



ANNO DECIMO

# GEORGIIV. REGIS.

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## *Cap. cxix.*

An Act to alter, amend, and enlarge the Powers of several Acts passed for holding a Market in the Parish of *Saint Saviour* in the Borough of *Southwark* in the County of *Surrey*, and for granting more effectual Provisions for that Purpose.

[4th June 1829.]

**W**HEREAS by an Act passed in the Twenty-eighth Year of the Reign of His Majesty King *George* the Second, intituled 28 G. 2. c. 23. *An Act to enable the Churchwardens, Overseers, and Inhabitants of the Parish of Saint Saviour in the Borough of Southwark in the County of Surrey to hold a Market within the said Parish, not interfering with the High Street in the said Borough*, it was (amongst other Things) enacted, that certain Persons therein mentioned should be appointed Commissioners for carrying the said Act into execution, and that it should be lawful for the said Commissioners to enter upon a certain Piece of Ground in the said Act described, and to set out such Parts thereof as they should adjudge proper for holding a Market thereon, and that so soon as the Ground should be set out as therein mentioned, it should be lawful for the Churchwardens and Overseers of the Poor of the said Parish of *Saint Saviour* for the Time being, together with Eleven of the most substantial Inhabitants, to be from

[Local.]

32 O

Time

30 G. 2, c. 31.

Time to Time chosen and appointed by the Vestry of the said Parish, or any Seven or more of them, on the Behalf of themselves and the rest of the Inhabitants of the said Parish, to purchase the said Ground and any Buildings erected thereon, and convert the said Ground into a Place for holding the said Market thereon, in Trust nevertheless for the Uses, Intents, and Purposes therein-after enacted concerning the same; and that the said Churchwardens, Overseers, and Inhabitants, or any Seven or more of them, should possess and enjoy the Right of holding the said Market for the Borough of *Southwark* on the Ground which should be so purchased, and to receive and take the usual and accustomed Rents, Tolls, and Profits thereof, in as full, ample, and beneficial a Manner as the same were at any Time theretofore held or enjoyed by the Mayor, Commonalty, and Citizens of the City of *London* in or upon the ancient Market by them holden within the Borough of *Southwark*, together with such Rights, Privileges, Emoluments, and Appurtenances whatsoever as were theretofore used and enjoyed as belonging or appertaining to the said Market; and it was thereby further enacted, that all Lands, Tenements, and Hereditaments so to be purchased for the Site of the said Market as aforesaid, and all Sheds, Stalls, Stands, and other Erections to be built or set up thereupon, and the Rents and Profits arising from the same, should be and were thereby vested in the said Churchwardens, Overseers, and Inhabitants, or their Successors, for ever, and that they should stand seised thereof in Trust for the several Uses, Intents, and Purposes therein mentioned: And whereas by an Act passed in the Thirtieth Year of the Reign of His said Majesty King *George* the Second, intituled *An Act to explain, amend, and render more effectual an Act passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled 'An Act to enable the Churchwardens, Overseers, and Inhabitants of the Parish of Saint Saviour in the Borough of Southwark in the County of Surrey to hold a Market within the said Parish, not interfering with the High Street in the said Borough,'* after reciting that Doubts had arisen respecting the Description of the Piece of Ground mentioned in the said recited Act, it was, amongst other Things, enacted, that the said Piece of Ground mentioned and described in the said recited Act should be adjudged and taken to contain the Piece of Ground in the said former Act mentioned, called the *Triangle*, and all Buildings thereon, and such other Buildings and Ground as in the Act now in recital is mentioned; and it was by the said Act recited, that the Houses, Ground, and Buildings called *Rochester Yard*, were, by Indenture of Lease bearing Date on or about the Nineteenth Day of *August* One thousand seven hundred and thirty, demised by *Samuel* Lord Bishop of *Rochester*, who was seised of the same in his Demesne, as of Fee, in Right of his Cathedral Church, to *John Howell* of *Lincoln's Inn*, Esquire, to hold to him, his Heirs and Assigns, for the Term of Three Lives therein named, and the longest Liver of them, at and under the accustomed yearly Rent of Twenty Pounds, and usual Covenants; and that the Churchwardens, Overseers, and Inhabitants, or Seven or more of them, in pursuance of the said recited Act, or under colour thereof, did, by Indenture bearing Date on or about the Twentieth Day of *January* One thousand seven hundred and fifty-six, purchase Part of *Rochester Yard* aforesaid, in the said Indenture particularly mentioned and described, of the said *John Howell*, subject to the

the Payment of Fourteen Pounds Thirteen Shillings and Sixpence to the Bishop of *Rochester*, Part of the said yearly Rent of Twenty Pounds, and did cause the Buildings that stood thereon to be taken down, and the Ground to be made Part of the Area of the then intended Market, with a View of erecting divers new Dwelling Houses there for the Accommodation of the Butchers and others exposing or intending to expose Provisions and other Goods to Sale therein; to the Intent therefore that the said former Act might be carried into execution, and the Market therein mentioned might be erected, held, continued, and maintained, it was by the Act now in recital further enacted, that it should be lawful for the Right Reverend Father in God *Zachary* Lord Bishop of *Rochester*, and his Successors, and they were thereby enabled and empowered, upon the Surrender of the whole Estate called *Rochester Yard*, demised as aforesaid, to regrant the same in separate Leases, (that was to say,) as soon as might be after the passing of the Act now in recital, to grant to the said Churchwardens, Overseers, and Inhabitants, their Trustees or Representatives, One Lease of that Part of *Rochester Yard* aforesaid by the said Indenture, dated the Twentieth Day of *January* One thousand seven hundred and fifty-six, granted and conveyed to them by the said *John Howell*, and in such Indenture particularly mentioned and described, for the Term of the Lives in being at the ensealing and Delivery thereof as aforesaid, at and under the said yearly Rent of Fourteen Pounds Thirteen Shillings and Sixpence, with usual Covenants, or upon the Reservation of such yearly Rent as should be agreed upon, and which should not be less than Fourteen Pounds Thirteen Shillings and Sixpence, payable as theretofore, with usual Covenants, it should be lawful for the said Lord Bishop of *Rochester* and his Successors to grant to the said Churchwardens, Overseers, and Inhabitants, their Trustees or Representatives, a Lease of that Part of *Rochester Yard* aforesaid by the said Indenture, dated the Twentieth Day of *January* One thousand seven hundred and fifty-six, granted and conveyed to them by the said *John Howell*, and in the said Indenture particularly mentioned and described, to hold for any Term not exceeding Sixty Years from the making thereof, and to renew the same from Time to Time: And whereas, in pursuance of the Powers contained in the said first-recited Act, the said Piece of Ground mentioned in the firstly herein-before recited Act was purchased, and the same is, under and by virtue of the said Act, now vested in the Churchwardens, Overseers, and Inhabitants of the said Parish of *Saint Saviour* in the Borough of *Southwark*, for the Purposes in the said Act mentioned; and the said Piece of Ground, described in the secondly herein-before recited Act as Part of *Rochester Yard*, has, since the passing of the last-mentioned Act, been from Time to Time demised by the Lord Bishop of *Rochester* for the Time being in Trust for the said Churchwardens, Overseers, and Inhabitants of the said Parish, and, under and by virtue of an Indenture bearing Date the Ninth Day of *August* One thousand eight hundred and nineteen, the same Hereditaments were demised to the Wardens of the Parish Church of *Saint Saviour* and their Successors, from *Midsummer* Day then last, for the Term of Sixty Years, at the yearly Rent of Forty Pounds, and the same Lease was granted in pursuance of the Powers contained in the last-recited Act, and the same Hereditaments were so demised as aforesaid to the  
said

4 G. 4. c. 34. said Wardens, nevertheless as Trustees for the said Churchwardens, Overseers, and Inhabitants, and as Part of the Site of the said Market : And whereas an Act was passed in the Fourth Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act to alter and amend Two several Acts passed in the Twenty-eighth and Thirtieth Years of His Majesty King George the Second, for the Purpose of enabling the Churchwardens, Overseers, and Inhabitants of the Parish of Saint Saviour in the Borough of Southwark in the County of Surrey to hold a Market within the said Parish* : And whereas such Market has, in pursuance of the aforesaid Acts, been held accordingly on the said Site, and is called "The New or Borough Market;" and certain Persons carrying on the Business of Market Gardeners, and being Growers of Fruit, Flowers, Vegetables, Roots, and Herbs for Sale in public Markets, have been accustomed to resort to the said Market, and by themselves or their Servants to expose and sell their said Goods, free from the Tolls and Sums of Money paid by other Persons resorting to the said Market, and upon Payment of certain Small Rents and Sums of Money as hereafter in that respect particularly mentioned and specified : And whereas, since the passing of the said last-recited Act, the Number of Persons resorting to the said Market has greatly increased, and in consequence thereof, and for the Purpose of affording greater Accommodation to such Persons, divers of the Buildings and Erections which were upon Part of the said Ground so purchased for the Site of the said Market, and comprised in the said Lease from the said Bishop of *Rochester*, have been from Time to Time taken down and removed under the Authority of the Churchwardens, Overseers, and Inhabitants of the said Parish, and there have been erected, laid out, and made on a Part of the Site of the said Market divers Stands, Vaults, Cellars, Warehouses, Footpaths, and Gangways well adapted for the Purposes of the said Market and the Convenience of the Persons frequenting the same : And whereas a Plan of the Site of the said Market, including the Ground so purchased, and also the Ground and Hereditaments comprised in the said Indenture of Lease, has been made and deposited in the Parliament Office, and in the said Plan the several Stands, Footpaths, and Gangways are shewn and set forth : And whereas it is expedient that Provisions should be made for the better Regulation of the said Market and the Rents and Tolls thereof; but such beneficial Purposes cannot be effected without the Aid and Authority of Parliament : May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the Powers, Authorities, Penalties, Forfeitures, Provisions, Matters, and Things in the said recited Acts contained, (save and except such Parts thereof as are varied, altered, or repealed, or are inconsistent with the Powers hereby given,) shall be and remain in full Force and Effect, and be as effectual for carrying this Act into execution, as if the same were herein repeated and re-enacted.

Powers, &c. of recited Acts (except such as are repealed) extended to this Act.

Copy of the Plan to be deposited with the

II. And be it further enacted, That a Copy of the said Plan so deposited in the Parliament Office as aforesaid shall be authenticated by the Signature of the Right Honourable the Speaker of the House of

of

of Commons, and shall be deposited with the Clerk of the Peace for the County of *Surrey* within Three Calendar Months from the passing of this Act, to the end that all Persons may, at all seasonable Times, have Liberty to inspect and peruse such Copy at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection; and such Copy shall, for all Purposes of Evidence, be deemed and considered an original Plan, and be admitted and received as such by all Judges, Justices, and others; and a Copy of such Copy, signed by the said Clerk of the Peace, shall be admitted and received in Evidence in like Manner as such Copy, without Proof of the Handwriting of the said Clerk of the Peace who shall sign the same; and the said Clerk of the Peace shall furnish a Copy of such Copy to any Person applying for the same, on Payment of the Sum of Ten Shillings and Sixpence.

Clerk of the Peace for the County of Surrey, and to be open to Inspection.

III. And be it further enacted, That it shall and may be lawful to and for the said Churchwardens, Overseers, and Inhabitants, and they are hereby authorized and required, before the Expiration of Six Calendar Months next after the passing of this Act, to arrange and appropriate the Site or Area of the said Market in the Manner delineated or shewn in the said Plan, and herein-after directed; (that is to say,) those Parts which are marked respectively in the said Plan with the Letter A., and divided into Stands denominated the "Inner Standings," with the Vaults, Cellars, and Warehouses made or to be made on or under the said Market, shall be appropriated to the Sale of Vegetables, Roots, Flowers, Herbs, Fruit, Poultry, Butcher's Meat, and such other Articles of Provision as have been usually exposed to Sale in the said Market; and the said Churchwardens, Overseers, and Inhabitants are hereby authorized to let the said Stands, Vaults, Cellars, and Warehouses to any Persons who shall be desirous of taking the same, by the Year, or for any shorter Period, at such Rent or Rents as they shall think fit, and also subject to the Payment of such Tolls and Sums of Money by the Person or Persons exposing such Articles for Sale as aforesaid as are mentioned and specified in the Schedule to this Act; provided that the said Stands be used and occupied only by Persons dealing in or selling the Articles before specified, or such other Articles as the said Churchwardens, Overseers, and Inhabitants shall think fit and proper to be sold, being Articles usually sold in Markets ouvert.

Appropriation of that Part of the Market marked A. on the Plan.

IV. And be it further enacted, That the Remainder of the Site or Area of the said Market, as delineated in the Plan, shall be appropriated as follows; (that is to say,) those Parts thereof marked respectively with the Letters B. C. D. and E. shall from and after the passing of this Act be appropriated to and for Market Gardeners, being Growers of Fruit, Flowers, Vegetables, Roots, and Herbs, and subject only to such Rent or Sum and Sums of Money as herein-after particularly mentioned and expressed; (that is to say,) those Parts of the said Market respectively marked with the Letter B, and delineated in the said Plan, shall be called "The Gardeners Yearly Pitching Stands," and shall be exclusively appropriated to the exposing to Sale and selling Fruit, Flowers, Vegetables, Roots, and Herbs by the Market Gardeners being Growers thereof, and shall for such Purpose be let to any of the Market Gardeners, being Growers as aforesaid,

Appropriation of those Parts marked B.C.D. and E.

by the said Churchwardens, Overseers, and Inhabitants, at and after the Rate of One Shilling *per Annum* for every Square Foot superficial thereof; those Parts of the said Market which are respectively marked with the Letter C, and delineated in the said Plan, shall be called "The Gardeners Yearly Cart Stands," and shall be cleared of all Obstructions, paved and appropriated for the Reception of Waggons and Carts in which Fruit, Flowers, Vegetables, Roots, and Herbs shall be brought to the said Market for Sale by Market Gardeners, being Growers as aforesaid, and shall be let to them or any of them by the Year, at a Rent not exceeding One Pound One Shilling *per Annum* for each Cart Stand, and in addition to such Rent, and for the exposing to Sale and selling such Fruit, Flowers, Vegetables, Roots, and Herbs as shall be brought by such Market Gardeners, being Growers, the Holders of such Stands as aforesaid shall pay the Sum of Eight-pence for each Waggon Load, and Four-pence for each Cart Load, whether such Waggon or Cart shall be brought or placed in any of such Stands, or the Contents thereof only shall be placed, pitched, or exposed for Sale or sold in any of such Stands; that such Part of the said Market marked with the Letter D., and delineated in the said Plan, shall be called "The Gardeners Casual Cart Stands," and in like Manner be paved and appropriated for the Reception of Waggons and Carts in which Fruit, Flowers, Vegetables, Roots, and Herbs shall be brought to the said Market by Market Gardeners, being Growers as aforesaid, and for every such Waggon and Cart so laden as aforesaid, whether the same shall be brought or placed on such Part of the said Market, or the Contents thereof shall be placed, pitched, or exposed for Sale or sold in any of such Stands, there shall be paid the Toll or Sum and Sums of Money following, (that is to say,) for a Waggon Load Eight-pence, and for a Cart Load Four-pence; those Parts of the said Market which are respectively marked with the Letter E, and delineated in the said Plan, shall be called "The Gardeners Casual Pitching Stands," and shall in like Manner be appropriated for the Sale of Fruit, Flowers, Vegetables, Roots, and Herbs brought to the said Market by Market Gardeners, being Growers as aforesaid, and for the pitching, exposing to Sale, or selling such Fruit, Flowers, Vegetables, Roots, and Herbs as aforesaid, the said Market Gardeners, being Growers as aforesaid, shall pay the Tolls or Sums of Money following, (that is to say,) for a Waggon Load Eight-pence, and for a Cart Load Four-pence.

Appropriation of the Part marked F. and G.

V. And be it further enacted, That those Parts of the said Site marked in the said Plan with the Letter F., and whereon certain Buildings are now erected, may be let from Time to Time at such Rent and for such Term as the said Churchwardens, Overseers, and Inhabitants shall think fit; provided nevertheless, that it shall be lawful for the said Churchwardens, Overseers, and Inhabitants, at any Time hereafter, to pull down and remove the said Buildings or any of them, and to appropriate the Site thereof to the same Purposes as that Part of the said Site herein-before marked A. in the said Plan is herein-before appropriated, or to any other Purposes to which any other Part of the said Site is herein-before appropriated, and from Time to Time to alter and vary any such Appropriation for any of the aforesaid Purposes, as they shall think fit, so as every such Appropriation be expressed in Writing, and

signed by the Churchwardens, Overseers, and Inhabitants, Trustees as aforesaid, and a Plan of such Alteration and Appropriation be deposited with the Clerk of the Peace for the said County of *Surrey* within Three Calendar Months after the making of such Alteration and Appropriation; and those Parts of the said Market which are marked respectively in the said Plan with the Letter G. shall be set out and appropriated as and for Footpaths or Gangways.

VI. And be it further enacted, That no Waggon or Cart laden with Fruit, Flowers, Vegetables, Roots, Herbs, Bulk, Basket, Package, Hamper, or other Thing intended for Sale on the following Day, shall be placed in or upon any Part of the Market before Eight of the Clock on the preceding Evening, and no Waggon or Cart shall remain on any Part of the said Market longer than One Hour after the same shall have been unladen.

Regulations  
as to Time  
for Waggons  
and Carts.

VII. Provided always, and be it further enacted, That if at any Time or Times hereafter any Part or Parts of the said Market delineated in the said Plan, and called "The Gardeners Yearly Pitching Stands," or "The Gardeners Yearly Cart Stands," and appropriated to Market Gardeners, being Growers as aforesaid, shall be vacated or unlet, that it shall and may be lawful to and for the said Churchwardens, Overseers, and Inhabitants, upon giving Fourteen Days previous Notice in Writing upon such Stands or Places or Stand or Place as shall be vacant or unlet as aforesaid, that the same are or is to be let, and no Market Gardener or Market Gardeners, being Grower or Growers as aforesaid, offering or consenting to take the same or either of them upon the Terms on which Market Gardeners, being Growers, are entitled by this Act to have and hold the same, to let such Stands or Stand, Place or Places, to any Person or Persons not being Market Gardeners and Growers as aforesaid for any Term not exceeding Three Months; and at the Expiration of such Term, and after giving Fourteen Days Notice as aforesaid, and no Market Gardener or Gardeners, being Growers as aforesaid, offering and consenting to take such Stand or Stands, Places or Place, upon the Terms on which they are entitled to have and hold the same as aforesaid, the said Churchwardens, Overseers, and Inhabitants may be at liberty to let the same for a further Term of Three Months, and so from Time to Time, upon giving such Notice as aforesaid, to let the same, until a Market Gardener or Gardeners, being a Grower or Growers as aforesaid, shall consent to take such Stands or Stand, Places or Place, upon the Terms and agreeable to the Regulations upon which the same are appropriated to Market Gardeners, being Growers as aforesaid.

Vacant  
Standings  
may be let.

VIII. Provided always, and be it further enacted, That notwithstanding any thing herein-before contained it shall and may be lawful for any Person, with the Consent of the said Churchwardens, Overseers, and Inhabitants, to place or put any Waggon or Cart containing any Fruit, Flowers, Vegetables, Roots, Herbs, or other Things as aforesaid, and to place, pitch, expose for Sale, or sell any Fruit, Flowers, Vegetables, Roots, Herbs, or other Things, in or upon any Part of the said Market marked with the Letters (B), (C), (D),

Authorizing  
Persons to  
place Fruit,  
&c. on vacant  
Parts of cer-  
tain Stand-  
ings, subject  
to the Rights  
of Persons  
having a

and

preferable  
Right under  
this Act.

and (*E*) as aforesaid, whether such Parts shall be let or not, for and during such Time as such Parts of the said Market shall remain unoccupied or vacant; but subject and without Prejudice to the Right of the said Gardeners, being Growers as aforesaid, having the preferable Right, under the Provisions of this Act, to resort thereto as herein-before provided; which Person so placing or putting such Waggon or Cart, or so placing, pitching, exposing for Sale, or selling Fruit, Flowers, Vegetables, Roots, Herbs, or other Goods, on such unoccupied or vacant Parts of the said Market, shall pay to the said Churchwardens, Overseers, and Inhabitants, or their Lessees thereof, such Rent, Toll, or Sum of Money as is mentioned or specified in the Schedule to this Act; and such last-mentioned Person shall and is hereby required to remove such Waggon, Cart, Goods, and other Articles placed by him or her on such unoccupied or vacant Part of the said Market, when and so often as any Person having a preferable Right as Market Gardener and Grower as aforesaid, under the Provisions of this Act, shall have Occasion to occupy the same: Provided nevertheless, that in case of any such Removal the Person so removing shall be at liberty to take to and place in and upon any other Part of the said Market the Goods and other Articles so removed by him or her, and to place, pitch, expose for Sale, and sell any Fruit, Flowers, Vegetables, Roots, Herbs, or other Goods so removed by him or her upon any other Part of the said Market which, at the Time of such Removal, may chance to be unoccupied, (if any such there be,) without paying any additional Toll or Sum of Money for such Liberty.

Stands not  
to be under-  
let, without  
Consent.

IX. Provided always, and be it further enacted, That it shall not be lawful for any Person or Persons to underlet any Standing which such Person may have agreed to take either for One Day or for any other Period, or to permit any Person not having taken such Standing to expose to Sale any Wares or Goods thereon not the Property of the Holder of such Stand, without the Consent of the said Churchwardens, Overseers, and Inhabitants, or their Tenants, first had; and that any Person so underletting any such Stand, or permitting such Exposure of Wares or Goods, shall forfeit the Sum of Five Pounds for every such Offence.

Stands not  
used may  
be taken  
Possession  
of.

X. And be it further enacted, That when any Person or Persons who may have hired any Stand whatever, for a Day or otherwise, shall leave such Stand, then the same may (subject to the Right of such Person or Persons to re-occupy the same for the Time of the Hiring) be taken Possession of by the said Churchwardens, Overseers, and Inhabitants, or their Lessee or Lessees, and be let and disposed of in such Manner and on such Terms as they shall think fit, so that no greater Rent be taken for any of such Standings on any such Reletting than is specified in the said Schedule.

Fruit, &c.  
may be  
placed upon  
Inner Stand-  
ings in cer-  
tain Cases.

XI. Provided always, and be it further enacted, That nothing herein-before contained shall prevent the said Churchwardens, Overseers, and Inhabitants, or their Lessee or Lessees, from permitting any Person, and it shall be lawful for any Person, with such Permission, to place, pitch, expose for Sale, or sell any Fruit, Flowers, Vegetables,  
Roots,



Roots, Herbs, or other Goods in or upon any Part of the said Inner Standings marked with the Letter (*A*), whether such Part of the Inner Standings shall be let or not, for and during such Time as such Part of the Inner Standings shall be unoccupied or vacant; but subject and without Prejudice to the Right of any Person having a preferable Right, under the Provisions of this Act, to resort to such Inner Standings as herein-before provided; which Person so placing, pitching, exposing to Sale, or selling Fruit, Flowers, Vegetables, Roots, or Goods on any Part of the said Inner Standings, with such Permission as aforesaid, shall pay to the said Churchwardens, Overseers, and Inhabitants, or their Lessee or Lessees, such Toll or Sum as is mentioned or specified in that Behalf in the Schedule to this Act, to be paid for as a Daily Standing; and such last-mentioned Person shall and is hereby required to remove from such Part of the Inner Standings so occupied by him or her with such Permission as aforesaid the Goods and other Articles placed by him or her upon any Part of the Inner Standings, when and so often as any Person having a preferable Right, under the Provisions of this Act, to resort to such Part of the Inner Standings so occupied with such Permission as aforesaid, shall have Occasion to occupy the same: Provided nevertheless, that in case of any such Removal as lastly herein-before mentioned, the Person so removing shall be at liberty to take to and place, pitch, expose for Sale, and sell the Fruit, Flowers, Vegetables, Roots, Herbs, or Goods so removed by him or her, in or upon any other Part of the said Inner Standings which at the Time of such Removal may be unoccupied, (if any such there be,) without paying any additional Toll or Sum of Money for such Liberty.

XII. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, and Inhabitants, at any Time or Times after the passing of this Act, and from Time to Time, to demise and let the said Market, or any Part thereof, and also the Rents, Tolls, Stallage, Duties, Sum or Sums of Money to be collected or to arise from or in respect of the said Market by virtue of this Act, as they shall think fit, or otherwise howsoever, to any Person or Persons who shall be willing to take and farm the same respectively, by public Auction or private Contract, for a Year, or any Period not exceeding Seven Years from the Date of any such Lease, upon such Terms and Conditions, at such Rent or Rents, and to take such Securities for the Payment of the same, as shall be agreed upon and settled by the said Churchwardens, Overseers, and Inhabitants, and the Person or Persons to whom such Lease or Leases shall be made, so as no Fine or Premium be taken on any such Lease.

Power to  
lease the  
Market or  
the Tolls, &c.

XIII. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, and Inhabitants, at any Time or Times after the passing of this Act, and either before or after or during any such Lease of the said Market, and when and as Occasion shall require, to appoint a Clerk, Inspector, or Collector, and also appoint and employ such other Officers and Persons as the said Churchwardens, Overseers, and Inhabitants shall think necessary for the Purposes of this Act or the said recited Acts, and upon any such Appointment as aforesaid to take sufficient Security from every such Collector, or

Power to  
appoint  
Clerk, &c.

[*Local.*]

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from

from any other Officer to be so appointed for the due Execution of their respective Offices, and for the Payment of the Money received by them, and for the delivering up all Books, Deeds, Papers, and other Things which shall come into their Hands by virtue of this Act; and the said Churchwardens, Overseers, and Inhabitants shall from Time to Time remove and displace any such Officers or Persons as they shall see Occasion, and elect and appoint others in the Room of such of them as shall be removed or die; and the said Churchwardens, Overseers, and Inhabitants may, out of the Monies which shall arise in respect of the said Market, allow and pay to every such Clerk, Inspector, Collector, or other Officer and Persons to be employed as aforesaid, such Salary and Allowance for his Attendance, Care, and Service, as to the said Churchwardens, Overseers, and Inhabitants shall seem reasonable.

Treasurer  
and Clerk  
not to be the  
same Person.

XIV. Provided always, and be it further enacted, That it shall not be lawful for the said Churchwardens, Overseers, and Inhabitants to continue or appoint the Person who has been or may be appointed the Clerk in the Execution of the said recited Acts and this Act, or any of them, or the Partner of any such Clerk or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, the Treasurer for the Purposes of the said recited Acts and this Act, or any of them, or to appoint any Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, the Clerk to the said Churchwardens, Overseers, and Inhabitants; and if any Person shall act in both the Offices of Clerk and Treasurer for the Purposes of the said recited Acts and of this Act, or any of them, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk or of his Partner, shall act as Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or being the Partner of any such Treasurer, or the Clerk or other Person in the Service or Employ of any such Treasurer or of his Partner, shall act as Clerk in the Execution of the said recited Acts and of this Act, or any of them, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk, or if any such Treasurer shall hold or accept any Office or Place of Profit or Trust under the said Churchwardens, Overseers, and Inhabitants, other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered with full Costs of Suit, in any of His 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.

Accounts to  
be kept of  
Receipts and  
Disburse-  
ments.

XV. And be it further enacted, That the said Churchwardens, Overseers, and Inhabitants shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and  
expended

expended for and on account of the said recited Acts and this Act, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Churchwardens, Overseers, and Inhabitants, or any Creditor or Creditors on the Tolls granted by the said recited Acts and this Act, or any of them, without Fee or Reward; and the said Churchwardens, Overseers, and Inhabitants, and Creditors, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Churchwardens, Overseers, and Inhabitants, or such Creditors, or any of them, to inspect the same at all seasonable Times, or take such Copies or Extracts as aforesaid, such Clerk shall forfeit and pay any Sum not exceeding Five Pounds.

XVI. And be it further enacted, That from and after the passing of this Act it shall be lawful for the said Churchwardens, Overseers, and Inhabitants, as Trustees of the said Market, and their Lessee or Lessees, to demand and take, or cause to be demanded and taken, of and from all and every Person and Persons, not being Market Gardeners and Growers as aforesaid, who shall place, pitch, expose for Sale, or sell, within any Part of the said Market, any Fruit, Flowers, Vegetables, Roots, Seeds, Herbs, or Goods, on each and every Day on which the same shall be so placed, pitched, exposed for Sale, or sold, the Toll or Tolls, Sum or Sums of Money, mentioned in the Schedule to this Act, and also from Time to Time to demand and take, or cause to be demanded and taken, the several Rents or Sums herein-before and in the said Schedule respectively mentioned; and this Provision, together with a Copy of the Schedule to this Act, shall, within Two Calendar Months after the passing of this Act, be painted on Boards in legible Characters, and put up and exposed to public View in some conspicuous Part of the said Market, and the same shall from Time to Time be renewed and replaced when and as often as the same shall be obliterated or defaced.

Power to  
take Tolls.

XVII. And be it further enacted, That from and after the passing of this Act no Toll or Tolls shall be payable by any Person or Persons who shall buy any Fruit, Flowers, Vegetables, Roots, Herbs, or other Goods within the said Market, for or in respect of any such Articles so by him, her, or them bought within the said Market, unless the same shall be by him, her, or them again placed, pitched, exposed for Sale, or sold within the said Market.

No Toll to  
be taken of  
Purchasers,  
unless the  
Articles are  
again exposed  
for Sale.

XVIII. And be it further enacted, That from and after the passing of this Act if any Person or Persons who shall hold, use, or occupy any Building, Warehouse, Cellar, or Stand within the said Market, shall refuse to pay the Rent or Sum of Money which shall be due or payable in respect thereof, or if any Person who shall place, pitch, expose for Sale, or sell, within any Part of the said Market, any Articles, or the Person or Persons for or on whose Account the same shall be placed, pitched, exposed for Sale, or sold, shall neglect or refuse to pay the Toll or Sum of Money which shall be due or payable for

For Recovery  
of Rents and  
Tolls.

for or in respect thereof, it shall be lawful for the said Churchwardens, Overseers, and Inhabitants, or their Tenant or Tenants, Lessee or Lessees thereof for the Time being, or any other Person authorized by them so to do, to levy and recover such Rent, Toll, or Sum of Money by Distress and immediate Sale of a sufficient Part of any Goods or Wares at any Time found in the said Market of or belonging to the Person or Persons so neglecting or refusing, returning to such Person or Persons, on Demand, the Overplus (if any) which shall remain after Payment of the said Rent, Toll, or Sum of Money, and the reasonable Costs, Charges, and Expences of such Distress and Sale; and in case any Difference shall arise between the Parties concerning such Costs, Charges, and Expences, the same shall be finally settled by any Justice or Justices of the Peace for the County of *Surrey*, or for the Town and Borough of *Southwark* in the said County, wherein such Difference shall arise, upon Application made to him or them for that Purpose within Seven Days next after the said Distress and Sale, or Return of the said Overplus.

Disputes concerning Tolls to be settled by a Justice.

XIX. And be it further enacted, That if any Dispute shall happen respecting the demanding or taking or the Payment of any Toll or Sum of Money, or the Amount thereof due, or the Charges of keeping or selling any Distress, such Dispute shall be heard and determined by some Justice of the Peace for the said County of *Surrey* or of the Town and Borough of *Southwark*, who, upon Application made to him for that Purpose, shall examine the Matter on Oath of the Parties or other Witness or Witnesses, (which Oath the said Justice is hereby authorized and empowered to administer,) and shall determine the Amount of the Toll or Sum of Money due, and other Matters in dispute between the Parties, and may also award such Costs to be paid by either Party to the other as to such Justice may seem just and reasonable; all which Costs, in case the same shall not be forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Person or Persons so awarded or directed to pay the same, by Warrant under the Hand and Seal of such Justice (which Warrant every such Justice is hereby empowered to issue); and the Overplus, (if any,) after Payment of such Costs, and the Costs of such Distress and Sale, shall be returned, upon Demand, to the Person or Persons whose Goods and Chattels shall have been so distrained.

Rent or Tolls of Market may be recovered by Action.

XX. Provided always, and be it further enacted, That nothing in this Act contained shall hinder or prevent the said Churchwardens, Overseers, and Inhabitants, or their Tenant or Tenants, Lessee or Lessees as aforesaid, or any of them, from suing for and recovering in any of His Majesty's Courts of Record at *Westminster* any Sum or Sums of Money whatsoever which after the passing of this Act shall become due or payable to them or any of them as, for, or in respect of any Rent or Toll due or payable under or by virtue of this Act.

Not to affect the Right to Stallage, Pickage, &c.

XXI. Provided always, and be it further enacted, That nothing in this Act contained shall in any Manner extend to alter, vary, lessen, diminish, or affect, or be deemed or construed to extend to

to alter, vary, lessen, diminish, or affect the Right or Title of the said Churchwardens, Overseers, and Inhabitants to Stallage, Pickage, or any other Liberties or Customs, Profits, Advantages, or Emoluments whatsoever (except the Rents and Tolls hereby specified) to the said Market belonging or appertaining at any Time before the passing of this Act, and that all such Customs, Profits, Advantages, or Emoluments whatsoever (except as aforesaid) shall remain, continue, and be as if this Act had not passed.

XXII. And be it further enacted, That, for the better Regulation of the said Market, it shall be lawful for the said Churchwardens, Overseers, and Inhabitants, and they are hereby authorized, from Time to Time to make, constitute, provide, and ordain Rules, Orders, and Bye Laws for the regulating, ordering, and governing the said Market, and the Persons coming and resorting thereto, in all Matters which shall concern or relate to the said Market, and for the Arrangement and Distribution, placing and ordering of the Waggon and Carts bringing or taking away Goods to or from the said Market, and of the Persons driving and having the Use of such Waggon and Carts, and of the Porters, Basket-women, and other Persons working or plying for Hire in the said Market, and from Time to Time to repeal, alter, add to, or amend such Rules, Orders, and Bye Laws, or any of them, and to ascertain and fix, and therein specify, what pecuniary or other Penalties and Forfeitures shall be incurred by any Person breaking such Rules, Orders, and Bye Laws, or any of them, provided that no such pecuniary Penalty or Forfeiture shall exceed the Sum of Forty Shillings for One Offence; all which Rules, Orders, and Bye Laws so made as aforesaid, not being repugnant to the Laws of this Realm or to the Provisions of this Act or the said recited Acts, all Persons are hereby required to observe and keep, under such Penalties and Forfeitures respectively as shall be so ascertained, fixed, and specified as aforesaid; and all such Rules, Orders, and Bye Laws shall be signed by the said Churchwardens, Overseers, and Inhabitants, and be deposited with the Clerk of the Peace for the said County of *Surrey*, and a Duplicate thereof also deposited with the Clerk of the Peace for the said Town and Borough of *Southwark*, and a Copy thereof shall be painted on Boards in legible Characters, and put up and exposed to public View in some conspicuous Part of the said Market, which shall from Time to Time be renewed and replaced when and as often as the same shall be altered, obliterated, or defaced: Provided always, that all such Rules, Orders, and Bye Laws, and all Convictions for any Penalties or Forfeitures imposed by virtue thereof, shall be liable to Appeal to the Justices at the General Quarter Sessions for the said County or for the said Town and Borough of *Southwark*, in like Manner as is herein-after provided or mentioned with respect to any other Matter of Appeal; and no such Rules, Orders, or Bye Laws shall have any Force until Ten Days after a Copy thereof shall have been so painted and put up and exposed to View as aforesaid, nor until after the General Quarter Sessions of the County of *Surrey* next after such Copy shall have been so painted and put up and exposed to public View as aforesaid.

Power to  
make Bye  
Laws for  
regulating  
the Market.

Penalty for  
assaulting  
any Clerk,  
Collector,  
&c.

XXIII. And be it further enacted, That if any Person shall assault, hinder, or obstruct any Clerk of the said Market, or any Collector of the Rents or Tolls by this Act authorized to be taken, or any other Officer or Person employed by the said Churchwardens, Overseers, and Inhabitants, or their Tenant or Tenants, Lessee or Lessees thereof, to superintend and regulate the said Market, and to keep Order therein, during the Time that any such Clerk, Collector, Officer, or other Person as aforesaid shall be in the Execution of his Duty, every Person offending in any such Cases shall forfeit and pay to the said Churchwardens, Overseers, and Inhabitants for every such Offence such Sum of Money, not exceeding Five Pounds, as any Justice or Justices of the Peace of the County of *Surrey* or of the Town and Borough of *Southwark* shall in that Behalf direct.

Penalty for  
injuring  
Buildings.

XXIV. And be it further enacted, That if any Person shall take away, remove, destroy, deface, injure, or pull up any Erection, Cistern, Wall, Fence, Pier, Pillar, Post, Rail, Pump, Pipe, or Pavement, or other Thing, or wilfully break or injure any Lamp or Window, in the said Market, or any Board, Notice, or Inscription fixed or put up therein by the Order of the said Churchwardens, Overseers, and Inhabitants, Owners of the said Market, for giving Publicity to the Rules, Orders, and Bye Laws by this Act authorized to be made, or in pursuance of this Act, every Person so offending shall forfeit and pay to the said Churchwardens, Overseers, and Inhabitants for every such Offence such Sum of Money, not exceeding Five Pounds, as any Justice or Justices of the Peace for the said County of *Surrey* or of the Town and Borough of *Southwark* shall in that Behalf direct, and also such further Sum of Money as a Compensation for the Damage and Costs which shall have been occasioned by such Offence, as such Justice or Justices shall in that Behalf award.

Waggons,  
Carts, Pack-  
ages, &c.  
placed on the  
Footpaths or  
Passages may  
be seized.

XXV. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall put or place any Waggon, Cart, Fruit, Flowers, Vegetables, Roots, or Herbs, Bulk, Stand, Stall, Stallboard, Form, Wheelbarrow, Cask, Basket, Package, Hamper, or other Thing, in, upon, or over any of the Footpaths, Gangways, or Passages of or in the said Market, or hereafter to be made therein, and shall not immediately remove and take away the same when required so to do by the said Churchwardens, Overseers, and Inhabitants, or any of them, whether the said Market shall be let or not, or their Tenants thereof, or any of their Agents or Servants, and continue and keep the same so removed, or shall leave any empty or unladen Waggon or empty or unladen Cart, empty Basket, empty Cask, empty Hamper, or empty Packing Case of any Kind, upon any of those Parts of the said Market to be called the Outer Standings, whether casual or otherwise, or upon any Part of the Carriageway immediately surrounding the said Market, or shall place, pitch, expose for Sale, sell, or leave any Fruit, Flowers, Vegetables, Roots, or Herbs, or other Goods, or place or put or leave any Waggon, Cart, Bulk, Basket, Package, Hamper, or other Thing, in, upon, or over any Part of the said Market, contrary to the aforesaid Provisions hereinbefore contained, or shall refuse to remove any Waggon, Cart, Fruit,  
Flowers,

Flowers, Vegetables, Roots, Herbs, or Goods, when required so to do as herein-before mentioned, it shall be lawful for the said Churchwardens, Overseers, and Inhabitants, or their Tenant or Tenants, Lessee or Lessees thereof, or any of their Agents or Servants, to seize, and for any Person whomsoever to be aiding and assisting in seizing, any such Waggon, Cart, Bulk, Stand, Stall, Stallboard, Form, Wheelbarrow, Cask, Basket, Package, Hamper, Packing Case, Fruit, Flowers, Vegetables, Roots, Herbs, Goods, Wares, or other Things, together with the Horse or Horses or other Animal to any such Waggon or Cart belonging, and the Harness, Gears, and Accoutrements thereof, and to cause the same to be removed to some convenient and proper Place or Places, (affixing a written or printed Notice, within a reasonable Time after such Seizure, upon some conspicuous Place within the said Market, of the Place to which the Articles so seized shall be removed,) and the same shall be there kept and detained until the Costs, Charges, and Expences of removing and keeping the same, and of keeping such Horse or Horses or other Animal, (if any,) shall be paid; and in case the same shall not be claimed, and the said Costs, Charges, and Expences paid, within Seven Days next after such Removal thereof, it shall be lawful for the said Churchwardens, Overseers, and Inhabitants, or their Tenants thereof, (having affixed in some conspicuous Place in the said Market One Day's previous Notice of their Intention so to do,) with any Constable of the said Parish of *Saint Saviour*, (who is hereby required to be aiding and assisting therein,) to cause the Article so seized as aforesaid to be appraised by a sworn Appraiser, (whom such Constable is hereby empowered to swear to appraise the same truly, according to the best of his Understanding,) and after such Appraisalment to be sold for the best Price that can be got for the same, leaving the Overplus which shall remain after satisfying the Costs, Charges, and Expences of and attending such Seizure, Removal, keeping, Appraisalment, and Sale, in the Hands of such Constable, for the Owner's Use; and if the Parties shall differ about such Costs, Charges, and Expences, the same shall be finally settled by any Justice or Justices of the Peace for the said County of *Surrey* or of the said Town and Borough of *Southwark*, upon Application made to him or them for that Purpose within Seven Days next after such Difference shall so arise.

XXVI. And be it further enacted, That every Person who shall so put or place any such Waggon, Cart, Fruit, Flowers, Vegetables, Roots, Herbs, Goods, Bulk, Stand, Stall, Stallboard, Form, Wheelbarrow, Cask, Basket, Package, Hamper, or other Thing in, upon, or over any of the Footpaths, Gangways, or Passages of or in the said Market, or hereafter to be made therein, and shall not immediately remove and take away the same when required so to do as aforesaid, and continue and keep the same so removed, or who shall leave any such empty or unladen Waggon or empty or unladen Cart, empty Basket, empty Cask, empty Hamper, or empty Packing Case, upon or over any of those Parts of the said Market called the Outer Standings, as well casual as others, or upon or over any Part of the Carriage-way immediately surrounding the said Market, or who shall place, pitch, expose for Sale, sell, or leave any Fruit, Flowers, Vegetables, Roots, or Herbs, or other Goods or Wares, or place or put or leave any

Penalty for leaving any Waggon, Packages, &c. in the Passages of the Market, or creating Obstructions therein.

any Waggon, Cart, Bulk, Basket, Package, Hamper, or other Thing, in, upon, or over any Part or Parts of the said Market, contrary to the Provisions herein-before contained, or shall refuse to remove any Waggon, Cart, Fruit, Flowers, Vegetables, Roots, Herbs, or Goods, when required so to do as herein-before mentioned, and also every Person who shall obstruct or hinder the said Churchwardens, Overseers, and Inhabitants, or their Tenant or Tenants, Lessee or Lessees thereof, or their Agents or Servants, or any Person by them employed for that Purpose, in the seizing, removing, or taking away of any such Waggon, Cart, Bulk, Stand, Stall, Stallboard, Form, Wheelbarrow, Cask, Basket, Package, Hamper, Packing Case, Fruit, Flowers, Vegetables, Roots, Herbs, Goods, Wares, or other Things as aforesaid; and also any Person who shall wash any Potatoes in any other Part of the said Market than in the Cellars under the said Stands, or such other Place or Places as shall be appointed for that Purpose by the said Churchwardens, Overseers, and Inhabitants, by any Bye Law to be made for that Purpose under the Power herein-before in that Behalf contained, shall for each and every such Offence forfeit and pay to the said Churchwardens, Overseers, and Inhabitants such Sum of Money, not exceeding Forty Shillings, as the Justice or Justices herein-after next mentioned shall in that Behalf direct; and it shall be lawful for the said Churchwardens, Overseers, and Inhabitants, or their Tenant or Tenants, Lessee or Lessees, and their Agents or Servants, or the Holder of any Stand in the said Market whereon any such Offence as is herein-before mentioned shall be committed, to seize and take into Custody, and for any Person whomsoever to be aiding and assisting in seizing and taking into Custody, every such Offender at the Time of his or her committing such Offence, and to carry him or her before any Justice or Justices of the Peace for the said County of *Surrey* or of the said Town and Borough of *Southwark*, and which Justice or Justices shall hear and determine the Complaint; and if upon the Conviction of the Offender either on his or her own Confession, or on the Oath of any credible Witness, (and which Oath the said Justice or Justices is and are hereby authorized to administer,) such Offender shall not pay the said Penalty, he or she shall be committed to the Common Gaol or Prison of the said County of *Surrey*, or to the Prison called the *Borough Compter* in the said Town and Borough, there to remain for any Time not exceeding One Calendar Month, unless such Penalty, and the reasonable Charges of recovering the same, shall be sooner paid and satisfied, in which Case such Offender shall be discharged therefrom on Payment of such Penalty and Charges: Provided that nothing therein contained shall hinder or prevent the Occupiers of any of the Buildings or Stands now standing and being or at any Time hereafter to stand and be upon the Site of the said Market from erecting, with such Consent as aforesaid, any Stallboard in Front thereof, of such Width, not exceeding Three Feet, as the said Churchwardens, Overseers, and Inhabitants shall think proper, or from placing on such Stallboard any Goods or Wares, or the Baskets or other Things containing the same.

Proviso as to  
Occupiers of  
Shops, &c.

Penalty for  
preventing  
the cleans-  
ing of the  
Market.

XXVII. And be it further enacted, That from and after the passing of this Act, if any Tenant or Lessee of any Part of the said Market, or any other Person whomsoever, shall wilfully obstruct or hinder the

said



said Churchwardens, Overseers, and Inhabitants, or their or any of their Servants, or any Person by them employed for that Purpose, in the sweeping or cleaning of the said Market, or any Part thereof, and in the taking or carrying away of any Dust, Dirt, Rubbish, Offal, Dung, Soil, or other Filth whatsoever found therein, every Person so offending shall for every such Offence forfeit and pay to the said Churchwardens, Overseers, and Inhabitants such Sum, not exceeding Five Pounds, as the Justice or Justices of the Peace herein-after next mentioned shall direct; and it shall be lawful for the said Churchwardens, Overseers, and Inhabitants, or their Agents or Servants, to seize and take into Custody, and for any Person whomsoever to be aiding and assisting in seizing and taking into Custody, every such Offender at the Time of his or her committing such Offence, and to carry him or her before any Justice or Justices of the Peace for the said County of *Surrey* or of the said Town and Borough, and which Justice or Justices shall hear and determine the Complaint; and if upon the Conviction of the Offender, either by his or her own Confession, or on the Oath of any credible Witness, (which Oath the said Justice or Justices is and are hereby authorized to administer,) such Offender shall not pay the said Penalty, he or she shall be committed to the Common Gaol or House of Correction of the said County of *Surrey*, or to the Prison called the *Borough Compter*, in the said Town and Borough, there to remain for any Time not exceeding One Calendar Month, unless such Penalty, and the reasonable Charges of recovering the same, shall be sooner paid, in which Case such Offender shall be discharged therefrom on Payment of such Penalty and Charges.

XXVIII. And be it further enacted, That from and after the passing of this Act, if any Person (except the said Churchwardens, Overseers, and Inhabitants, or any Person acting under their Authority,) shall wilfully hinder or obstruct the Tenant or Tenants, Lessee or Lessees of the said Market for the Time being, or their Servants, or any Person by them employed for that Purpose, in the sweeping or cleaning of the said Market, or any Part thereof, or in the taking or carrying away of any Dust, Dirt, Rubbish, Offal, Dung, Soil, or other Filth whatsoever found therein, any Person, except as before mentioned, so offending, shall for every such Offence forfeit and pay to the said Tenant or Tenants, Lessee or Lessees of the said Market for the Time being, such Sum, not exceeding Five Pounds, as the Justice or Justices of the Peace herein-after next mentioned shall direct; and it shall be lawful for the said Tenant or Tenants, Lessee or Lessees of the said Market for the Time being, or their Servants, to seize and take into Custody, and for any Person whomsoever to be aiding and assisting in seizing and taking into Custody, every such Offender, and to carry him or her before any Justice or Justices of the Peace for the said County of *Surrey* or of the said Town and Borough, and which Justice or Justices shall hear and determine the Complaint; and if upon the Conviction of the Offender, either on his or her own Confession, or on the Oath of any credible Witness, (which Oath such Justice or Justices is or are hereby authorized to administer,) such Offender shall not pay the said Penalty, he or she shall be committed to the Common Gaol or House of Correction of the said

Penalty for preventing Tenants cleaning the Market.

County of *Surrey*, or to the said Prison called the *Borough Compter*, there to remain for any Time not exceeding One Calendar Month, unless such Penalty, and the reasonable Charges of recovering the same, shall be sooner paid, in which Case such Offender shall be discharged therefrom on Payment of such Penalty and Charges.

Market not  
to be swept  
before Noon.

XXIX. Provided always, and be it further enacted, That no Person shall begin to sweep or clean any other Part of the said Market than the Shops and Buildings now erected and being or hereafter to be erected and be therein, and the Footpaths so appropriated or to be appropriated as aforesaid, before Twelve of the Clock at Noon.

For securing  
transient  
Offenders.

XXX. And whereas Offences may be committed against this Act or the said recited Acts by Persons unknown to the said Churchwardens, Overseers, and Inhabitants, or their Tenant or Tenants, Lessee or Lessees thereof, or their Agents and Servants; be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, and Inhabitants, or their Tenant or Tenants, Lessee or Lessees, or their Agents, or the Collector or Collectors of the Rents, Tolls; or Sums of Money by this Act or otherwise authorized to be taken, Beadle or Beadles, or the Person or Persons employed by the said Churchwardens, Overseers, and Inhabitants, or their Tenant or Tenants, Lessee or Lessees thereof, to superintend, sweep, clean, and regulate the said Market, and to keep Order therein respectively, and such other Person and Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person who shall commit any Offence against this Act or the said recited Acts, or against any Rule, Order, or Bye Law made in pursuance hereof, and to take him; her, or them before any Justice or Justices of the Peace for the said County of *Surrey* or of the said Town and Borough; and such Justice or Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Justices may  
proceed by  
Summons in  
the Reco-  
very of  
Penalties.

XXXI. And be it further enacted, That in all Cases wherein any Penalty or Forfeiture hereby or by the said recited Acts or any of them imposed is made recoverable by Information before any Justice or Justices of the Peace, it shall be lawful for such Justice or Justices of the Peace for the said County or for the said Town and Borough, to whom Complaint shall be made of any Offence against this Act or the said recited Acts, or any of them, to summon the Party complained against, and any Witness or Witnesses such Justice or Justices may think proper, before him or them, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, whether he be present or absent, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice or Justices; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing was exhibited.

XXXII. And

XXXII. And be it further enacted, That all Penalties and Forfeitures hereby inflicted or authorized to be imposed, or which shall be imposed by any Rule, Order, or Bye Law to be made in pursuance hereof; (the Manner of levying, recovering, and applying whereof is not herein otherwise directed,) shall, upon Proof of the Offences respectively before any Justice or Justices of the Peace for the said County of *Surrey* or of the Town and Borough of *Southwark*, either by the Confession of the Party offending or by the Oath of any credible Witness or Witnesses, (which Oath such Justice or Justices is and are in every such Case hereby authorized to administer,) be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party offending, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices (which Warrant such Justice or Justices is or are hereby empowered and required to grant); and the Overplus (if any), after such Penalties and Forfeitures, and the Charges of such Information, Conviction, Distress, and Sale, are deducted, shall be returned, upon Demand, unto the Owner of such Goods and Chattels; and the Monies arising by such Penalties and Forfeitures respectively, when paid or levied, shall be from Time to Time paid to the said Churchwardens, Overseers, and Inhabitants; and in case such Penalties and Forfeitures respectively shall not be paid forthwith upon Conviction, then it shall be lawful for such Justice or Justices to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his or her Appearance before him or them on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking such Security, and which Security the said Justice or Justices is or are hereby empowered to take by way of Recognizance or otherwise; but if, upon the Return of such Warrant, it shall appear that no sufficient Distress can be had whereon to levy the said Penalties and Forfeitures and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any Justice or Justices, upon the Confession of the Offender or otherwise, that he or she hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant of Distress, and thereupon it shall be lawful for any such Justice or Justices of the Peace, and he and they is and are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to cause such Offender to be committed to the Common Gaol or House of Correction of the said County of *Surrey*; or to the said Prison called the *Borough Compter*, there to remain for any Time not exceeding One Calendar Month, unless such Penalties and Forfeitures and all reasonable Charges shall be sooner paid, in which Case such Offender shall be discharged therefrom on Payment of such Penalties, Forfeitures, and Charges.

Recovery  
and Appli-  
cation of  
Penalties.

XXXIII. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, such Distress shall not be deemed unlawful, nor the Party

Distress not  
to be unlaw-  
ful for Want  
of Form.

OR



removable into any of His Majesty's Courts of Record at *Westminster* Form, or removed by Certiorari, or any other Writ or Process whatsoever, any Law, Statute, or Usage to the contrary notwithstanding. Certiorari.

XXXVII. And be it further enacted, That the said Churchwardens' Overseers, and Inhabitants shall and may sue and be sued, and order and direct any Prosecution or other Proceeding at Law or in Equity to be commenced, prosecuted, or defended, for any Offence against the said recited Acts and this Act, or any of them, or any Matter or Thing in anywise relating thereto, in the Name of any One of the said Churchwardens, Overseers, and Inhabitants, being a Trustee for executing the said recited Acts and this Act, or in the Name of their Clerk for the Time being; and all Actions and Suits, Prosecutions or other Proceedings, which may be necessary or expedient to be brought for the Recovery of any Penalty or Sum or Sums of Money due or payable by virtue of the said recited Acts and this Act, or any of them, or for prosecuting or defending any Person or Persons for any Offence, or in any Proceeding against the said recited Acts and this Act, or any of them, or for or in respect of any other Matter or Thing in anywise relating thereto, may be brought, commenced, prosecuted, or defended in the Name of any One of the said Churchwardens, Overseers, and Inhabitants, being a Trustee for executing the said recited Acts and this Act, or in the Name of their Clerk for the Time being; and no Action or Suit, Prosecution or other Proceeding, which may be brought, commenced, prosecuted, or defended by or against the said Churchwardens, Overseers, and Inhabitants, or any One of them, by virtue or on account of the said recited Acts and this Act, or any of them, in the Name of any One of them, or in the Name of their Clerk, shall abate or be discontinued by reason of the Death of the Churchwarden, Overseer, or Inhabitant, or by reason of the Person in whose Name any such Action or Suit, Prosecution or other Proceeding, shall be brought, commenced, prosecuted, or defended, ceasing to be a Trustee for executing the said recited Acts and this Act, or by the Death, Resignation, Suspension, or Removal of such Clerk, or by any Act or Default of such Churchwarden, Overseer, or Inhabitant, or Clerk; done or suffered without the Consent or Direction of the said Churchwardens, Overseers, and Inhabitants; but any One of the said Churchwardens, Overseers, and Inhabitants, being a Trustee as aforesaid, or their Clerk for the Time being, shall be always deemed Plaintiff or Defendant in every such Action or Suit, Prosecution or other Proceeding, (as the Case may be,) except in such Actions, Prosecutions, or other Proceedings as shall be prosecuted between the said Churchwardens, Overseers, and Inhabitants, and their Clerk for the Time being, in which Actions, Prosecutions, or other Proceedings, any One of the said Churchwardens, Overseers, and Inhabitants, being a Trustee as aforesaid, shall always be deemed Plaintiff or Defendant (as the Case may be): Provided always, that every such Churchwarden, Overseer, or Inhabitant, or Clerk, in whose Name any Action or Suit, Prosecution or other Proceeding, shall be commenced, prosecuted, or defended in pursuance of the said recited Acts and this Act, or any of them, shall always be reimbursed and paid, out of the Monies to arise by virtue of the said recited Acts and this Act, all such Damages, Costs, Charges, and Expences as such Churchwarden, Overseer, or Inhabitant, or Clerk, shall be put to or become chargeable with by

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reason

reason of his being so made Plaintiff or Defendant therein; and no such Churchwarden, Overseer, or Inhabitant, or Clerk, shall be personally answerable or liable for the Payment of the same or any Part thereof, unless such Action or Suit, Prosecution or other Proceeding, shall arise in consequence of his own wilful Neglect or Default, or shall have been brought, commenced, prosecuted, or defended without the Order or Direction of the said Churchwardens, Overseers, and Inhabitants.

Church-wardens, &c. not to be incompetent Witnesses.

XXXVIII. Provided always, and be it further enacted, That the said Churchwardens, Overseers, and Inhabitants, or their Clerk, shall not, by reason of any Action or Suit, Prosecution or other Proceeding, being brought or defended in the Name of any One of them, be deemed incompetent Witnesses in any such Action or Suit, Prosecution or other Proceeding, unless it be on their own personal Account: Provided always, that in any such Action or Suit, Prosecution or other Proceeding, which may brought or defended in the Name of the Clerk to the said Churchwardens, Overseers, and Inhabitants, it shall not be necessary to give Evidence of the due Appointment of such Clerk to be Clerk to the said Churchwardens, Overseers, and Inhabitants.

Declaring what shall be a good Service of Notices, &c.

XXXIX. And be it further enacted, That in all Cases where it may be requisite or necessary for any Summons or Summonses, Notice or Notices, or any Writ or Writs, or other Proceeding or Proceedings, at Law or in Equity, to be served upon the said Churchwardens, Overseers, and Inhabitants, Service thereof respectively upon any One of the said Churchwardens, Overseers, and Inhabitants, being a Trustee for executing the said recited Acts and this Act, or left at his last or usual Place of Abode, or upon the Clerk to the said Churchwardens, Overseers, and Inhabitants, or left at his last or usual Place of Abode, or leaving the same or a Copy or Copies thereof at the principal Office of the said Churchwardens, Overseers, and Inhabitants, or with any Agent or Officer of the said Churchwardens, Overseers, and Inhabitants, or left at his last or usual Place of Abode, shall be deemed good and sufficient Service of the same respectively on the said Churchwardens, Overseers, and Inhabitants.

Plaintiff shall not recover after Tender of sufficient Amends.

XL. And be it further enacted, That no Plaintiff shall recover in any Action for any irregular Trespasses or wrongful Proceedings made or committed in execution of this Act, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties 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 or Defendants in any such Action, by Leave of the Court wherein such Action shall be depending, at any Time before Issue joined, to pay into Court such Sum of Money as he or they see fit, whereupon such Proceedings or Order and Judgment shall be made or given by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitations of Actions.

XLI. And be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any thing done

done in pursuance of this Act or of any of the Powers hereby given, until Twenty-one Days Notice shall have been thereof given in Writing to the Defendant or Defendants, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action, or after sufficient Satisfaction or Tender of Amends shall have been made to the Party aggrieved, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, or after Six Calendar Months next after the Cause of such Action shall have arisen; and any and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at the Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Twenty-one Days Notice shall be given as aforesaid, or after Satisfaction made or tendered as aforesaid, or after the Time hereinbefore limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs become nonsuited, or shall discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Costs of Suit, and have such Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in any other Cases by Law.

XLII. And be it further enacted, That it shall and may be lawful to and for the said Churchwardens, Overseers, and Inhabitants to alter, enlarge, extend, and improve the said Market; and that if any Houses, Walls, Buildings, Lands, Tenements, and Hereditaments, or any Part thereof, shall be adjudged by the said Churchwardens, Overseers, and Inhabitants to obstruct or prevent them from so altering, enlarging, extending, and improving the said Market, and that the Possession, Occupation, and Purchase of such Houses, Walls, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, will be necessary for that Purpose, it shall and may be lawful to and for the said Churchwardens, Overseers, and Inhabitants, and they shall have full Power and Authority, to treat, contract, and agree with the several Owner or Owners, Occupier or Occupiers of, and all Persons whomsoever interested in, and who shall be willing to sell or part with their Estate, Right, Title, and Interest of, in, or to all or any such Houses, Walls, Buildings, Lands, Tenements, and Hereditaments, of what Nature, Tenure, Kind, or Quality soever, for the Purpose aforesaid, and to pay for the same such Sum and Sums of Money as shall be agreed upon by the said Churchwardens, Overseers, and Inhabitants, and the Owner or Owners, Occupier or Occupiers thereof, or other Person interested therein, out of the Money to arise or be raised by the said Churchwardens, Overseers, and Inhabitants by virtue of the said recited Acts and this Act, or either of them, and to pull down, use, sell, or dispose of such Houses, Walls, and Buildings, or any Part thereof, and lay the Sites thereof, and all such other Lands, Tenements, or Hereditaments so to be agreed, contracted

Power to purchase Houses, &c., for the Improvement of the Market.

contracted for, and purchased, or so much thereof as they the said Churchwardens, Overseers, and Inhabitants shall think proper, into the said Market; and all such new Part of the said Market shall be subject and liable to the Provisions of the said recited Acts and of this Act in the same Manner as the said Market is liable and subject to; and that it shall be lawful for the said Churchwardens, Overseers, and Inhabitants to appropriate the Site of the said new Part of the said Market to any of the Purposes to which any other Part of the said Market is herein-before appropriated, and from Time to Time to alter and vary any such Appropriation for any of the Purposes aforesaid, as they shall think fit, so as every such Appropriation be expressed in Writing, and signed by the said Churchwardens, Overseers, and Inhabitants, and a Plan of such Appropriation and Alteration be deposited with the Clerk of the Peace for the said County of *Surrey* within Three Months after the making of such Appropriation and Alteration.

Market, &c.  
vested in  
the Church-  
wardens,  
Overseers,  
and Inhabi-  
tants.

XLIII. And be it further enacted, That the Right and Property of and in the said Market, together with the several Houses, Buildings, Lands, Tenements, and Hereditaments, and all Materials, Articles, Matters, and Things whatsoever which shall be provided or purchased for the Purposes of the said recited Acts and this Act, or any of them, shall be held and be deemed to belong to and be the Property of, and the same are hereby vested in, the said Churchwardens, Overseers, and Inhabitants for the Time being; and the said Churchwardens, Overseers, and Inhabitants shall and may cause any Action or Actions to be brought, or direct any Bill or Bills of Indictment to be preferred, as the Case may require, against any Person or Persons who shall steal, take, or carry away, detain, deface, damage, injure, or destroy any of the said several Articles and Things so hereby vested in the said Churchwardens, Overseers, and Inhabitants as aforesaid, or any of them, or any Part or Parts thereof; and in such Actions and Bills of Indictment respectively it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or such Bill or Bills of Indictment shall be preferred, is or are the Property of "The Churchwardens, Overseers, and Inhabitants of the Parish of *Saint Saviour* in the Borough of *Southwark*," without stating or specifying the Names of all or any of the said Churchwardens, Overseers, and Inhabitants.

Powers of  
the Act may  
be executed  
by Seven in  
Number of  
Church-  
wardens, &c.

XLIV. Provided also, and it is hereby further enacted, That all and every the Matters and Things hereby or by any of the said Acts authorized to be done by the said Churchwardens, Overseers, and Inhabitants of the said Parish, may be done by the said Churchwardens, Overseers, and Inhabitants, or any Seven of them, for and on the Behalf of the whole, in such Manner as is in and by the said first-recited Act mentioned.

Disqualifi-  
cation of  
Trustees.

XLV. Provided always, and be it further enacted, That no Person to be appointed a Trustee for the Purposes of the said recited Acts and this Act shall be capable of acting as such during the Time he shall be a Victualler, or shall sell Ale, Wine, Cider, or Spirituous  
Liquors



by Retail, or during the Time he shall hold or enjoy any Office or Place of Profit or Trust under, or be directly or indirectly interested or concerned in any Contract made by virtue of the said recited Acts and this Act, or in any Case where he shall be personally interested, upon pain of forfeiting and paying the Sum of Fifty Pounds to any Person who shall sue for the same, to be recovered in any of His 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.

XLVI. Provided also, and be it further enacted, That all Acts and Proceedings of any Person acting as a Trustee in the Execution of the said recited Acts and this Act, or any of them, (although disqualified as aforesaid,) previous to his being convicted of any such Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual as if he had not been disqualified according to the Provisions of this Act.

Acts of disqualified Trustees to be good before Conviction.

XLVII. And be it further enacted, That from and after the passing of this Act, whenever any Vacancy shall happen among the Eleven Inhabitants, Trustees by virtue of the said recited Acts or this Act, by Death, Resignation, ceasing to be an Inhabitant, or other Disqualification, then such Vacancy shall be supplied by proceeding to the Election of so many new Trustees as may be necessary to complete the Eleven, on every *Easter Tuesday*, in open Vestry, until the whole of the present Trustees shall have been removed, and then Two of the Trustees who shall have been elected in manner herein-before directed shall annually go out of Office and cease to be Trustees for the Purposes of the said recited Acts and this Act, and Two new Trustees shall be elected in their Place and Stead on *Easter Tuesday*, in open Vestry, as herein-before directed, over and besides a sufficient Number to fill up such Vacancies as may happen by Death, Resignation, Removal, or other Disqualification: Provided always, that the Two Trustees who shall have been the longest on the said List of Trustees shall always be the Two Trustees to go out of Office as aforesaid.

How Vacancies in the Trusteeship are to be filled up.

XLVIII. Provided always, and be it further enacted, That nothing herein contained shall be construed to alter or determine any Agreement or Letting between the said Churchwardens, Overseers, and Inhabitants, or their Agents, and any other Person or Persons holding any Shop, Cellar, Messuage, Warehouse, or Vault, being Part of or belonging to the said Market, but that any Rents which may become due under any such Agreement or Letting may be recoverable as if the same became due under the Provisions in this Act contained.

Subsisting Agreements to remain in force.

XLIX. Provided also, and be it further enacted, That the said Hereditaments comprised in the said Lease so made to the said Wardens as aforesaid, in Trust for the said Churchwardens, Overseers, and Inhabitants, or which may be comprised in any renewed or other Lease thereof to or in Trust for the said Churchwardens, Overseers, and Inhabitants, and also all other Parts of the said Site of the said Market, shall, for all the Purposes of this Act and of the said recited Acts, be

Site of Market vested in Churchwardens, &c.

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taken and considered as vested in the said Churchwardens, Overseers, and Inhabitants.

Tolls, &c. to be applied as directed by former Act.

L. Provided always, and be it further enacted, That all and every the Rents, Tolls, Penalties, and other the Monies to be received under or by virtue of this Act, shall be paid and applied by the said Churchwardens, Overseers, and Inhabitants in such and the same Manner as the Rents and Tolls receivable under or by virtue of the said recited Acts, or any of them, are, under or by virtue of the said Acts, or any of them, applicable or directed to be applied; and that all and every the Expences of applying for and obtaining this Act, or in anywise relating thereto, shall be retained, paid, and applied by the said Churchwardens, Overseers, and Inhabitants by and out of the Monies which now are in their Hands, or which shall come to their Hands in respect of the Rents and Tolls of the said Market: Provided also, that the Churchwardens, Overseers, and Inhabitants, Trustees of the said Market, do half-yearly cause to be printed and circulated the whole Income and Expenditure of the said Market, in the like Manner as the Overseers Accounts of the same Parish are, at the Time of passing this Act, printed and circulated.

Not to affect Jurisdiction of the City of London.

LI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to alter, diminish, or in any Manner to affect any of the Rights, Privileges, Jurisdictions, Powers, and Authorities of the Mayor and Commonalty and Citizens of the City of *London* within the said Town and Borough of *Southwark*, but that the same shall be and remain in as full Force and Effect as if this Act had not passed, any thing herein contained to the contrary thereof in anywise notwithstanding.

Saving the Rights of Commissioners of Sewers.

LII. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, alter, abridge, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the Limits extending from *East Moulsey* in the County of *Surrey* to *Ravensbourne* in the County of *Kent*, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been passed.

Not to affect the Authority of the Commissioners of the Borough and Clink Pavements.  
6 G. 3. c. 24.

LIII. Provided always, and be it further enacted, That nothing in this Act contained shall in any Manner lessen or abridge, or be deemed or construed to lessen or abridge, the Powers or Authority of the Commissioners acting under or by virtue of a certain Act of Parliament made and passed in the Sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for paving the Streets and Lanes within the Town and Borough of Southwark, and certain Parts adjacent, in the County of Surrey, and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein*; and also a certain other Act of Parliament, made and passed in the Eleventh Year of the Reign of His said late Majesty King *George* the Third, intituled *An Act to explain and amend so much of an Act of the Sixth Year of His present Majesty, for paving the Town and Borough*

11 G. 3. c. 17.

of Southwark in the County of Surrey, as relates to the Commissioners of Sewers; and for regulating the Manner of taxing Churches and other public Buildings within the Limits of the said Act; and also a certain other Act of Parliament made and passed in the Forty-fourth Year of the Reign of His said late Majesty King George the Third, intituled *An Act for altering and amending an Act passed in the Sixth Year of His present Majesty, for paving the Streets and Lanes within the Borough of Southwark, and certain Parts adjacent, in the County of Surrey, and for cleansing, lighting, and watching the same, and also the Courts, Yards, Alleys, and Passages adjoining thereto, and for preventing Annoyances therein, so far as the same relates to the West Division thereof, as therein mentioned*; or of the Commissioners acting under or by virtue of a certain Act of Parliament made and passed in the Fifty-second Year of the Reign of His said late Majesty King George the Third, intituled *An Act for better paving, cleansing, lighting, and watching the Streets, Lanes, and other public Passages and Places within the Manor of Southwark otherwise called the Clink or Bishop of Winchester's Liberty, in the Parish of Saint Saviour Southwark in the County of Surrey*; provided that no Offender under this Act shall be convicted in any Penalty both under this Act and the said last-mentioned Acts.

LIV. 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, without being specially pleaded.

The SCHEDULE to which the foregoing Act refers :

BEING

A SCHEDULE of the RENTS, TOLLS, and Sums of Money to be payable and paid in the Borough Market by all Persons not being Market Gardeners and Growers as aforesaid.

For all the Standings which shall be let by the Trustees of the said Market, for the Periods authorized by this Act, such Rent or Rents as shall be from Time to Time agreed upon by the said Trustees for the same respectively.

For the Casual and other Standings, both Inner and Outer, which shall not be let, or, if let, not at the Time occupied by the Tenant or Holder, but which shall be used or occupied by the Day, a Rent not exceeding 

s.	-	-	-	d.
			1	0

 per Day.

And in addition to the said Rents, all Persons, not being Market Gardeners and Growers as aforesaid, resorting to the said Market and selling or exposing to Sale any Articles or Goods whatsoever, whether in or upon any of the said Standings or elsewhere, are to pay the Tolls or Sums of Money under mentioned; that is to say—

For every Waggon containing wholly or principally Carrots, which shall be brought to or placed in the said Market, or the Contents of the said Waggon shall be thereon placed, pitched, exposed for Sale, or sold, the Toll of -	s. d. 1 6
For every Cart containing wholly or principally Carrots, which shall be brought to or placed on the said Market, or the Contents of the said Cart shall be thereon placed, pitched, exposed for Sale, or sold, the Toll of - -	1 0
For every Waggon containing Flowers, Vegetables, Roots, or Herbs, (except the Vegetables, Roots, Herbs, and Goods herein-after particularly mentioned,) which shall be brought to or placed on the said Market, or the Contents of the said Waggon shall be thereon placed or exposed for Sale or sold, the Toll of - - -	1 0
For every Cart containing Flowers, Vegetables, Roots, or Herbs, (except the Vegetables, Roots, Herbs, and Goods herein-after particularly mentioned,) which shall be brought to or placed on the said Market, or the Contents of the said Cart shall be thereon placed, pitched, or exposed for Sale, or sold, the Toll of - - -	0 6

And

And for the under-mentioned Fruits, Flowers, Vegetables, Roots, Herbs, Articles, Goods, and Things, whether the same shall be brought to the said Market by Waggon or Carts, or otherwise, and there exposed to Sale or sold by any Person or Persons, (except by Market Gardeners, being Growers as aforesaid, resorting under the Provisions of this Act to such Parts of the said Market marked in the said Plan with the Letters B., C., D., E., and appropriated to them as aforesaid,) the under-mentioned Tolls; that is to say,

For all Peas, Beans, and French Beans } brought to or exposed for Sale, the Toll or Sum of - - - - - }	s. d. 0 1 per Sack.
Ditto Ditto - - - - - }	0 0½ per Sieve.
Potatoes - - - - -	1 6 per Ton.
Ditto - - - - -	0 1 per Cwt.
Cherries - - - - -	0 0½ per Sieve.
Apples, Pears, Plums, Gooseberries, Currants, Apricots, Peaches, Nec- tarines, Grapes, &c. - - - - - }	0 0½ per Sieve or Bushel.
Raspberries, Strawberries, or the like sort of Fruit - - - - - }	0 1 for every Round or Head Load.
Asparagus - - - - -	0 1 per Basket or per Flat.
Walnuts or other Nuts - - - - -	0 0½ per Sieve.
Ditto Ditto - - - - -	0 2 per Sack.
Onions - - - - -	0 0½ per Sieve or Bushel.
Oranges - - - - -	0 4 per Chest.
Ditto - - - - -	0 2 per Box.
Eggs - - - - -	0 4 per Chest, Box, or Basket.
Christmas or other Evergreens - - - - -	2 0 per Waggon Load.
Ditto Ditto - - - - -	1 0 per Cart Load.
Water cresses or Spring Herbs - - - - - }	0 1 per Head Load, Bag, or Basket.
And for a larger or smaller Quantity, a proportionable Price.	
Physic and dried Herbs - - - - -	1 0 per Waggon Load.
Ditto Ditto - - - - -	0 6 per Cart Load.
For every Basket of Meat, Poultry, or other Articles, being Provisions or other Goods, and which shall be brought into and exposed for Sale in the said Market, - - - - - }	0 6 per Basket.

And for other Vegetables, Roots, and Things than above particularly and specifically mentioned, which shall be brought into any other Part of the said Market, except as aforesaid, and for a larger or smaller Quantity of the above-mentioned Fruits, Flowers, Vegetables, Roots, Herbs, Articles, Goods, and Things, or whether the same shall be brought to the said Market, and there exposed to Sale, or sold in any other Baskets, Measures, or Things than above-mentioned, a similar and proportionable Toll (Regard being had to the Quantity).

The above several Tolls to be paid by all Persons, except Market Gardeners, being Growers as aforesaid, upon the Goods being brought into any Part of the said Market, and there exposed to Sale or sold; and no Fruits, Flowers, Vegetables, Roots, Herbs, Articles, Poultry, Goods, Meat, or other Things shall

shall be brought into or exposed to Sale in the said Market, or any Part thereof, by any Persons not being Market Gardeners and Growers as aforesaid, unless the same shall be brought in Baskets or other Measures or Things whereby the Tolls can be ascertained according to the Schedule above set forth.

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