in pursuance of this Act, every such Person may appeal to the Justices at any General or General Quarter Sessions of the Peace to be holden for the Borough of *Leeds* within Four Calendar Months next after the Cause of Complaint shall have arisen, such Appellant giving Ten Days Notice at least in Writing of his Intention to make such Appeal, and of the Cause and Matter thereof, to the said Trustees, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace of the said Borough, with Two sufficient Securities, conditioned to try such Appeal, and abide the Order of the Justices of such Sessions, and pay such Costs as shall be awarded against him at such Sessions; and the Justices at such Sessions shall hear and finally determine the Cause

Persons aggrieved may appeal to Quarter Sessions.

[Local.]

5 F

and

and Matter of such Appeal in a summary Way, and if they see Cause may order any Money to be returned which shall have been paid and levied in pursuance of such Assessment, and shall and may also award such Costs to the Party appealing or appealed against as they shall think proper, and their Determination therein shall be final and binding and conclusive to and upon all Parties to all Intents and Purposes; and it shall be lawful for such Justices, and they are hereby required, by Warrant under the Hands and Seals of any Two or more of them, to cause the Costs which shall be awarded to be levied by Distress and Sale of the Goods of the Party liable to pay the same, rendering the Overplus (if any), upon Demand, to the Owner of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale.

Assessments  
may be  
amended by  
Justices at  
Quarter  
Sessions.

XLIX. And be it further enacted, That upon all Appeals from any Rate or Assessment made for the Purposes of this Act the Court of General or Quarter Sessions of the Peace for the Borough of *Leeds* shall and such Court is hereby authorized and required (in all Cases where they shall see just Cause to give Relief) to amend such Rate or Assessment, either by inserting therein or striking out the Name of any Person, or by altering the Sum therein charged on any Person, or in any other Manner which the said Court shall think necessary for giving such Relief, and without quashing or wholly setting aside such Rate or Assessment: Provided always, that if the said Court shall be of opinion that it is necessary for the Purpose of giving Relief to the Person appealing that the Rate or Assessment shall be wholly quashed, then the said Court may quash the same: Provided also, that the said Court shall also direct, if it shall think fit, that every Sum of Money in and by such Rate or Assessment charged on any Person shall be levied and recovered by such Ways and Means and in such and the same Manner as if no Appeal had been made against such Rate or Assessment, and that every Sum of Money which any Person charged in such Rate or Assessment shall pay, or which shall be levied upon or recovered from him, shall be deemed and taken as Payment on account of the next effective Rate or Assessment which shall be made for the Purposes of this Act.

Directing  
how Assess-  
ments may  
be recovered  
when in-  
creased by  
Quarter  
Sessions.

L. And be it further enacted, That if upon the hearing of any Appeal from or against any Rate or Assessment the said Court shall order the Name of any Person to be inserted therein, and such Person to be rated or assessed at any Sum of Money, or shall order the Sum at which any Person is therein rated or assessed to be raised or increased, then and in such Case every Sum of Money at or to which such Person shall be so ordered to be rated or assessed, or to be raised or increased, or so much thereof as shall not have been already paid, shall and may be recovered in such and the same Manner and by such and the same Means as if he had been originally named in such Rate or Assessment, and rated and assessed therein at such Sum of Money.

Proceedings  
not to be

LI. And be it further enacted, That no Assessment or other Proceeding to be had touching any Order made, or other Matter

or

or Thing to be done or transacted in or relating to any Complaint or Appeal, or any Order or Determination thereon, in pursuance of this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable into any of Her Majesty's Courts of Record by Certiorari or any other Writ or Process whatsoever, any Law, Statute, or Usage to the contrary notwithstanding.

quashed for Want of Form.

LII. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act the Distress itself shall not be deemed unlawful, nor the Party making the same be deemed a Trespasser on account of any Defect or Want of Form in any Proceedings relating thereto; nor shall the Party distraining be deemed a Trespasser *ab initio* on account of any Irregularity which shall afterwards be done or committed by the Party distraining, but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage only in an Action on the Case.

Distress not unlawful for Want of Form.

LIII. Provided always, and be it further enacted, That no Plaintiff shall recover any Damages in any Action for any Irregularity, Trespass, or wrongful Proceedings made or committed in execution of this Act if Tender of sufficient Amends shall be made by or on behalf of the Party who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings before such Action brought; and in case no such Tender shall have been made it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall see fit, whereupon such Proceedings or Order and Judgment shall be had, made, or given by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not to recover after Tender of sufficient Amends.

LIV. And be it further enacted, That in all Cases where any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter of Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath, or to receive the Affirmation of any Person, before such Person shall be examined by or before such Justice.

General Power to Justices to administer Oaths or receive Affirmations.

LV. And be it further enacted, That in all Actions, Prosecutions, Appeals, and Proceedings whatever relating to or concerning the Execution of this Act no Person shall be disqualified from giving Evidence by reason of such Person being charged with or being liable to pay any Rate or Assessment or any other Sum of Money charged by or by virtue of this Act.

Persons not disqualified from giving Evidence by reason of their paying Rates.

LVI. And be it further enacted, That in all Cases wherein any Person shall be convicted of any Offence against this Act, or any Matter in pursuance thereof, the Conviction shall be in the Words or to the Effect following; *videlicet*,

Form of Conviction.

‘ to wit. } BE it remembered, That on this Day  
 ‘ of in the Year of our Lord  
 ‘ A.B. is duly convicted before me [or us], One [or Two] of Her Majesty's

‘ Majesty’s Justices of the Peace for the Borough of *Leeds*, of having  
 ‘ [*here state the Offence*], against the Act [*as the Case may be*], con-  
 ‘ trary to the Form of the Statute in that Case made and provided;  
 ‘ and I [*or we*] do hereby declare and adjudge that the said *A. B.*  
 ‘ hath forfeited for this his [*or her*] said Offence the Sum of  
 ‘ Given under my [*or our*] Hand and Seal [*or Hands and Seals*]  
 ‘ the Day and Year first above written.’

Expences  
of Act how  
to be paid.

LVII. And be it further enacted, That the Costs, Charges, and Expences attending or incident to the obtaining and passing of this Act shall be paid by the Trustees out of the first Monies to be raised by virtue of this Act; and in case any Person shall advance and pay or have already advanced and paid any Money in discharge of the Expences of applying for and obtaining this Act, such Person shall be repaid the same by the said Trustees, with lawful Interest thereon.

Construction  
of Terms.

LVIII. And be it further enacted, That wherever in this Act any Word is used importing the Singular Number only, such Word shall extend to and include several Persons or Things as well as one Person or Thing; and every Word importing the Plural Number shall be applied to and comprise one Person or Thing as well as several Persons or Things; and the Word “Corporation” shall be understood to mean any Body or Bodies Politic, Corporate, or Collegiate, Corporation or Corporations, Civil or Ecclesiastical, Aggregate or Sole, as well as an Individual; and the Word “Lands” shall extend to Messuages and all other Corporeal Hereditaments whatsoever, unless it be otherwise specially directed or provided for, or there be something in the Subject or Context repugnant to such Construction.

General  
Saving.

LIX. Saving always to the Queen’s most Excellent Majesty, Her Heirs and Successors, and to all and every Person and Persons, Bodies Politic and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators (other than and except the said *Edward Hudson*, his Heirs and Assigns, and all Persons claiming or deriving any Estate, Right, Title, or Interest by, from, through, under, or in Trust for him), all such Estate, Right, Title, Interest, Claim, and Demand as they or any of them had before the passing of this Act, or could or might have had or enjoyed in case this Act had not been passed.

Public Act.

LX. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.