



ANNO TERTIO

# GULIELMI IV. REGIS.

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## *Cap. lxi.*

An Act for improving and enlarging the Market Places within the City of *York*, and rendering the Approaches thereto more commodious; and for regulating and maintaining the several Markets and Fairs held within the same City and the Suburbs thereof; and for amending an Act of His late Majesty, for paving, lighting, watching, and improving the said City; and other Purposes.  
[10th *June* 1833.]

**W**HEREAS by an Act made and passed in the Sixth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for paving, lighting, watching, and improving the City of York and the Suburbs thereof, and the Liberty of Saint Peter within the same City, and for regulating the Police of the same respectively*, it is enacted, that His Majesty's Justices of the Peace for the said City of *York* for the Time being, together with Forty Persons to be chosen in manner therein mentioned, should be Commissioners for putting the said Act into execution within such Parts of the said City as are not within the Jurisdiction of the Liberty of *Saint Peter*; and to such Commissioners Powers are by the said Act given for the better paving or otherwise keeping in repair, cleansing, draining, lighting, and watching the Streets, Lanes, public Ways and Places of the said City, and for the

6 G. 4. c. 127.

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general

general Improvement of the same; and it is further enacted by the said Act, that, for the further Improvement of the said City and Suburbs, the said Commissioners should and might, and they were thereby authorized, at any Time or Times thereafter, and from Time to Time, by and with the Consent of Three Fourths of the said Commissioners, to contract and agree with any Person or Persons, Body or Bodies Corporate or Collegiate, Aggregate or Sole, Spiritual or Lay, or any Tenant for Life or Tenant in Fee Tail, General or Special, or other the Owner or Owners, Proprietor or Proprietors of, and any Trustee or Trustees, Husbands, Guardians, Committees, Party, Person or Persons whomsoever, interested in any Manner in any Messuages, Tenements, Shops, Buildings, Erections, Lands, Grounds, or Hereditaments, or any Part or Parts thereof, which the said Commissioners should think necessary or proper to be purchased for making, providing, forming, widening, altering, extending, or otherwise improving or enlarging or rendering more commodious or convenient any Markets, Market Places, Streets, Highways, Lanes, Roads, public Passages, Footways, or Places within the said City of *York* or the Suburbs thereof, or for making any Communication to or with the same respectively; provided nevertheless, that no such Contract or Agreement for Purchase should be made by the said Commissioners in the said City and Suburbs without the Consent of the major Part in Number of the Justices of the Peace for the said City; and for raising Money to defray the Expences of purchasing Property for Improvements, and for making Improvements respectively, within such Parts of the said City and Suburbs as are not within the Jurisdiction of the Liberty of *Saint Peter*, it was further enacted, that the said Commissioners should, and they were thereby authorized and empowered, when and as often as they should find it necessary, to make a Rate or Assessment, under the Name and by the Description of "The Improvement Rate," on the several Tenants and Occupiers of all Dwelling Houses, Mills, Workhouses, Shops, Workshops, Cellars, Vaults, Warehouses, Stables, Coach-houses, Brewhouses, Granaries, Malt-houses, and all other Buildings and Erections whatsoever, which were already built or made, or which should thereafter be built or made, within such Parts of the said City and Suburbs as were not within the Jurisdiction of the said Liberty, and of the several Yards, Gardens, and Appurtenances thereto respectively belonging or adjoining, and of all other Tenements and Hereditaments within such Parts of the said City and Suburbs as aforesaid, according to the annual Rack Rent or Value of the said Premises respectively, such annual Rent or Value to be from Time to Time settled, ascertained, and fixed in such Manner as the said Commissioners should direct or appoint; provided nevertheless, that no such Rate or Rates, Assessment or Assessments, should exceed Sixpence in the Pound upon the Rack Rent or Value of the same Premises respectively in any One Year; provided also, that no such Tenant or Occupier should be assessed to the said Rate in respect of any Lands which should be used as Arable, Meadow, or Pasture Ground only, or in respect of the Stables or Barns thereon; provided also, that the Tenant or Occupier of any Garden which should exceed an Acre in Quantity should be assessed to the said Rate in respect only of One Acre in Quantity of such Garden: And whereas Markets for supplying the Inhabitants of the said City of *York* and the Neighbourhood thereof with Meat, Fish, Poultry, Vegetables, and other Provisions, and for buying and selling Corn, Goods, Wares, and Merchandize, have been holden and continue to be holden

in a Square or Place called *Sampson's Square* otherwise *Thursday Market*, and in a Street or Place called the *Pavement*, and several adjacent Streets within the said City: And whereas Markets or Fairs for the buying and selling of live Cattle, Beasts, Sheep, Horses, and Pigs have been and continue to be held on *Thursday* in every alternate Week, and on certain other Days during the Year, in and upon a Plot or Piece of Ground situate in the Parish of *Saint Lawrence* in the said City: And whereas under or by virtue of certain Royal Charters or Grants, and also by Prescription or Usage, the Lord Mayor of the said City for the Time being is Clerk of all the Markets and Fairs held within the same City; and the Mayor and Commonalty of the said City are entitled to hold the said several Markets and Fairs, and to have and receive the Stallage, Piccage, Tolls, Profits, Issues, Rents, Duties, Payments, Benefits, and Emoluments arising, growing, or happening for or in respect of all Articles and Cattle, Beasts, Sheep, and Horses, exposed for Sale in the said Markets and Fairs; and the said Mayor and Commonalty are also the Owners in Fee Simple of the said Plot or Parcel of Ground whereon the said Cattle Markets or Fairs are held: And whereas under or by virtue of certain Royal Charters or Grants, and also by Prescription or Usage, the Power of making, ordaining, and establishing Bye Laws, Rules, and Ordinances for the Regulation and Government of all the Markets and Fairs within the said City hath been and is vested in and exercised by the Lord Mayor, Aldermen, Sheriffs, and those who have been Sheriffs of the said City, in Council assembled, who form a select Body in the said Corporation, commonly called the "Upper House:" And whereas the said City and Neighbourhood have of late Years greatly increased and are still increasing in Population and Buildings, and the said Markets being now held in *Sampson's Square* and *Pavement*, the said Square and Pavement, and the Streets adjacent thereto, are much exposed to the Weather, and Persons resorting to the said Markets are frequently much inconvenienced; and the said Street or Place called the *Pavement*, and the Streets adjacent, wherein the said Markets are held, being great Thoroughfares, the Footways and Carriageways along the same are, by reason of the said Markets being so held therein as aforesaid, much incommoded and obstructed, and rendered very dangerous to the Inhabitants and the Public at large passing into or through the same: And whereas it would be a great Convenience and Advantage to the Inhabitants of the said City and Neighbourhood and the Public at large, and would tend to remove the Obstructions and Dangers before mentioned, if a spacious Opening or Street were made from the said Square or Place called *Sampson's Square* to the said Street or Place called *Pavement*; and if a Market Place, with proper Accommodations, were provided and established in such new Opening or Street, with convenient Approaches thereto; and if the Markets now held in the said Streets or Thoroughfares were partly or wholly removed to the said new Opening or Street and Market Place, and held therein; and also if proper Rules and Regulations were made and established for the good Government and Management of the said several Markets and Fairs held within the said City and Suburbs: And whereas in order to promote so desirable an Improvement, and to assist in obtaining and carrying into effect the same, the said Mayor and Commonalty have consented and agreed to pay out of their Corporate Funds One equal Third Part of the annual Interest of any Monies which shall be borrowed under the Powers of this Act for effecting such Improvements, and also to pay and contribute

tribute One equal Third Part of the ultimate Costs and Expences which shall be incurred in carrying the Purposes of this Act into execution, and that their Corporate Funds shall be made chargeable to and with the Payment of the same: And whereas the aforesaid Improvements may be made and completed, without imposing any additional Rate on the Inhabitants of the said City, by suspending, until the Improvements aforesaid shall have been made and completed, the Powers of the Commissioners acting in execution of the said recited Act within such Parts of the said City and Suburbs as are not within the Jurisdiction of the Liberty of *Saint Peter*, so far as relates to making and levying the aforesaid Rate or Assessment called "The Improvement Rate," inasmuch as the Improvements aforesaid may be made and completed by a Rate not exceeding in Amount the said Rate or Assessment called "The Improvement Rate," with the Aid of the Monies to be paid and contributed as aforesaid by the said Mayor and Commonalty: And whereas the Powers contained in the said recited Act are not sufficient to enable the said Commissioners to carry into effect the Improvements aforesaid, and the same might be more conveniently effected if Trustees were appointed for the Purpose, and if the Powers of the said Commissioners for making and levying the aforesaid Improvement Rate were suspended as herein-before mentioned, and if the Powers and Provisions of the said recited Act were in some respects amended: 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 Twenty-four Persons, that is to say, Twelve Persons, who shall be chosen in manner herein-after mentioned by the Mayor and Commonalty of the City of *York* from the Members of their Corporate Body, and Twelve other Persons, who shall be of the Number of, and chosen in manner herein-after mentioned by, the Commissioners for putting the said recited Act into execution in such Parts of the said City as are not within the Jurisdiction of the Liberty of *Saint Peter*, shall be Trustees for improving and enlarging the Market Places within the said City, and the Approaches thereto, and for carrying this Act into execution.

Trustees.

Election of Twelve Trustees out of the Corporation.

Election of Twelve Trustees by the Commissioners.

II. And be it further enacted, That for the Purpose of electing Twelve Persons from the Members of the said Body Corporate to be Twelve of the Trustees for carrying this Act into execution, it shall and may be lawful for the said Mayor and Commonalty, and they are hereby required, to assemble and meet together in the Guildhall of the said City, on the First *Monday* in *July* after the passing of this Act, between the Hours of Nine and Twelve in the Forenoon, and then and there to nominate and elect in the customary Manner, by Scrawl, any Twelve of the Members of the said Body Corporate to be Twelve of the Trustees for carrying this Act into execution; and for the Purpose of electing Twelve Persons from the Commissioners for putting into execution the said recited Act within such Parts of the said City as are not within the Jurisdiction of the Liberty of *Saint Peter* to be the other Twelve Trustees for carrying this Act into execution, it shall and may be lawful for the said Commissioners, and they are hereby required, to assemble and meet together on the First *Thursday* in *July* after the passing of this Act, between the Hours of Nine and Twelve in the Forenoon, at their usual Place of meeting, and then and there to nominate and elect in the customary Manner, by Ballot, Twelve of

of the said Commissioners to be Twelve of the Trustees for carrying this Act into execution.

III. And be it further enacted, That in case any of the Trustees who shall be chosen and appointed by the said Body Corporate for carrying this Act into execution shall die, or become incapable to act, or shall refuse to act, or shall neglect to attend for One whole Year at any Meetings to be held in pursuance of this Act, or shall become bankrupt or insolvent, then and in any of the said Cases the Place or Places of such Trustee or Trustees is and are hereby declared to be vacant; and the Trustees for carrying this Act into execution, or any Three or more of them, shall, within Fourteen Days after any such Vacancy shall be ascertained, give Notice in Writing to the Lord Mayor of the said City for the Time being, that the Place or Places of such Trustee or Trustees is or are vacant, and thereupon the said Mayor and Commonalty shall nominate and elect in manner aforesaid some Member or Members, as the Case may be, of the said Body Corporate to be Trustee or Trustees in the Place or Stead of the Trustee or Trustees so dying, or becoming incapable or refusing or neglecting to attend, or becoming bankrupt or insolvent as aforesaid, at any Meeting or Meetings of the said Body Corporate to be called for the Purpose by the said Lord Mayor; who is hereby directed to call the same within Seven Days after Notice of such Vacancy or Vacancies shall have been so given to him; but in default of such Notice being given to the said Lord Mayor as aforesaid, then he shall call such Meeting within Twenty-one Days after such Vacancy shall be known to him; and the said Lord Mayor shall give Three Days Notice to the said Body Corporate of the Time and Purpose of such Meetings; and the Nomination and Election of such new Trustee or Trustees shall take place in such Manner as is herein-before mentioned or provided with respect to the Nomination and Election of the original Trustee or Trustees under this Act; and the Member or Members of the said Body Corporate so nominated and elected shall be a Trustee or Trustees for carrying this Act into execution.

For supply-  
ing Vacancies  
in the Trus-  
tees appoint-  
ed by the  
Corporation.

IV. And be it further enacted, That in case any of the Trustees for carrying this Act into execution, to be chosen and appointed by the said Commissioners, shall die, or become incapable to act, or shall refuse to act, or shall neglect to attend for One whole Year at any Meeting to be held in pursuance of this Act, or shall become disqualified or cease to be a Commissioner for carrying into execution the said recited Act, then and in any of the said Cases the Place of such Trustee or Trustees is hereby declared to be vacant, and thereupon the Commissioners for putting into execution the said recited Act within such Parts of the said City as are not within the Jurisdiction of the Liberty of *Saint Peter* shall nominate and elect in manner aforesaid some Person or Persons, as the Case may be, being a Commissioner or Commissioners for putting into execution the said recited Act within such Parts of the said City and Suburbs as are not within the Jurisdiction of the Liberty of *Saint Peter*, to be a Trustee or Trustees in the Place or Stead of the said Trustee or Trustees so dying, or becoming incapable, or refusing or neglecting to attend, or becoming disqualified, or ceasing to be a Commissioner as aforesaid, at any Meeting of the said Commissioners held in execution of the said recited Act, or at any Meeting to be called for the Purpose, and which Meeting the said Com-

For supply-  
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missioners

missioners are hereby empowered to call by Notice to be given in manner directed by the said recited Act for giving Notice of Meetings on Emergencies, and to be held within Fourteen Days after any such Vacancy shall be ascertained ; and the Nomination and Election of such new Trustee or Trustees shall take place in such Manner as is herein-before mentioned or provided with respect to the Nomination and Election of the original Trustee or Trustees for carrying this Act into execution by the said Commissioners ; and the Commissioner or Commissioners so to be nominated and elected shall be a Trustee or Trustees for carrying this Act into execution.

Trustees to take and subscribe Oath or Affirmation.

V. And be it further enacted, That no Person shall be capable of acting as a Trustee in the Execution of this Act, except in the administering the Oath or Affirmation herein-after mentioned, until he shall have taken and subscribed an Oath or Affirmation in the Words or to the Effect following :

‘ I *A. B.* do swear [*or, being one of the People called Quakers, do solemnly declare and affirm,*] That I will truly and impartially, according to the best of my Skill and Judgment, execute and perform all and every the Powers and Authorities reposed in me by virtue of an Act passed in the Third Year of the Reign of His Majesty King *William* the Fourth, intituled *An Act* [*set forth the Title of this Act*].

‘ So help me GOD.’

[*Or, being a Quaker, omit the Words ‘ So help me God.’*]

Penalty on Persons acting not being qualified.

VI. And be it further enacted, That if any Person becoming disqualified by any of the Causes in this Act mentioned shall act as a Trustee in the Execution of this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds, with full Costs of Suit, to any Person who shall sue for the same in any of His Majesty’s Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, Wager of Law, or more than One Imparlance shall be allowed ; and every Person so sued or prosecuted shall upon the Trial prove that he was at the Time of acting qualified as aforesaid, or otherwise shall be liable to the said Penalty and Costs, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person hath acted as a Trustee in the Execution of this Act : Provided always, that all Acts and Proceedings of any Person acting as such Trustee (although not duly qualified) had or done previously to his being convicted of any such Offence, shall be as valid and effectual, notwithstanding such subsequent Conviction, as if such Person had been duly qualified.

Trustees not to be concerned in Contracts.

VII. And be it further enacted, That no Trustee under this Act shall have any Share or Interest, or be in any Manner directly or indirectly concerned, in any Contract or Bargain for carrying into effect the several Powers and Authorities of this Act or otherwise relating thereto ; and if any Person, after having become or been appointed or elected a Trustee, shall, without having first resigned such Office at some Meeting of the said Trustees, be concerned in any such Contract or Bargain, every Trustee so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds to any Person who shall sue for the same in any of His Majesty’s Courts of Record at *Westminster*, and from and after the Conviction of any such Offence shall be incapable of acting as Trustee under this Act ;  
and

Penalty 50*l.*

and all Acts, Orders, Matters, and Things made or done as a Trustee by the Person so concerned, after such Conviction, shall be null and void to all Intents and Purposes; and all and every such Contracts and Bargains shall, at the Discretion of the said Trustees assembled at any Meeting under this Act, be declared void, and in that Case shall not be enforced against or carried into effect by the said Trustees entering into the same: Provided always, that all Acts, Deeds, Matters, and Things made or done by the Trustees in execution of this Act previously to the Conviction of such Trustee of any such Offence shall be good, valid, and effectual, notwithstanding the Trustee so convicted shall have been one of the Trustees acting or concurring in the making or doing of any such Act, Deed, Matter, or Thing: Provided also, that nothing herein contained shall be deemed or construed to extend to any Trustee who shall enter into any Contract relating to, or who shall receive any Sum or Sums of Money paid out of the Rates of this Act as or by way of Purchase Money, Damages, Rent, Recompence, or Satisfaction agreed upon for any Lands, Grounds, Tenements, or Hereditaments purchased for the Purposes of this Act, or for Damage done to any inclosed or private Grounds of any such Trustee, in carrying into effect the Provisions of this Act.

VIII. And be it further enacted, That the First Meeting of the Trustees for carrying this Act into execution shall be held at the Guildhall of the said City on the Twenty-ninth Day of *July* in the Year of our Lord One thousand eight hundred and thirty-three, or on some subsequent Day as soon after as conveniently may be, between the Hours of Nine and Twelve in the Forenoon, at which Meeting, so soon as Five Persons shall have assembled, the Persons assembled shall proceed to elect a Chairman, and such Chairman shall take or make and subscribe before the other of such Persons then present at such Meeting, or any Two of them, the Oath or Affirmation herein-before prescribed, and after he shall have so taken or made and subscribed the same he shall and may administer the same Oath or Affirmation to the other of such Persons present at such Meeting; and when such Chairman and any other Four or more of such Persons shall have so taken and subscribed such Oath or Affirmation qualifying them to act as Trustees as aforesaid, the said Trustees, or any Five or more of them, shall and may proceed to carry the Powers of this Act into execution; and Meetings of the said Trustees shall or may be held for carrying this Act into execution at such Times and Places as the said Trustees, at the said First Meeting or at any subsequent Meetings, shall from Time to Time order and appoint.

First Meeting  
of Trustees.

IX. And be it further enacted, That it shall be lawful for the said Trustees, present at their First Meeting or at any subsequent Meetings for the Execution of this Act, from Time to Time to adjourn and to appoint their next Meeting to be holden at any future Day and Time at the same or at such other convenient Place within the said City as the Trustees present at any such Meeting shall think proper; and if at any Meeting of the said Trustees the Trustees present shall omit or neglect to adjourn such Meeting to another Day, or if a sufficient Number of Trustees shall not appear to act and adjourn, then and in every such Case such Meeting or intended Meeting shall be and is hereby adjourned to that Day Seven-night, and shall be holden at the same Place and at the same Hour of the Day as the former Meeting was holden or intended

Adjournment  
of Meetings.

to

to have been holden, and so from Time to Time until a sufficient Number of Trustees shall meet and adjourn; and the Trustees present at all such Meetings shall defray their own Expences (except any Sum not exceeding Ten Shillings a Day for the Use of the Room wherein they shall meet for the Purposes of this Act).

Meetings on  
Emergencies.

X. And be it further enacted, That if after any Adjournment of any Meeting of the said Trustees it shall be thought necessary that they should meet on an earlier Day than the Day appointed by such Adjournment, in that Case it shall be lawful to and for any Two or more of the said Trustees (although not assembled at a Meeting) forthwith to give Notice of such earlier Meeting, mentioning the Time, Place, and Purpose of such Meeting, in the Manner herein-after directed respecting the Meetings of the Trustees, (such Meeting not to be sooner than the Second Day after such Notice,) and every such earlier Meeting shall and may be held accordingly; and all Proceedings of the said Trustees at any such Meeting shall be as valid and effectual as they would have been in case the Trustees had met in pursuance of an Adjournment.

Public Notice  
of Meetings  
to be given.

XI. And be it further enacted, That in all Cases where public Notice is by this Act directed to be given, the same shall be printed or written in legible Characters, and fixed on the outer Doors of the Guildhall of the said City, or upon such other Places or Buildings as the said Trustees shall from Time to Time direct or appoint, and also inserted in some Newspaper published or circulated in the said City at least Three Days before the Day of holding such Meeting, or doing or transacting any Business, relative to which the Notice shall be given, or such other Notice thereof shall be given and published in such Manner as the said Trustees at their said First Meeting, or at any Half-yearly Meeting to be held by virtue of this Act, shall order and direct.

Half-yearly  
Meetings for  
settling  
Accounts.

XII. And be it further enacted, That the said Trustees shall meet on the First *Monday* in the Months of *December* and *June* in every Year at the Guildhall aforesaid, or such other Place or Places in the said City as they shall think proper, which shall be called General Half-yearly Meetings of the said Trustees; and at all such General Half-yearly Meetings the Accounts of all Monies received and paid from Time to Time by virtue and in execution of this Act, by any Person or Persons whomsoever, shall be produced, stated, examined, and settled; and an Abstract of such Accounts shall be made, and within Seven Days from the Auditing and Settlement thereof be published in some Newspaper or Newspapers printed or circulated in the said City of *York*.

Regulating  
Proceedings  
of the Trus-  
tees.

XIII. And be it further enacted, That at all Meetings of the said Trustees Five shall be sufficient to constitute a Meeting competent to execute the Powers of this Act; and all the Powers and Authorities by this Act granted to or vested in the said Trustees shall and may from Time to Time be exercised by any such Five or more Trustees, or by the major Part of the Trustees present at any such Meeting to be holden in pursuance of this Act, the whole Number present not being less than Five; and all Questions shall be decided by a Majority of Votes of the Trustees present; and the Chairman shall have as well an original Vote in the Proceedings of such Meetings, as also (in case of an Equality of Votes upon



any Question) an additional or casting Vote ; and all Acts, Orders, and Proceedings of the said Trustees shall be entered in the Books of Proceedings, and the Chairman of every such Meeting shall subscribe his Name at the End of the Proceedings at every such Meeting (except Entries of Adjournments, which may be signed by the Clerk or Clerks to the said Trustees); and it shall be lawful for the Chairman of any Meeting of the said Trustees to administer the Oath or Affirmation by this Act directed to be taken or made and subscribed by Trustees ; and no Acts or Orders of the said Trustees shall be in Law valid, or deemed to be made by the Trustees under this Act, unless the same shall be made at a Meeting of the said Trustees, held according to the Provisions of this Act, and signed by the Chairman, as herein-before mentioned ; and no Rule, Order, or Determination made by the said Trustees at any of their Meetings shall be revoked or altered at any subsequent Meeting, unless Notice of such intended Revocation or Alteration shall have been given at a previous Meeting, and entered in the Book of Proceedings of such Meeting, nor unless Notice of the Time and Place and Purpose of the Meeting at which any such Revocation or Alteration is intended to be made shall have been given in the Manner herein-before directed respecting the Meetings of the Trustees, and shall also have been delivered to or left at the usual Place of Abode of each of the surviving or continuing Trustees who concurred in making such Rule, Order, or Determination.

XIV. And be it further enacted, That the said Trustees shall from Time to Time provide or cause to be provided proper Books for entering all their Acts, Orders, and Proceedings, and for registering all Mortgages and Assignments thereof, and shall cause fair and regular Entries to be made therein of all their Acts, Orders, and Proceedings relative to the Execution of this Act, and of the Names of the Trustees who shall be present at the respective Meetings ; and all such Books and the Entries therein, being signed by the Chairman as herein-before mentioned, shall be deemed and taken to be Originals ; and the same, or true Copies thereof, shall be admitted to be read in Evidence in all Courts whatsoever, and by and before all Judges and Justices, and others, in all Causes, Suits, Actions, and Proceedings touching any thing to be done in pursuance or under the Authority of this Act ; and the said Book and Books shall be open to the Inspection of the said Trustees or any of them, at all reasonable Times, without Fee or Reward.

Proceedings to be entered in a Book ;

and the same or Copies thereof to be admitted as Evidence.

XV. And be it further enacted, That it shall be lawful for the said Trustees to nominate and appoint One or more Committee or Committees (every such Committee to consist of Three or more Persons), out of the said Trustees, to investigate, transact, and manage particular Departments of Business ; and such Committee or Committees shall have full Power and Authority to do, execute, and perform all Matters and Things whatsoever which the said Trustees shall from Time to Time intrust to the Management of such Committees ; and such Committees shall meet at such Times and Places within the said City as they shall think proper ; and all Powers which shall be vested in the said Committees shall be executed by the major Part of them present at their respective Meetings ; and such Committees shall from Time to Time make Reports of their Proceedings to the said Trustees ; and the Acts of the said Committees shall not be valid unless the same shall be adopted, ratified, and confirmed by

Committees may be appointed.

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the said Trustees at some or one of, their Meetings to be held under or by virtue of this Act.

Officers to be appointed.

XVI. And be it further enacted, That it shall be lawful for the said Trustees at their First or any subsequent Meeting, as Occasion shall require, by Writing signed by the Chairman for the Time being, entered in the said Book or Books of Proceedings, to nominate and appoint a Clerk or Clerks, Treasurer or Treasurers, Inspector or Inspectors, and Collector or Collectors of the Rates or Assessments by this Act granted, and also to appoint and employ such other Officers and Persons as the said Trustees shall think proper, and from Time to Time to remove and displace all or any of such Officers and Persons as they shall see Occasion, and to elect and appoint others in the Room or Place of such of them as shall be so removed, or shall die, or resign their Offices, Ten Days public Notice of the Time and Place of the Meeting for the Purpose of every such Appointment or Removal being given as herein-before mentioned; and the said Trustees may, out of the Monies to be raised or received by virtue of this Act, pay and make to every such Clerk, Treasurer, Inspector, Collector, and other Officer and Person to be employed as aforesaid such Salary and Allowance for his Attendance, Care, and Service as to the said Trustees shall appear reasonable and proper; and the said Trustees shall and they are hereby required to take sufficient Security from every such Treasurer for the faithful Execution of his Office, and shall and may, if they think proper, also require and take such Security from any such Collector and other Officer to be appointed under or by virtue of this Act for the due Execution of their Offices, and for the Payment of the Money received by them respectively, and for delivering up all Books, Deeds, Papers, and other Things which shall come into their respective Hands by virtue of this Act, as the said Trustees shall think necessary.

Treasurer to give Security.

Officers to account.

XVII. And be it further enacted, That every such Clerk, Treasurer, Collector, or other Officer or Person to be appointed by virtue of this Act, or who shall be employed in the Execution thereof, shall, as often as required by the said Trustees, render and give to them full, true, and just Accounts, in Writing under his Hand, of all Monies which shall have been by him collected, received, and paid by virtue or for the Purposes of this Act, and from and to whom and for what Purpose such Monies and every Part thereof shall have been received and paid, together with the proper Receipts and Vouchers for such Payments, and shall pay all such Monies as upon the Balance of such Accounts shall remain in his Hands to the said Trustees, or to such Person, and at such Time, as they shall direct; and if any such Officer or Person shall refuse or neglect to render or give such Account, or to produce or deliver up the Receipts and Vouchers relating to the same, or to make Payment as aforesaid, or shall not deliver to such Trustees, or to such Person or Persons as they shall appoint, within Seven Days next after being thereunto required by Notice in Writing, signed by the Chairman at any Meeting of the said Trustees, and given to or left at the last or usual Place of Abode of such Officer or Person, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or give Satisfaction to the said Trustees respecting the same, and if Complaint shall be made thereof, by or on behalf of the said Trustees, to any Justice of the Peace for the said City of *York*, such Justice is hereby authorized and required to summon

such Officer or Person to appear before him, or before any other Justice of the Peace for the said City of *York*, at a Time and Place in such Summons to be mentioned, and upon his appearing or not appearing (the Service of such Summons by Delivery to him personally, or leaving it at his last or usual Place of Abode, being proved by the Oath of any credible Witness, which Oath such Justice is hereby empowered to administer,) to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Accounts, if produced, in the same Manner as the said Trustees and such Officer or other Persons might have done; and if, upon the Confession of the Party, or by the Testimony of One credible Witness upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any of the Money which shall have been collected and received by virtue or for the Purposes of this Act shall be in the Hands of such Officer or Person, such Justice is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person, together with the Costs and Charges of such Distress and Sale, to be settled and ascertained by such Justice (and which he is hereby authorized and empowered to settle and ascertain), rendering the Overplus (if any), upon Demand, to the Officer or Person whose Goods and Chattels shall have been so taken and distrained, or leaving the same at the Place where the Distress shall be made; and if sufficient Goods or Chattels of such Officer or Person cannot be found to satisfy the said Monies, and Charges of levying the same, or if such Officer or Person shall not appear before the said Justice at the Time and Place by him appointed in such Summons, or, if appearing, he shall refuse or neglect to render and give to the said Justice such Accounts of the Receipts and Payments as aforesaid, or to produce and deliver up to the said Justice the several Receipts and Vouchers relating thereto, and all Books, Papers, or Writings relating to the Execution of this Act, which shall be in the Custody or Power of such Officer or other Person, then and in any or either of the Cases aforesaid the said Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to commit such Officer or Person to the Common Gaol or House of Correction in and for the said City of *York*, there to remain without Bail or Mainprize until he or they shall have delivered in and settled his Accounts, and shall have produced and delivered up to the said Trustees, or to such Person as they shall appoint, all the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in his Hands, and the reasonable Charges attending the Recovery thereof, or shall have compounded with the said Trustees for the same, and have paid such Composition Money, in such Manner as they shall appoint, (and which Composition and Monies the said Trustees are hereby empowered to make and receive,) or until he or they shall have delivered up all such Books, Accounts, Papers, and Writings as aforesaid, or have given Satisfaction in respect thereof to the said Trustees as aforesaid; but no such Officer or other Person who shall be committed for default of Distress only shall be detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months: Provided also, that if any Money shall remain due from such Officer or Person, the Commitment to Prison shall not be deemed a Discharge for the same, nor exonerate his Surety or Sureties; but such Officer or Person, and his Surety or Sureties, shall remain liable to the Payment thereof

thereof in the same Manner as if such Officer or Person had not been committed to Prison.

Clerk not to act as Treasurer, and vice versa.

XVIII. And be it further enacted, That it shall not be lawful for the said Trustees to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be Treasurer for the Purposes of this Act; or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, to be the Clerk to the said Trustees; and if any Person shall accept both the Offices of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of such Treasurer, or in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall accept the Office of Clerk, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk in the Execution of this Act, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Trustees 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, 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 at Law, or more than One Imparlance, shall be allowed.

For Punishment of Officers exacting Fees, &c.

XIX. And be it further enacted, That if any Collector or other Officer or Person to be employed by the said Trustees for any of the Purposes of this Act shall exact, demand, or receive from any Person whomsoever any Fees, Emoluments, or other Perquisites, in the Execution of the Duties of his Office (other than the Salary, Wages, or Emoluments allowed to him by the said Trustees), every such Officer shall repay the Sum or Sums so unlawfully received to the Person or Persons who shall have paid the same, and shall besides forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Penalty for assaulting Collectors, &c.

XX. And be it further enacted, That in case any Person or Persons shall assault, hinder, or obstruct any Inspector, Collector, or other Officer of the said Trustees, or any other Person employed by them, in the Execution of his or their Office or Offices, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Trustees may sue and be sued in the Name of the Clerk, &c.

XXI. And be it further enacted, That the said Trustees may sue and prosecute, and be sued and prosecuted, for and concerning any thing which shall be done by virtue or in pursuance of or relating to this Act, in the Name of the Clerk or of any One Trustee for the Time being; and that no  
Action

Action or Suit to be brought or commenced by the Direction of or against the said Trustees, by virtue of this Act, in the Name of such Clerk or Trustee, shall abate or be discontinued by the Death, Resignation, or Removal of any such Clerk or Trustee, nor by the Act of any such Clerk or Trustee without the Consent of the said Trustees at a Meeting held in pursuance of this Act, but shall be continued and carried on in the same Name, notwithstanding such Death, Resignation, Removal, or Default of such Clerk or Trustee; and such Clerk or Trustee shall be deemed to be the Plaintiff or Defendant (as the Case may be) in every such Action or Suit: Provided always, that every such Clerk or Trustee in whose Name any Action or Suit shall be commenced, prosecuted, or defended, in pursuance of this Act, shall be fully indemnified, reimbursed, and paid, out of the Monies to arise by virtue of this Act, all such Costs, Damages, and Expences as by the Event or in consequence of any such Action or Proceedings he shall bear, pay, expend, or be put unto or become chargeable with for or by reason only of his being so made Plaintiff or Defendant as aforesaid: Provided also, that such Clerk or Trustee shall not, by reason of his being so made Plaintiff or Defendant, be deemed an inadmissible Witness in any such Action or Suit, unless it be on his own personal Account.

Clerk, &c. to be indemnified.

XXII. And be it further enacted, That the said Trustees shall and they are hereby required from Time to Time to provide, or to order and direct to be provided, a Book or Books to be 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 for the Purposes of this Act, and of the several Articles, Matters, and Things for which such Sums of Money shall have been disbursed, laid out, and paid; which Book and Books shall at all seasonable Times be open to the Inspection of the said Trustees, and any Creditor or Creditors on the Rates, Rents, Tolls, and Duties hereby granted, without Fee or Reward; and the said Trustees and Creditors and Persons, or any of them, shall or may take Copies of or Extracts from the said Book or Books, or any Part thereof, without paying any thing for the same; and in case any such Clerk shall, on any reasonable Demand, refuse to permit or shall not permit any of the said Trustees or Creditors or Persons to inspect any such Book or Books, or to take such Copies or Extracts as aforesaid, every such Clerk shall forfeit and pay for each Offence any Sum not exceeding Five Pounds, to be levied, recovered, and applied as herein-after mentioned.

Accounts to be kept of Receipts and Disbursements.

XXIII. And be it further enacted, That it shall be lawful for the said Trustees, and they are hereby authorized and empowered, to purchase and take the several Messuages, Buildings, Lands, Tenements, and Hereditaments within the said City, mentioned and specified in the First Schedule to this Act annexed, or so many or such Part or Parts thereof as they the said Trustees shall think necessary and proper to be taken and used for the Purposes of this Act.

Power to purchase Houses and Lands mentioned in the Schedule to the Act.

XXIV. Provided always, and be it further enacted, That if any of the Messuages, Buildings, Lands, Tenements, or Hereditaments mentioned in the First Schedule to this Act annexed, or any of the Persons, or Body or Bodies Politic or Corporate, in whose Possession or Occupation the same

Errors in the Schedule not to prevent the Purchase.

[Local.]

15 P

or

or any Part thereof are or is stated or described to be, shall happen to be misnamed or inaccurately described, such Misnomer or inaccurate Description shall not prevent or retard the Execution of this Act, but the same Premises and every Part thereof shall and may be purchased and sold, or assessed and valued by a Jury, and conveyed, disposed of, and applied to and for the Purposes of this Act, as fully and effectually to all Intents and Purposes whatsoever as if the same were more properly and correctly named and described, provided it shall be made to appear to any Two Justices of the Peace for the City of *York* aforesaid, and be certified by Writing under their Hands, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake, or that the real Owners or Occupiers of such Messuages, Buildings, Lands, Tenements, or Hereditaments had previous Notice that the same respectively would be wanted for the Purposes of this Act.

Premises to be purchased within Three Years.

XXV. Provided always, and be it further enacted, That in case the said Trustees shall not purchase the Lands, Buildings, Tenements, and Hereditaments mentioned in the First Schedule to this Act annexed within the Space of Three Years from and after the passing of this Act, all the Powers granted by this Act for purchasing, taking, or using the same, or such of them as shall not then have been purchased, shall cease and determine, save and except with the Consent of the Owners or Proprietors thereof for the Time being.

Incapacitated Persons empowered to sell and convey.

XXVI. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Tenants for Life or Years, or in Fee Tail, General or Special, and all Feoffees in Trust, Husbands, Guardians, Committees for Lunatics and Idiots, and all Trustees whatsoever, Executors and Administrators, not only for and on behalf of themselves and their respective Heirs and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Idiots, Femes Covert, and Wards, and other Persons under any Disability of acting for themselves, who are or shall be seised or interested in their own Right, or otherwise howsoever, and for all and every other Person or Persons whomsoever, who now are or shall at any Time or Times hereafter be seised or possessed of or in any way interested in any Messuages, Buildings, Lands, Tenements, or Hereditaments which the said Trustees are enabled to take or purchase for the Purposes of this Act, or any of them, and they are hereby required, to contract and agree with the said Trustees for the absolute Sale thereof, or any Part or Parts thereof, and to sell and convey the same, or any Part or Parts thereof, and all the Estate, Right, Title, and Interest whatsoever of, in, and to the same, and to sell and convey the same unto the said Trustees for the Purposes aforesaid; and all Contracts, Bargains, Sales, Conveyances, and other Assurances which shall be made by virtue and in pursuance of the Provisions of this Act shall, without any Fine, Recovery, or other Assurance in the Law whatsoever, and without Enrolment or Registry, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Persons so conveying, but also to convey all the Right, Estate, and Interest, Trust, Use, Property, Possession, Claim, or Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them, and of all

Persons entitled in Remainder or Reversion expectant on any particular Estates, and the same shall be considered and deemed to bar and shall bar all Dower of the Wife or Wives of such Party or Parties, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and the Issue and Issues of the same Party or Parties claiming under them or any of them respectively, any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding; and all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, and all Tenants for Life, Fee Simple, or in Fee Tail, General or Special, and all Feoffees in Trust, Husbands, Guardians, Committees, and Trustees, Executors and Administrators, and all other Persons whomsoever, are and shall and they are hereby fully indemnified for what they shall respectively do by virtue and in pursuance of this Act.

XXVII. And be it further enacted, That all Sales, Conveyances, and Assurances to be from Time to Time made to the said Trustees of any Messuages, Buildings, Lands, Tenements, or Hereditaments, by virtue of this Act, may be in the Form or to the Effect following; (that is to say,) Form of Conveyance.

‘ I [or We], in consideration of the  
 ‘ Sum of to me [or us] paid by the  
 ‘ Trustees for carrying into execution an Act passed in the Third Year of  
 ‘ the Reign of King *William* the Fourth, intituled [*here set forth the Title*  
 ‘ *of this Act*], do hereby grant and convey to the said Trustees all  
 ‘ [*describe the Premises*], and all my [or our] Right, Title, and Interest to  
 ‘ and in the same and every Part thereof, to hold to the said Trustees for  
 ‘ ever. In witness whereof I [or we] have hereunto set my Hand and  
 ‘ Seal [or our Hands and Seals] this Day of in  
 ‘ the Year of our Lord

And every such Sale, Conveyance, and Assurance so made shall be valid and effectual to all Intents and Purposes, and shall be sufficient in Law to vest the Property of and in any such Messuages, Buildings, Lands, Tenements, and Hereditaments in the said Trustees, for the Uses and Purposes of this Act, any Law, Statute, Usage, or other Matter or Thing to the contrary thereof notwithstanding.

XXVIII. Provided always, and be it further enacted, That if any Bodies Politic or Corporate or Collegiate, Corporations Aggregate or Sole, Spiritual or Lay, Tenants for Life or in Tail, Trustees, Feoffees, Guardians, Committees, Executors, or Administrators, or any other Persons or Person whomsoever, Proprietors or Owners of or interested in any Messuages, Buildings, Lands, Tenements, or Hereditaments mentioned in the First Schedule to this Act annexed, or any Occupier or Occupiers of any Messuages, Buildings, or Tenements, or other such Premises, sustaining any Loss, Injury, or Damages, shall for the Space of Ten Days next after Notice in Writing from the said Trustees, signed by the Clerk or Clerks for the Time being of the said Trustees, shall have been to him or them given, or left at the Dwelling House or Houses or usual or last Place or Places of Abode of him, her, or them, or of the principal or head Officer or Officers of such Bodies Politic or Corporate, or Corporations, or at the House or Houses of the Tenant or Tenants in possession of such Messuages, Buildings, Lands, Tenements, or Hereditaments intended to be purchased and taken for the Purposes of this On Proprietors refusing to treat or to sell, Jury to be summoned to assess the Value, &c.

this Act, purporting that such Messuages, Buildings, Lands, Tenements, or Hereditaments are required for the Purposes of this Act, neglect or refuse to treat and agree, or shall not agree, for the Sale of the said Premises, or by reason of Absence or Disability shall be prevented from treating and agreeing, or cannot be found or known, or shall not produce a clear Title to the Hereditaments they are in possession of, or the Interest they claim therein, to the Satisfaction of the said Trustees, then and in every such Case the said Trustees shall cause the Value and Recompence to be made for such Messuages, Buildings, Lands, Tenements, or Hereditaments to be inquired into and ascertained by a Jury of Twelve indifferent Men of the said City of *York* or of the County of *York*; and for the summoning and returning such Jury the said Trustees are hereby empowered from Time to Time to issue their Warrant or Warrants to the Sheriffs of the said City, or the Sheriff of the said County, thereby commanding and requiring them or him to impanel, summon, and return an indifferent Jury of Twenty-four Persons, qualified to serve upon Juries at the Sessions of the said City or County, and who are respectively seised or possessed of Freehold, Copyhold, or Leasehold Estates within the said City or County of the annual Value of Ten Pounds, to appear before the said Sheriffs or Sheriff, at such Time as in such Warrant or Warrants shall be appointed, at the Guildhall within the said City, or at the Castle of *York*; and the said Sheriffs or Sheriff are and is hereby required to impanel, summon, and return such Number accordingly to attend at the Time and Place so appointed; and out of the Persons so impanelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriffs or Sheriff are and is hereby empowered to swear Twelve to be the Jury for the Purposes aforesaid; and in default of such a Number of Jurymen appearing, the said Sheriffs or Sheriff shall return other Twelve honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve; and all Persons concerned shall have their lawful Challenges against any of the said Jurymen when they come to be sworn, but shall not challenge the Array; and the said Sheriffs or Sheriff are and is hereby required and empowered from Time to Time, as Occasion shall be or require, to summon and call before the said Jury, and examine upon Oath, (which Oath the said Sheriffs or Sheriff are and is hereby empowered to administer,) all and every Person and Persons who shall be thought necessary and proper to be examined as a Witness or Witnesses touching or concerning the Premises; and they or he shall also order and cause the said Jury, or any Three or more of them, to view the Places in question, if there be Occasion, and use all lawful Ways and Means, as well for their or his own as for the said Jury's better Information in the Premises, as the said Sheriffs or Sheriff shall think fit; and the said Jury shall assess the Damages and Recompence to be given for the Messuages, Buildings, Lands, Tenements, or Hereditaments to the respective Owner or Owners and Occupier or Occupiers thereof, according to their respective Interests therein, and shall give in their Verdict thereupon; and after the said Jury shall have inquired of and assessed such Damages and Recompence, and given in their Verdict, the said Sheriffs or Sheriff shall thereupon order, adjudge, and determine the Sum or Sums of Money so assessed by the said Jury to be paid for the said Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Interest therein, according to such Verdict or Inquisition of the said Jury.

XXIX. And



XXIX. And be it further enacted, That such Verdict or Inquisition of the said Jury, and the Judgment, Order, or Determination thereupon so had and made, shall be final, binding, and conclusive to all Intents and Purposes against all Tenants for Life, Tenants in Tail, and all Infants, Issue unborn, Idiots, Lunatics, Femes Covert, Bodies Politic or Corporate, Corporations Aggregate or Sole, Trustees, Feoffees, Guardians, Committees, as well absent as present, claiming in Possession, Reversion, Remainder, or Expectancy, or otherwise, and against their several and respective Heirs, Successors, Executors, or Administrators, and against all other Person or Persons whomsoever; and all and every such Owners, Occupiers, and other Persons in anywise interested in such Messuages, Buildings, Lands, Tenements, or Hereditaments shall thereby be from thenceforth to all Intents and Purposes divested of all Right, Title, Claim, Remainder, Reversion, Interest, or Property of, in, to, or out of the same; and on Payment or legal Tender of the Money so assessed to the respective Persons entitled thereto, or their Agents, or upon paying the same into the Bank of *England* within the Time and in manner by this Act directed, it shall and may be lawful to and for the said Sheriffs or Sheriff to cause the Possession of the Premises in respect whereof such Money shall be assessed and paid to be delivered to the said Trustees, and thereupon the Premises shall absolutely vest in the said Trustees, and they shall be and be deemed to be in the actual Seisin and Possession thereof to all Intents and Purposes whatsoever; and every Verdict and Judgment thereupon as aforesaid shall be transmitted to and be fairly entered and kept amongst the Records of the Quarter Sessions of the said City, and the same, or true Copies thereof, shall be admitted, received, and taken in Evidence and Proofs in all Courts of Law or Equity, and all Places whatsoever, and all Persons shall have recourse to them at all reasonable Times *gratis*, and may take Copies thereof *gratis*, and may, if they think proper, order Copies thereof to be made, paying Sixpence for every One hundred Words, and so in proportion for any less Number of Words to be copied.

Verdict of  
Jury to be  
final.

XXX. And be it further enacted, That the said Sheriffs or Sheriff acting in the Premises shall have Power from Time to Time to impose any reasonable Fine or Fines on any of the Persons who shall be summoned and returned on such Jury, and shall not appear, without some sufficient Excuse, or who shall refuse to be sworn on such Jury, or being sworn shall refuse to give or shall not join in giving his Verdict, or shall in any other Manner wilfully neglect his Duty therein, contrary to the true Intent and Meaning of this Act, and on any Person or Persons who, being summoned to give Evidence before the said Jury touching the Premises, shall refuse or neglect to appear after having been paid or tendered a reasonable Sum for his, her, or their Costs, Charges, and Expences, without some sufficient Excuse, or appearing shall refuse to be sworn or give Evidence, so as such Fine to be imposed on any Jurymen or Witness shall not exceed the Sum of Ten Pounds for One Offence.

Penalty on  
Persons sum-  
moned not  
appearing or  
refusing to be  
sworn,

XXXI. And be it further enacted, That in case any such Jury shall give in or deliver a Verdict or Assessment for more Money as a Recompence or Satisfaction for the Right, Interest, or Property of any Person or Persons, Bodies Politic or Corporate, in or to such Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, or for any

Costs of Jury  
by whom to  
be borne.

[*Local.*]

15 Q

such

such Damage or Injury as aforesaid, than shall have been offered or tendered by the said Trustees before the summoning or returning of such Jury, then the Costs and Expences of such Notice or Notices, Precept or Precepts, and of summoning and returning such Jury and Witnesses, and also of the said Inquest, (such Costs and Expences to be settled and allowed by any Justice of the Peace for the said City not being one of the said Trustees, and not a Person interested,) shall be borne and paid by the said Trustees out of the Money arising by virtue of this Act, and shall and may be recovered by the Person or Persons entitled thereto by Distress and Sale of the Goods and Chattels of the said Trustees or of their Treasurer, (unless such Treasurer shall pay such Costs and Expences out of any Monies received by him by virtue of this Act, and which he is hereby authorized to do,) under a Warrant to be issued for that Purpose by any Justice of the Peace for the said City, which Warrant any such Justice is hereby authorized and required to issue under his Hand and Seal, on Application made to him for that Purpose by the Party entitled or claiming to receive such Costs and Expences; but if any such Jury shall give in and deliver a Verdict or Assessment for no more or for less Money as a Recompence or Satisfaction as aforesaid than shall have been offered or tendered as aforesaid by the said Trustees before the summoning or returning of the said Jury or Juries as aforesaid, then one Moiety of the Costs and Expences aforesaid shall be borne and paid by the Person or Persons, Bodies Politic or Corporate, with whom the said Trustees shall have had any Controversy or Dispute, and shall be recovered in the same Manner as any Penalties or Forfeitures are hereinafter directed to be recovered, and the other Moiety thereof shall be borne and paid by the said Trustees out of the Money arising as aforesaid, and be recovered by Distress and Sale in manner aforesaid; but in Cases where Parties, by reason of Absence or Disability, shall have been prevented from treating and agreeing, such Costs and Expences shall be paid and borne by the said Trustees out of the Money arising by virtue of this Act, and be recovered by Distress and Sale in manner aforesaid.

Tenants at  
Will to give  
up Posses-  
sion upon  
Six Months  
Notice.

XXXII. And be it further enacted, That every Lessee or Tenant for Years, or from Year to Year, or at Will, Mortgagee, and every other Person in possession of any Messuages, Buildings, Lands, Tenements, or other Hereditaments which shall be purchased or taken by virtue and for the Purposes of this Act, shall deliver up the Possession of such Premises to the said Trustees, upon having Six Calendar Months Notice from the Clerk or Clerks for the Time being, to be appointed in pursuance of this Act, on behalf of the said Trustees, to quit the same at such Time or Times as shall be required by such Notice, they the said Trustees making such Satisfaction and Compensation to every such Tenant, Lessee, or other Person aforesaid (except a Mortgagee) in case he, she, or they shall be required to quit before the Expiration of his, her, or their Term or Interest in the Premises, as the said Trustees and such Lessee, Tenant, or other Person shall deem just and reasonable; and in case any Dispute or Difference shall arise touching or concerning the same, such Satisfaction and Compensation shall be ascertained and settled by a Jury in such and the like Manner as the Satisfaction and Compensation to be made by the said Trustees for the Purchase of any Messuages, Buildings, Lands, Tenements, or other Hereditaments is and are herein directed to be ascertained and settled in case of any Dispute or Difference about the same;

same; and such Lessee, Tenant, or other Person aforesaid in possession shall, at such Time or Times as he, she, or they shall be required by the said Trustees, peaceably and quietly deliver up the Possession of the said Premises to the said Trustees; and if any such Lessee, Tenant, or other Person aforesaid so in possession as aforesaid shall refuse or neglect to deliver up such Possession as aforesaid, then and in every such Case it shall and may be lawful to and for the said Trustees to issue their Precept or Precepts to the said Sheriffs of the said City of *York* aforesaid, to deliver Possession of the said Premises to such Person or Persons as shall in such Precept or Precepts be nominated to receive the same, and the said Sheriffs are hereby required to deliver Possession of the said Premises accordingly, and to levy such Costs and Charges as shall accrue from the issuing or Execution of such Precept or Precepts on the Person or Persons so refusing to deliver up Possession as aforesaid by Distress and Sale of his, her, or their Chattels.

XXXIII. And be it further enacted, That all and every Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, who shall have any Mortgage or Mortgages on any Messuages, Buildings, Lands, Tenements, or Hereditaments to be required for the Purposes of this Act (not being in possession of the said Premises by virtue of such Mortgage or Mortgages), shall, on Tender of the Mortgage Money and Interest due thereon, together with the Amount of Six Calendar Months Interest on the Principal Money, by the Clerk or Clerks for the Time being to be appointed in pursuance of this Act, on behalf of the said Trustees, immediately convey, assign, and transfer such Mortgage or Mortgages to the said Trustees; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the Clerk or Clerks for the Time being to be appointed in pursuance of this Act, that the said Trustees will, out of the Money arising by virtue of this Act, pay off and discharge the Principal Money and Interest which shall be due on the said Mortgage or Mortgages at the End or Expiration of Six Calendar Months, then, on Payment of the Principal and Interest so due on such Mortgage or Mortgages, according to such Notice, such Mortgagee or Mortgagees shall convey, assign, and transfer the said Mortgage or Mortgages, and his, her, or their Interest in the Premises, to the said Trustees; but in case such Mortgagee or Mortgagees shall refuse to convey or assign on such Tender or Payment as aforesaid, then all Interest on such Mortgage shall, from the Time of such Tender or Expiration of such Notice, cease and determine: Provided always, that in case the Sum due upon any such Mortgage or Mortgages, with all Interest due thereon, shall amount to more than the real Value of such Messuages, Buildings, Lands, Tenements, or Hereditaments, or the Part or Parts thereof which shall be taken for the Purposes of this Act, then the said Trustees shall not be liable, out of the Monies arising by virtue of this Act, to pay the Mortgagee or Mortgagees any more than the real Value of such Premises, which Value, in case the Parties cannot agree upon the same, shall be ascertained and settled by a Jury in like Manner as other Values are by this Act directed to be ascertained and settled.

XXXIV. And be it further enacted, That in case any Messuages or Buildings, Lands, Tenements, or Hereditaments shall be damaged or injured by or in the taking down of any of the Messuages or Buildings to be taken

Mortgagees not in possession to assign to Trustees.

Compensation to be made for Damage taken

done in  
pulling down  
Houses, &c.

taken down for the Purposes of or otherwise in the Execution of this Act, the said Trustees shall and they are hereby authorized and required, by and out of the Money to arise by virtue of this Act, to make to the Owners and Occupiers of such Messuages and Buildings, Lands, Tenements, and Hereditaments, so damaged or injured, such Compensation and Satisfaction for such Damage or Injury as the said Trustees shall in their Judgment think reasonable, by Payment of a Sum of Money in gross; and in case the Owners or Occupiers shall think the Satisfaction offered to them by the said Trustees not sufficient, then the same shall be ascertained and settled by a Jury in manner herein provided for ascertaining the Value of the Messuages, Lands, and Hereditaments to be purchased, taken, or required for the Purposes of this Act.

For taking  
possession of  
Messuages,  
&c. on Pay-  
ment or  
Tender of  
Purchase  
Money  
agreed upon  
or assessed.

XXXV. And be it further enacted, That upon Payment or legal Tender by the said Trustees of the Purchase Money agreed upon or assessed by such Jury as aforesaid for any of the Messuages, Buildings, Lands, Tenements, or Hereditaments authorized to be taken and purchased for the Purposes of this Act, to the Owner or Owners thereof, or to such other Person or Persons as shall be interested therein or entitled to receive such Money, or into the Bank of *England* in the several Cases herein mentioned, within Two Calendar Months after such Purchase Money shall have been so agreed upon or assessed as aforesaid, it shall be lawful for the said Trustees to enter into and upon the Messuages, Buildings, Lands, Tenements, and Hereditaments whereof the Purchase Money shall be so paid or tendered, and thereupon the same shall thenceforth be vested in the said Trustees for the Purposes of this Act; and every such Payment or Tender shall bar all Estates, Rights, Titles, and Interest of all Persons whomsoever therein: Provided nevertheless, that before such Payment or Tender shall be made it shall not be lawful for the said Trustees, or any Persons acting by their Authority, to enter into or upon any Messuages, Buildings, Lands, Tenements, or Hereditaments authorized to be taken and purchased for the Purposes of this Act, without the Consent of the Owner or Owners thereof, and other the Person or Persons interested therein or entitled thereto, or any Estate therein.

Compensa-  
tion Money  
exceeding  
200l. belong-  
ing to inca-  
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Persons, how  
to be applied.

XXXVI. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Messuages, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used by virtue of the Powers of this Act, for the Purposes thereof, which shall belong to any Body or Bodies Politic, Corporate, or Collegiate, Corporation Aggregate or Sole, Tenants for Life or in Tail, Husbands, Guardians, Trustees, Committees, or any Feme Covert, Infant, Lunatic, Idiot, Cestuique Trust, or any Person or Persons whomsoever whose Messuages, Buildings, Lands, Tenements, and Hereditaments are limited in strict or other Settlement, or to any Person or Persons under any Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Exchequer, to be placed to his Account, *ex parte* the said Trustees, pursuant to the Directions of an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at Westminster on account of the Suitors of the said Court, and for the Appointment*

1 G. 4. c. 35.

of an Accountant General and Two Masters of the said Court, and for other Purposes, and the general Orders of the said Court, and without Fee or Reward; to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Messuages, Buildings, Lands, Tenements, or Hereditaments, in the Purchase and Redemption of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Messuages, Buildings, Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same may be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Messuages, Buildings, Lands, Tenements, or Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or in Real Securities; and in the meantime, and until the said Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities or Government or Real Securities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

XXXVII. And be it further enacted, That if any Money so agreed or awarded to be paid for any Messuages, Buildings, Lands, Tenements, or Hereditaments purchased, taken, or used for the Purposes aforesaid, and belonging to any Corporation, or any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, to be placed to his Account as aforesaid, in order to be applied in manner hereinbefore directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Trustees for carrying this Act into execution (such Nomination and Approbation to be signified in Writing

If less than  
200*l.* and  
exceeding  
20*l.*

under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the same may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

If not exceeding 20*l*.

XXXVIII. And be it further enacted, That when such Money so agreed or awarded to be paid as last before mentioned shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Messuages, Buildings, Lands, Tenements, or Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Trustees shall think fit; or in case of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively as aforesaid.

If Titles cannot be made, or Persons found, &c., Money to be paid into the Bank.

XXXIX. And be it further enacted, That in case the Body or Bodies, Person or Persons, to whom any Sum or Sums of Money shall be agreed to be paid or awarded for the Purchase of any of the said Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased by virtue of this Act, shall refuse to accept the same, or shall not be able to make a good Title to the Premises to the Satisfaction of the said Trustees, or in case such Person or Persons to whom such Sum or Sums of Money shall be so agreed to be paid or awarded as aforesaid cannot be found, or if the Person or Persons entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Trustees to order the said Sum or Sums of Money so agreed to be paid or awarded as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties, or the unknown Persons (as the Case may be), interested in such Messuages, Buildings, Lands, Tenements, or Hereditaments, subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Body or Bodies, Person or Persons, making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of proceeding, or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title, or Interest of the Body or Bodies, Person or Persons, making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay such Sum or Sums of Money into the said Bank as aforesaid.

Persons in possession of Premises to be deemed

XL. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Body or Bodies, Person or Persons, to any Money to be paid into the Bank of *England* in the Name

and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased in pursuance thereof, or to any Bank Annuities to be purchased with any such Money, or to the Dividends and Interest of any such Bank Annuities, the Body or Bodies, Person or Persons, who shall have been in possession of such Messuages, Buildings, Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Body or Bodies, Person or Persons, or under the Possession of such Body or Bodies, Person or Persons, shall be deemed and taken to have been lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Body or Bodies, Person or Persons, was or were lawfully entitled to such Messuages, Buildings, Lands, Tenements, or Hereditaments.

presumptively entitled to the Money.

XLI. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, or Corporation, entitled to any Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the said Court, or to be applied in the Purchase of other Messuages, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses in pursuance thereof, it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Trustees out of the Monies arising by virtue of this Act, and they shall from Time to Time respectively pay such Sum or Sums of Money for such Purposes as the said Court shall direct.

Court of Exchequer may order reasonable Expences of certain Purchases to be paid by the Trustees.

XLII. And whereas some Part or Parts of the said Messuages, Buildings, Lands, Tenements, or Hereditaments to be purchased, taken, or used for the Purposes of this Act may happen to be more than will be necessary or wanted for such Purposes; be it therefore further enacted, That it shall and may be lawful to and for the said Trustees, and they are hereby authorized and empowered, to sell and dispose of and convey, or cause to be sold and disposed of and conveyed, such Part or Parts of the said Messuages, Buildings, Lands, Tenements, or Hereditaments to be vested in the said Trustees by virtue or in pursuance of this Act to any Person or Persons willing to contract or agree for or purchase the same; and the Money arising therefrom shall be paid and applied for the Purposes of this Act; but the Purchaser or Purchasers of such Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Part or Parts thereof, shall not, after paying his, her, or their Purchase Money or Purchase Monies, be liable to see to the Application thereof, or be in anywise answerable for the Misapplication or Nonapplication thereof, or of any Part thereof.

Power to sell Premises not wanted for the Purposes of this Act.

XLIII. Provided always, and be it further enacted, That the said Trustees, before they shall sell and dispose of any such Messuages, Buildings, Lands,

Persons from whom Lands have been

purchased to  
have first  
Offer.

Lands, Tenements, or Hereditaments, shall first offer the same for Sale to the Person or Persons respectively from whom they shall have purchased such Messuages, Buildings, Lands, Tenements, or Hereditaments; and in case such Person or Persons shall not then and thereupon agree or shall refuse to repurchase the same, then and in every such Case an Affidavit, to be made and sworn before a Master Extraordinary in the High Court of Chancery, or before One or more of His Majesty's Justices of the Peace for the City of *York* aforesaid, by some Person or Persons no way interested in the said Messuages, Buildings, Lands, Tenements, or Hereditaments, stating that such Offer was made by or on behalf of the said Trustees, and that such Offer was not then and thereupon agreed to, or was refused, by the Person or Persons to whom the same was so offered, shall, in all Courts whatsoever, be sufficient Evidence and Proof that such Offer was made and not agreed to, or was refused, by the Person or Persons to whom it was made, as the Case may be; and in case such Person or Persons shall be desirous of purchasing such Piece or Pieces of Ground, and he, she, or they, and the said Trustees, shall differ or not agree with respect to the Price thereof, then the Price or Prices thereof shall be ascertained by a Jury in manner by this Act directed with respect to disputed Value of Premises to be taken and used by the said Trustees in pursuance of this Act; and the Expence of hearing and determining such Difference shall be borne and paid in like Manner as by this Act is directed with respect to such Purchases made by the said Trustees, *mutatis mutandis*; and the Money to arise by the Sale or Sales of such Piece or Pieces of Ground as aforesaid shall be applied by the said Trustees to the Purposes of this Act; but the Purchaser or Purchasers thereof shall not be answerable or accountable for any Misapplication or Nonapplication thereof.

Power to  
form a Street  
and erect a  
Market  
Place, &c.

XLIV. And be it further enacted, That it shall be lawful for the said Trustees to take down or alter all or any of the Messuages or Buildings which shall be purchased for the Purposes of this Act as herein-before mentioned, or any Part or Parts thereof respectively, and to appropriate all or any of the Ground or Scites thereof respectively, and also all or any of the Lands or Grounds so to be purchased as aforesaid, for all or any of the Purposes of this Act; and to make and form a spacious Opening or Street between the said Square or Place called *Sampson's Square* and the said Street or Place called the *Pavement*, and to set apart and appropriate a sufficient Space of Ground in such Opening or Street, and to make, erect, and build thereupon, or upon any Part thereof, a Market Place, with proper and sufficient Offices, Buildings, Stalls, Standings, and other Conveniences for the Sale of Corn, Meat, Fish, Poultry, Eggs, Butter, Vegetables, Fruit, and other Provisions, and for buying and selling all or any such Goods, Wares, Merchandize, Commodities, Articles, or Things as are usually sold in public Markets, and which shall be brought there to be sold or disposed of, and for the Accommodation of the Public and all Persons attending or resorting to the same Market; and also to make convenient Avenues and Approaches leading to the said Opening or Street and Market, and all necessary Sewers and Drains from the same, and also to do and perform all such other Acts, Matters, and Things as shall or may be necessary for the making and completing the said Opening or Street, and Market, Buildings, Erections, and Avenues and Conveniences, according to the true Intent and Meaning of this Act.

XLV. And



XLV. And be it further enacted, That from Time to Time, when and as often as the said Opening or Street so to be made as aforesaid, or any Portion or Portions thereof, shall be so far formed and completed that a convenient Space of Ground therein shall be capable of being appropriated and set apart either as a separate Market Place, or as an Addition to the present Market Places or either of them, the said Trustees shall and they are hereby required, by Advertisement in some Newspaper published or circulated in the said City, to give Notice of such Street having been so far formed and completed, that a sufficient Space of Ground therein shall be capable of being set apart and appropriated for the Purposes of a public Market as aforesaid, previously to the Day on which such Market Place shall be so opened.

When Market Place or any Part thereof is completed, Notice to be given thereof.

XLVI. And be it further enacted, That from Time to Time and at all Times after the Expiration of One Calendar Month from the Day on which such Notice shall have been first published it shall and may be lawful for the said Mayor and Commonalty to hold and keep an open and public Market in and upon the Space of Ground so capable of being set apart and appropriated as aforesaid, and in and upon any additional Space of Ground to be afterwards from Time to Time purchased and acquired by virtue and for the Purposes of this Act, when and as soon as the same shall be so purchased and acquired, and capable of being set apart and appropriated for the Purposes of a public Market as aforesaid, for supplying the Inhabitants of the said City and Neighbourhood with Corn, Meat, Fish, Poultry, Eggs, Butter, Vegetables, Fruit, and other Provisions, and for buying and selling all or any such Goods and Wares as aforesaid, under and subject to such Rules and Regulations as are in and by this Act authorized to be made and established; and also by themselves, and their Collectors or Servants, to ask, demand, recover, receive, and take of and from all and every Person and Persons exposing or offering for Sale or selling any Provisions, Goods, or Wares in the Markets aforesaid, who shall rent, hire, or use any Stall or Standing Place in the said Market, the several Rents, Stallage, and Sum or Sums of Money which shall at any Time, or from Time to Time, be fixed and appointed by the said Mayor and Commonalty to be paid for the same, not exceeding the several Rents, Stallage, or Sum or Sums of Money mentioned and specified in the Second Schedule to this Act annexed, any Charter, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding; provided that it shall not be lawful for the said Mayor and Commonalty to demise or let the said Market Place, or the Rents, Stallage, Sum or Sums of Money to be collected or to arise from or in respect of the said Markets by virtue of this Act, to any Person or Persons whomsoever.

Markets may be held in the new Market Place after such Notice.

XLVII. Provided also, and be it further enacted, That in case the Amount of the Rents, Stallage, and Sum or Sums of Money which shall be received by the said Mayor and Commonalty in any One Year from the Markets to be held in such Opening or Street as aforesaid, shall exceed the Sum of Six hundred Pounds, then and in such Case, and as often as the same shall happen, the Amount which shall be so received by the said Mayor and Commonalty, over and above the Sum of Six hundred Pounds, shall be paid by the said Mayor and Commonalty to the Commissioners for putting into execution the said recited Act within such Parts of the said City as are not within the Liberty of *Saint Peter*, to be

Surplus of Market Dues how to be applied.

[Local.]

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by

by them applied towards the same Purposes as the Monies to be raised from the Rate called the Rate for general Purposes, by the said recited Act authorized to be raised and levied, are thereby directed to be applied and disposed of: Provided also, that in the Month of *January* in every Year the said Mayor and Commonalty shall make out a true Statement and Account of all Monies received by them during the preceding Year for or in respect of the said Rents, Stallage, and Sum or Sums of Money, and of all Costs, Charges, and Expences incurred by them in regulating and maintaining the said Markets, or in anywise relative thereto; and an Abstract of such Account shall in the said Month of *January* be published in some Newspaper or Newspapers printed or circulated in the said City of *York*.

List of Rents, &c. to be painted on Boards, and affixed in the Market Place.

XLVIII. Provided always, and be it further enacted, That the said Mayor and Commonalty shall from Time to Time cause to be painted on Boards, and affixed and stuck up and continued, and renewed as often as the same shall be obliterated or defaced, upon a conspicuous Place or conspicuous Places in the said Market, in large and legible Characters, an Account or List of the several Rents, Stallage, and Sum or Sums of Money which the said Mayor and Commonalty shall from Time to Time direct and appoint to be taken for or in respect of the Stalls or Standing Places in the said Market, from the Persons who shall hire or rent the same as aforesaid.

Rights of Mayor and Commonalty not to be abridged.

XLIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend in any Manner to abridge or rescind the Rights which the said Mayor and Commonalty now possess and enjoy, whether by Charter or otherwise, to hold Fairs and Markets in the said City or Suburbs thereof, or in any Manner to affect or abridge the Rights of the said Mayor and Commonalty to Pickage, Stallage, Tolls, or any Privilege, Advantage, or Authority which the said Mayor and Commonalty now possess, exercise, or enjoy respecting the Market Places and the several Markets and Fairs now being or held in the said City or the Suburbs thereof; and that the several public Markets and Fairs which have been usually holden within the said City and the Suburbs thereof shall continue to be and shall and may be lawfully holden and kept upon the several Days whereupon the same and every of them are usually holden and kept, under and subject nevertheless to such Rules and Regulations as are in and by this Act contained and authorized to be made and established.

Days for holding Cattle Fairs in the Parish of Saint Lawrence.

L. And be it further enacted, That it shall and may be lawful for the said Mayor and Commonalty, and they are hereby authorized and empowered, in and upon the said Plot or Piece of Ground, situate in the Parish of *Saint Lawrence* aforesaid, whereon Markets and Fairs for the buying and selling of live Cattle, Beasts, Sheep, Horses, and Pigs are now held on every alternate *Thursday*, and on certain other Days, as hereinbefore mentioned, to hold and keep Markets and Fairs for the buying and selling of live Cattle, Beasts, Sheep, Horses, and Pigs on any and such other Days or Times as the said Mayor and Commonalty shall from Time to Time appoint for that Purpose, under and subject to such Rules and Regulations as are in and by this Act contained, and authorized to be made and established.

LI. And be it further enacted, That it shall and may be lawful for the said Mayor and Commonalty, or such Portion of the said Body Corporate as by Prescription or Usage exercise the Right to make and establish Bye Laws for the Regulation of the Markets and Fairs in the said City, and they are hereby authorized and empowered, from Time to Time to make and establish such Bye Laws, Rules, Orders, and Regulations as to them shall seem meet, as well for preventing Horses and Carriages from passing through the several Market Places within the said City and Suburbs and the Approaches to the same during the Time of the said several Markets and Fairs, as for fixing and appointing proper Places for the loading and unloading of Waggon, Carts, and other Carriages, and for the standing of such Waggon, Carts, and Carriages after being unladen at the said Markets and Fairs, and for fixing, appointing, and determining by what Streets, Avenues, or Ways such loaded and unloaded Waggon, Carts, and Carriages shall pass into, through, and out of the said City and Suburbs during the Time of the said Markets and Fairs, and what particular Streets or Places shall be used for the Exhibition of Neat Cattle, Horses, Sheep, Pigs, and other Animals brought or exposed for Sale at the said Markets and Fairs, and whether such Animals or any of them shall be kept confined within any Pens or otherwise, and what specific Market Places or Portions of Market Places within the said City or Suburbs shall be used for the exposing to Sale of Corn and the different Kinds of Provisions, Wares, and Goods brought for Sale to the said Markets and Fairs; and also for regulating the setting out and fixing up and Removal of the Sheds, Stalls, Standings, Blocks, Trestles, and other Articles used to place such Corn, Provisions, Wares, and Goods upon during the Time of the said Markets and Fairs; and also for inspecting the Sorts and Quality of all Flesh Meat brought to the said Markets and Fairs, and for weighing and ascertaining the Weight and Measure of all Corn, Provisions, and other Articles sold by Weight or Measure in the said Markets or Fairs; and for ascertaining whether the Steelyards, Scales, Weights, and Measures used in the said Markets and Fairs are just and true; and for seizing and destroying publicly all Flesh Meat and Fish of unsound or unwholesome Quality, and all false and deficient Steelyards, Scales, Weights, and Measures, that shall be found in the said Markets or Fairs; and all such other Bye Laws, Rules, Orders, and Regulations for the holding, good Order, and Government of the said several Markets and Fairs to be held within the said City and Suburbs, and of the several Persons resorting thereto, as to them in their Judgment and Discretion shall seem proper and expedient for the common Benefit of the said City, and the Persons resorting to the Markets and Fairs thereof; and also from Time to Time to annul, alter, or vary such Bye Laws, Rules, Orders, and Regulations, or any of them, as shall be found expedient; and likewise to fix, impose, and lay such reasonable Penalties, Fines, and Forfeitures, not exceeding the Sum of Forty Shillings for each Nonobservance or other Breach of such Bye Laws, Rules, Orders, and Regulations, or any of them, as to them shall appear necessary and expedient; and all such Bye Laws, Rules, Orders, and Regulations, being published as herein-after mentioned, shall be good and binding upon and observed by all Persons, and shall be sufficient in any Court of Law or Equity to justify any Person who shall act under or in pursuance of the same; and all such Penalties, Fines, and Forfeitures shall be recoverable and payable in the same Manner as herein-after directed concerning other Penalties to be incurred by virtue of this

For regulat-  
ing Markets,  
&c.

this Act; provided nevertheless; that such Bye Laws, Rules, Orders, and Regulations be not inconsistent with the Provisions of this Act, or repugnant to the Laws of that Part of the United Kingdom called *England*.

Repealing Power in the Act 6 Geo. 4. for making Bye Laws for Regulation of Markets and Fairs.

LII. And be it further enacted, That so much and such Part of the said recited Act as provides that it shall be lawful for the Lord Mayor of the said City for the Time being, as Clerk of the Markets within the said City, from Time to Time to make and establish such Bye Laws, Rules, Orders, and Regulations as to the said Lord Mayor for the Time being should seem meet for the Government and Regulation of the Markets and Fairs within the said City and Suburbs, shall be repealed, and the same is hereby repealed accordingly.

Penalty on obstructing Officers in Markets, &c.

LIII. And be it further enacted, That if any Person shall assault, hinder, or obstruct any Officer or Person appointed or employed by the Lord Mayor of the said City for the Time being as Clerk of the Markets in the said City, or by the said Mayor and Commonalty, or by the aforesaid Portion of the said Body Corporate, to carry into effect any Bye Law, Rule, Order, or Regulation made under the Provisions of this Act in respect to the good Order and Government of the Markets and Fairs therein, or shall assault, hinder, or obstruct any Person or Persons authorized or appointed by the Lord Mayor of the said City as Clerk of the Markets in the said City, or by the said Mayor and Commonalty, or by the aforesaid Portion of the said Body Corporate, to receive or collect the lawful Tolls and Duties usually paid and payable in the aforesaid Markets and Fairs; or if any Person shall wilfully destroy, deface, injure, remove, pull down, or take away any Building, Shambles, Wall, Fence, Post, Rail, or Chain, or any Shed, Stall, Standing, Block, Trestle, Hurdle, Pen, or other Erection set up or to be set up by the Authority of the said Trustees, or the Lord Mayor of the said City for the Time being as Clerk of the Markets in the said City, or the said Mayor and Commonalty, or by the aforesaid Portion of the said Body Corporate, for the Use, Purpose, or Convenience of the said Markets and Fairs, or any Board, Notice, or Inscription to be affixed by the like Authority in or near the Places of holding the said Markets and Fairs, every Person offending in any of the Cases aforesaid shall forfeit and pay the Sum of Five Pounds for every such Offence, to be recoverable and payable in the same Manner as is herein-after directed concerning other Penalties to be incurred by virtue of this Act,

Compensation to be made for Deficiency in Poor Rates, &c.

LIV. And whereas by reason of pulling down the Houses and Buildings to effect the Improvements in pursuance of this Act, there may be Deficiencies in the Produce of the Land Tax, Church and Poor Rates, in the several Parishes within which such Houses and Buildings are situate; be it further enacted, That the said Trustees shall during the first Three Years after the several Works and Improvements to be made in pursuance of this Act shall be commenced, out of the Rate or Assessment by this Act to be raised and levied, make good to the said Parties such Deficiencies of and in such Taxes and Rates as shall from Time to Time happen and be occasioned in such Parishes respectively by reason of the making and carrying on of the Works and Improvements aforesaid, such Deficiencies to be estimated according to and upon the

Scale

Scale of the Rates, Taxes, and Assessments which have been rated, laid, and assessed in the said Parishes respectively from the Sixth Day of *April* One thousand eight hundred and thirty-two to the Sixth Day of *April* One thousand eight hundred and thirty-three.

LV. And for raising Money to defray the Expences of purchasing Property for the Purposes of this Act, and of carrying the Purposes of this Act into execution; be it further enacted, That the said Trustees shall, and they are hereby authorized and empowered, when and as often as they shall find it necessary, to make a Rate or Assessment, under the Name and by the Description of the Improvement Rate, on the several Tenants or Occupiers of all Dwelling Houses, Mills, Workhouses, Shops, Workshops, Cellars, Vaults, Warehouses, Stables, Coachhouses, Brewhouses, Granaries, Malt houses, and all other Buildings and Erections whatsoever which are already built or made, or which shall hereafter be built or made, within such Parts of the said City and Suburbs as are not within the Jurisdiction of the Liberty of *Saint Peter*, and of the several Yards, Gardens, and Appurtenances thereto respectively belonging or adjoining, and of all other Tenements and Hereditaments within such Parts of the said City and Suburbs as aforesaid, according to the annual Rack Rent or Value of the same Premises respectively, such annual Rent or Value to be from Time to Time settled, ascertained, and fixed in such Manner as the said Trustees shall direct or appoint: Provided nevertheless, that no such Rate or Rates, Assessment or Assessments, shall exceed Sixpence in the Pound upon the Rack Rent or Value of the same Premises respectively in any One Year; provided also, that no such Tenant or Occupier shall be assessed to the said Rate in respect of any Lands which shall be used as Arable, Meadow, or Pasture Ground only, or in respect of the Stables or Barns thereon; provided also, that the Tenant or Occupier of any Garden which shall exceed an Acre in Quantity shall be assessed to the said Rate in respect only of One Acre in Quantity of such Garden.

Rate to be laid for the Purposes of this Act.

LVI. And be it further enacted, That all and every Rate or Assessment which shall be made or laid for the Purposes of this Act shall be signed by so many of the said Trustees as are competent to transact Business under the Powers of this Act, and shall be allowed and confirmed by Two Justices of the Peace having Jurisdiction in the said City of *York*.

Rate to be signed by Trustees and allowed by Justices.

LVII. And be it further enacted, That all and every Rate or Rates, Assessment or Assessments, so to be made as aforesaid, shall be paid by the said Tenants or Occupiers so rated to the Collector or Collectors to be appointed by virtue of this Act to collect the same; and if any Tenant or Occupier so rated as aforesaid shall neglect or refuse to pay his or her Proportion or Proportions of the said Rate or Rates or Assessment or Assessments to the said Collector or Collectors for the Space of Seven Days next after Demand thereof made at the Dwelling House or usual Place of Abode of such Tenant or Occupier, the said Sum or Sums so rated upon him or her as aforesaid shall be levied and recovered by Distress and Sale of the Goods and Chattels of the said Tenant or Occupier so neglecting or refusing as aforesaid, upon Complaint to any Justice or Justices of the Peace of the City of *York*, by

Payment and Recovery of Rates.

[*Local.*]

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Warrant

Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, together with all Costs and Charges incidental to and attending such Complaint, Distress, and Sale; and in case no Goods and Chattels of such Defaulter can be found whereon to levy the said Distress, it shall be lawful for any such Justice or Justices to commit such Defaulter to the Common Gaol or any House of Correction for the said City, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless the said Amount directed to be levied as aforesaid shall be sooner paid.

Rates to be paid by Persons previously to quitting their Houses, &c.

LVIII. And be it further enacted, That in case any Person or Persons who shall be rated or assessed by virtue of this Act shall quit the Premises for or in respect of which such Person or Persons shall be so rated or assessed before he, she, or they shall have duly paid and discharged the Amount of his, her, or their Rate or Assessment, and shall afterwards refuse or neglect to pay the same for the Space of Seven Days after Demand thereof made at the Dwelling House or usual Place of Abode of such Person or Persons by the Collector or Collectors of such Rates, then and in every such Case it shall be lawful for any One or more of His Majesty's Justices of the City of *York*, upon Complaint thereof, to issue a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, for levying the Amount assessed upon such Defaulter or Defaulters as aforesaid by Distress and Sale of his, her, or their Goods and Chattels, together with the incidental Costs, Charges, and Expences attending such Complaint, Distress, and Sale, such Defaulter having been first duly summoned by such Justice or Justices to appear before him or them at a Time and Place to be mentioned in such Summons, to show Cause for such Neglect or Refusal; and in case no Goods and Chattels of such Defaulter or Defaulters can be found whereon to make such Distress, it shall be lawful for such Justice or Justices to commit such Defaulter or Defaulters to the Common Gaol or any House of Correction for the said City, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless the Amount directed to be levied as aforesaid shall be sooner paid and satisfied.

Rates to be apportioned on Persons removing from their Houses, &c.

LIX. And be it further enacted, That in all Cases where any Person or Persons rated by virtue of this Act shall remove from or quit the Possession of the Premises for or in respect of which such Person or Persons shall be so rated, every such Person or Persons shall be liable to pay such Rate or Assessment in proportion to the Time such Person or Persons occupied the said Premises; and in all Cases where any Person or Persons shall come into and occupy any Premises rated or assessed, or liable to be rated or assessed, as aforesaid, and out of or from which any other Person or Persons shall have previously removed, or which at the Time of making any such Rate or Assessment were empty and unoccupied, such Person or Persons so coming into and occupying the same shall be liable to pay the then existing Rate or Assessment for and in respect of the said Premises, although his, her, or their Name or Names shall or may not be inserted in such Rate or Assessment, in proportion to the Time that such Person or Persons shall occupy the said Premises, commencing upon the Day of his, her, or their Entry as Tenants, or of taking possession of the Premises, as if the Name or Names of such Person or Persons had been originally inserted in such Rate or Assessment;

ment; and in case any Dispute shall arise as to the Proportion hereinbefore respectively mentioned and directed to be paid, the Amount thereof shall in all Cases be settled and ascertained by Two Justices of the Peace having Jurisdiction as aforesaid.

LX. And be it further enacted, That the Landlord, or any One or more of the Occupiers of all Houses, Buildings, or Tenements within the said Parts of the said City and Suburbs which is or shall or may be let out ready furnished, or in separate Apartments, Rooms, or Floors, and the Landlord of all Houses let for less than Five Pounds a Year, shall be liable and subject to the Rates or Assessments directed by this Act to be raised and levied, and shall be rated and assessed accordingly; and all and every Person or Persons renting or occupying any ready-furnished Houses, or separate Apartments, Rooms, or Floors as aforesaid, shall be liable and compellable to pay the said Rates or Assessments, to be recovered in manner herein directed; and every such Occupier who shall pay any such Rate or Assessment, or from whom the same shall be recovered in pursuance of this Act, shall and may deduct the same from and out of the next Rent due and payable from him, her, or them to such respective Lessee, Landlord, or Owner; and the Receipt for such Payment shall be a sufficient Discharge for the Occupier to his or her Landlord for so much Money as he or she shall pay, or shall be levied on him or her by virtue of this Act; but no such Occupier shall at any Time be required to pay, or be subject or liable to pay, any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due and payable by such Tenant or Occupier to the Lessee, Landlord, or Owner of the Premises so let out ready furnished, or in separate Apartments, Rooms, or Floors, to him or her; and the Person so paying such Rate shall be authorized and enabled to recover the Amount paid from the Landlord by Warrant of Distress from any Two Justices of the Peace of the City of *York*, which they, upon Application of such Occupier so making such Payment, are hereby authorized to grant: Provided always, that nothing herein contained shall extend to prejudice or vacate any Agreement between Landlord and Tenant.

Ready-furnished Houses how to be assessed.

Agreements between Landlord and Tenant not to be vacated.

LXI. Provided also, and be it further enacted, That it shall be lawful for the said Trustees and they are hereby empowered, upon the Complaint of any Occupier of any Dwelling House or other Hereditaments subject to the Payment of the said Rates or Assessments, to mitigate, reduce, lessen, remit, or excuse, for or on account of his or her Poverty or Inability only, Payment of the said Rate or Assessment by such Occupier for such Dwelling House or other Hereditaments as the said Trustees shall in their Discretion think just and reasonable.

Relief in case of Poverty.

LXII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made in pursuance of this Act, he, she, or they may appeal to any Two Justices of the Peace of the City of *York* in Petty Sessions, who are hereby authorized and empowered to hear the same in a summary Way, and, if they shall think fit, to give such Relief in the Premises as to them shall seem reasonable; and if any Person or Persons shall be dissatisfied with the Determination of the said Two Justices therein, he, she, or they may appeal in the Manner hereinafter

Appeal against Rate.

after mentioned to the General or Quarter Sessions of the Peace, and the Determination of the Justices in such Sessions therein shall be final and conclusive.

Power to  
borrow  
Money.

LXIII. And be it further enacted, That for the more speedy and effectual raising such Sum and Sums of Money as shall be necessary and sufficient for the several Purposes of this Act, it shall and may be lawful to and for the said Trustees, and they are hereby empowered, from Time to Time to borrow and take up at Interest, upon the Credit of the Rate or Assessment to be laid and levied by virtue of this Act, such Sum and Sums of Money as they shall think necessary, not exceeding in the whole the Sum of Thirty thousand Pounds; and the said Trustees shall and may, by Writing under their Hands and Seals, or under the Hands and Seals of any Five or more of them, mortgage or assign over the said Rate or Assessment, or any Part thereof, to the Person or Persons who shall advance or lend such Money, or to his, her, or their Trustee or Trustees, as a Security for the Money so to be borrowed, together with Interest for the same; and every such Mortgage or Assignment shall be framed according to the Form following, with such Additions as the said Trustees shall deem expedient to be inserted in order to meet the Intentions of the Provisions herein-after contained respecting the future Liability of the said Mayor and Commonalty to pay a Sum equal to One Third Part of the Principal Monies which on the final Settlement of Accounts they shall be liable to pay as herein-after mentioned; (that is to say,)

Form of  
Mortgage.

‘ **BY** virtue of an Act passed in the Third Year of the Reign of His  
‘ Majesty King *William* the Fourth, intituled [*set forth the Title of*  
‘ *this Act*], we \_\_\_\_\_ of the Trustees appointed for carrying the said  
‘ Act into execution, in consideration of the Sum of \_\_\_\_\_  
‘ paid to us by *A. B.* [*insert the Name, Place of Abode, and other necessary*  
‘ *Addition of the Lender,*] for the Purpose of making the Improvements  
‘ authorized by the said Act, do grant and assign unto the said *A. B.*,  
‘ his *or* her Executors, Administrators, and Assigns, [*or to his or her*  
‘ Trustee or Trustees, *as the Case may require,*] such Proportion of the  
‘ Rate or Assessment arising by virtue of the said Act as the said Sum  
‘ of \_\_\_\_\_ doth or shall bear to the whole Sum which is or  
‘ shall be borrowed upon the Credit of the said Rate or Assessment, to  
‘ be had and holden from this Day until the said Sum of \_\_\_\_\_  
‘ with Interest henceforth for the same at the Rate of \_\_\_\_\_  
‘ *per Centum per Annum* (to be paid \_\_\_\_\_), shall be fully repaid  
‘ and satisfied. In witness whereof we have hereunto set our Hands  
‘ and Seals this \_\_\_\_\_ Day of \_\_\_\_\_ in the Year  
‘ of our Lord \_\_\_\_\_ .’

And every such Mortgage or Assignment shall be good, valid, and effectual in the Law.

Mode of  
transferring  
Securities.

LXIV. And be it further enacted, That it shall be lawful for the Persons entitled to any of the Securities for the Money borrowed as aforesaid by Writing under their Hands to transfer the same respectively to any Persons, according to the Form following, or any other Form of Words to the like Purport or Effect, as the Case may be; *videlicet,*

‘ **I** *A. B.* [*insert the Name, Place of Abode, and other necessary Addition*  
‘ *of the Person assigning,*] do hereby assign the within Mortgage, and  
‘ all \_\_\_\_\_



‘ all my Right and Title in and to the Principal Money and Interest; and  
 ‘ all Arrears now due thereon and thereby secured, unto *C. D.* [*insert*  
 ‘ *the Name, Place of Abode, and other necessary Addition of the intended*  
 ‘ *Assignee,*] his Executors, Administrators, and Assigns. Dated this  
 Day of \_\_\_\_\_ in the Year of our  
 Lord \_\_\_\_\_

And Entries or Memorials of all such Mortgages or Assignments which shall be made in pursuance of this Act, and of all Transfers thereof, expressing in Words at Length the Names, Additions, and Places of Abode, and other necessary Descriptions of all such Persons as shall from Time to Time be entitled to the Principal Money and Interest thereby secured, shall be entered in Books to be kept for that Purpose by the Clerk or Clerks to the said Trustees, which Books any Person interested shall at all seasonable Times have free Liberty to inspect without Fee or Reward; and for the Entry of every such Mortgage or Assignment the said Clerk or Clerks shall be paid the Sum of Two Shillings and Sixpence, and no more; and every such Mortgage or Assignment, after such Entry thereof as aforesaid, shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, or Assigns, to the Benefit of the Security thereby made or transferred; and all Persons to whom such Mortgages or Assignments shall be made, or who shall be entitled to the Monies thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Rate or Assessment charged therewith equally one with another, without any Preference in respect of the Priority of advancing such Monies, or the Dates of any of such Mortgages or Assignments respectively.

Entries to be made of Securities.

LXV. And be it further enacted, That all the Monies which shall be raised by virtue of this Act from and by the Rates and Assessments hereinbefore authorized to be assessed and levied, and all the Monies which shall be borrowed on Mortgage of the same Rate and Assessment, and all other Monies which shall come to the Hands of the said Trustees under the Powers and Provisions of this Act, shall be and the same are hereby vested in the said Trustees, and the same shall from Time to Time and at all Times be paid, applied, and disposed of, by and under the Orders of the said Trustees, in the first place, in paying and defraying the Costs, Charges, and Expences of applying for or incident to the obtaining and passing of this Act, with Interest for the Money which shall have been advanced for those Purposes, and then in Payment of all the Costs, Charges, and Expences relating or incident to the Execution of this Act, or any of the Directions herein contained, and the Powers and Authorities hereby granted to the said Trustees, and in Payment of the Compensation Monies for all Premises to be purchased and any Damages to be done in the Execution of the Powers of this Act, and of the Interest on all Money to be borrowed on the Credit of such Rate or Assessment, subject to the Provisions and Directions herein-after contained, and in paying off Part of such Principal Monies according to the Provisions of this Act, and for no other Use, Intent, or Purpose whatsoever.

Application of the Rates and borrowed Money.

LXVI. And be it further enacted, That the said Mayor and Com-  
 monalty shall and they are hereby required, out of their Corporate Funds,  
 [Local.] 15 U to

The Mayor and Com-  
 monalty to

pay One  
Third of In-  
terest of  
Money bor-  
rowed.

to pay to the said Trustees half-yearly, from Time to Time, within Fourteen Days after the Copy of the Account herein-after mentioned shall have been delivered to the Lord Mayor of the said City of *York*, a Sum equal to One Third Part of the half-yearly Interest which shall during the then last Half Year have been paid on the Monies to be borrowed for the Purposes of this Act, or on so much of such Monies as shall from Time to Time remain due, until the final Settlement of Accounts as herein-after mentioned; and at every half-yearly Meeting of the said Trustees to be held in pursuance of this Act the said Trustees shall make out an Account of all the then existing Mortgages, and showing the Particulars and Amount of the Interest payable thereon, and the gross Amount of such Interest; and a Copy of every such Account, signed by the Clerk of the said Trustees, shall be forthwith delivered to the Lord Mayor of the said City; and the said Trustees shall apply the Monies so to be from Time to Time received from the said Mayor and Commonalty in Payment of such Interest accordingly; and the remaining Two Third Parts of such half-yearly Interest from Time to Time shall be paid by the said Trustees out of the Monies to be received from such Rates or Assessments as aforesaid.

If any annual  
Surplus,  
Trustees may  
apply same  
in discharg-  
ing Mort-  
gages.

LXVII. And be it further enacted, That if it shall happen at any Time or Times previously to the final Settlement of Accounts with the Mayor and Commonalty, as herein-after mentioned, that there shall be a Surplus of the Monies to be raised and levied by the said Rate or Assessment hereby authorized to be raised and levied as aforesaid, after Payment of Two Third Parts of the Interest of the Debt for the Time being owing on Security of such Rate or Assessment, and that such Surplus can be conveniently paid and applied by the said Trustees towards paying off Part of the Principal of such Debt, then and in every such Case the said Trustees shall cause Notice thereof in Writing to be delivered to the Lord Mayor of the said City for the Time being, specifying in every such Notice the Amount of such Surplus; and at the Expiration of Fourteen Days from the Delivery of such Notice to the said Lord Mayor as aforesaid, the said Mayor and Commonalty shall pay to the said Trustees or their Treasurer, such Sum of Money as shall be equal to One Half of the Amount of such Surplus as aforesaid; and the Sum or Sums of Money to be so paid by the said Mayor and Commonalty as last aforesaid shall be paid and applied by the said Trustees for the same Purpose as the said Surplus shall from Time to Time be paid and applied by them as aforesaid; and the Sum or Sums of Money to be so from Time to Time paid by the said Mayor and Commonalty, as last aforesaid, shall be computed and considered as paid by them towards the Liquidation of the One Third Part which the said Mayor and Commonalty are made liable to contribute of the ultimate clear Expence of carrying this Act into execution, as herein-after mentioned.

Corporation  
to supply a  
Sum equal to  
One Half of  
the Surplus,  
which shall  
be considered  
as so much  
in Liquidation  
of their  
Parts.

When the  
full Amount  
of Expence  
is ascertain-  
ed, an Ac-  
count thereof  
to be made  
out, and the  
Mayor

LXVIII. And be it further enacted, That when the said Trustees shall have carried into execution the Purposes of this Act so far as to enable them to ascertain the full Amount of the Costs, Charges, and Expences of passing and executing this Act, then the said Trustees shall and they are hereby required, at the first Half-yearly Meeting then next ensuing, to make out a true Statement and Account of all such Costs, Charges, and Expences, and of all Monies received by them under the Powers and

Provisions of this Act, and of all Payments made in pursuance thereof, and of all Monies borrowed in pursuance thereof, and showing how much of the Monies so borrowed have been paid off, and how much then remains due, and showing the Balance after deducting any Sums received from Sale of Land or Buildings not wanted for the Purposes of this Act from the Amount of such Costs, Charges, and Expences, and showing the net Balance then remaining due; and a true Copy of such final Statement and Account, signed by the Clerk of the said Trustees, shall be delivered to the Lord Mayor of the said City of *York*; and within Three Calendar Months next after such Delivery of such Account the said Mayor and Commonalty shall and they are hereby required to pay to the said Trustees a Sum of Money equal to One Third Part of the Sum of Money which upon such Statement and Account shall appear to be then due, together with the Amount of the Interest which shall be to be paid in respect of such One Third Part of such Debt, until the said Trustees can apply the Sum so paid by the said Mayor and Commonalty in paying off existing Mortgages; and the said Trustees shall and they are hereby required forthwith to proceed to apply the Monies so received from the said Mayor and Commonalty in paying off and discharging such and so many of the then existing Mortgages, and the Interest thereon, as the Monies so received will extend to pay off and discharge

and Commonalty to contribute One Third of the whole Expence.

LXIX. And in order that no further Charge may be made upon the Inhabitants of the said City for effecting the aforesaid Improvements than is now authorized to be raised under the said recited Act for effecting Improvements, and that therefore the Rate called "The Improvement Rate," may be suspended until the Improvements by this Act authorized to be made shall be completed; be it further enacted, That from and after the passing of this Act it shall not be lawful for the Commissioners for carrying the said recited Act into execution within such Parts of the said City and Suburbs as are not within the Jurisdiction of the Liberty of *Saint Peter* to make or levy any Rate or Assessment under the Name and by the Description of "The Improvement Rate" in the said Act mentioned, until the Powers by this Act granted to the said Trustees for making and levying the Rate by this Act granted shall cease and determine, as herein-after mentioned, any thing in the said recited Act contained to the contrary notwithstanding.

Suspending the Power of the Commissioners as to making Rate for Improvements.

LXX. Provided always, and be it further enacted, That the said Trustees shall and they are hereby required, within Three Calendar Months after Notice in Writing from the Commissioners for putting into execution the said recited Act within such Parts of the said City as are not within the Jurisdiction of the Liberty of *Saint Peter*, under the Hand of their Chairman or Clerk, shall have been delivered to the Chairman or Clerk of the said Trustees, to pay over to the said Commissioners such Proportion of the Monies to be raised and levied by the said Rate or Assessment (not exceeding in any One Year the Produce of a Rate of Two-pence in the Pound) as the said Commissioners shall by such Notice require, and such Proportion shall from Time to Time and at all Times be paid, applied, and disposed of, by and under the Orders of the said Commissioners, for the same Purposes as the Monies authorized to be assessed and levied by virtue of the said recited Act, under the Name and by the Description of "The Improvement Rate," are by the same Act directed or authorized

Reserving to the Commissioners a Power to call for a Portion of the Rate from the Trustees, if wanted for Purposes of the former Act.

to

to be paid, applied, and disposed of, and for no other Use, Intent, or Purpose whatsoever; provided that such Notice from the said Commissioners to the said Trustees shall be given on or before the Thirty-first Day of *July* in each Year.

After the final Account is made out the Power of rating under this Act to cease, and Powers of the Commissioners to levy the Improvement Rate to be resumed.

LXXI. And be it further enacted, That from and after the Day of the said Half-yearly Meeting of the said Trustees at which the final Statement and Account shall be made out in manner aforesaid all and every the Powers by this Act granted to the said Trustees for making or laying any further Rate or Assessment for the Purposes of this Act shall cease and determine; and then and from thenceforth it shall and may be lawful for the Commissioners for carrying the said recited Act into execution in such Parts of the said City and Suburbs as are not within the Jurisdiction of the Liberty of *Saint Peter* to make and assess when and as often as they shall find it necessary the Rate or Assessment, under the Name and by the Description of "The Improvement Rate," in the said recited Act mentioned, any thing in this Act contained to the contrary notwithstanding: Provided nevertheless, that the said Trustees shall and may continue to execute the Powers of this Act for collecting any Rate or Rates then payable under or by virtue of this Act, and for compelling the Payment of and the Recovery of any Arrears of any such Rate.

Part of Mortgages granted under this Act to be a Charge on the Improvement Rate under the recited Act.

LXXII. And be it further enacted, That such of the Mortgages or Assignments of the Rates by this Act authorized to be raised or levied, made or granted by the said Trustees, as shall not be paid off and discharged by the said Trustees in manner herein-before mentioned, shall be and the same and every of them respectively are hereby made and declared to be a Charge on the Rates or Assessments by the said recited Act granted or authorized to be made or assessed under the Name and by the Description of "The Improvement Rate," in the same Manner to all Intents and Purposes as if such Mortgages or Assignments had been respectively made or granted under or by virtue of the Powers and Provisions of the said recited Act by the Commissioners for carrying the said recited Act into execution in such Parts of the said City and Suburbs as are not within the Jurisdiction of the Liberty of *Saint Peter*; and the said Commissioners shall and they are hereby authorized and required to pay out of such Rates or Assessments the Interest which shall from Time to Time become due thereon, until the whole of the Principal Monies shall be by them paid off and discharged, and which Principal Monies they are hereby authorized and empowered to pay off and discharge in like Manner as any Monies to be borrowed by them upon the Credit of the said Improvement Rate might or ought to be paid off and discharged.

Books of Assignment under this Act to be delivered to Commissioners.

LXXIII. And be it further enacted, That when and so soon as the Money to be received from the said Mayor and Commonalty as aforesaid, herein-before directed to be applied by the said Trustees in paying off Mortgages, shall have been so applied and paid, the said Trustees shall and they are hereby required forthwith to deliver over to the said Commissioners or their Clerk the Book or Books kept by the said Trustees or their Clerk, in pursuance of this Act, for the registering or entering therein all Mortgages and Assignments, and such Book and Books shall thenceforth be kept in the Office of the Clerk to the said Commissioners,  
in

in like Manner and subject to the same Provisions and Regulations as are contained in the said recited Act respecting Books for registering or entering Mortgages or Assignments made in pursuance of the said recited Act.

LXXIV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time to enter into Contracts with any Person or Persons for carrying into effect any of the Purposes of this Act; and the said Trustees may and they are hereby authorized to take Security from every such Contractor for the due Performance of his or her Contract. Trustees empowered to enter into Contracts for the Purposes of this Act.

LXXV. And be it further enacted, That it shall be lawful for the said Trustees from Time to Time, and at all Times hereafter, to compound or agree with any Person or Persons for any Breach or Nonperformance of such Contract or Contracts as aforesaid, and to accept and take such Sum or Sums of Money or other Satisfaction on account of such Breach or Nonperformance as the said Trustees shall think reasonable and proper. Trustees may compound for Breach of Contracts.

LXXVI. And be it further enacted, That in all Cases where by this Act any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be ascertained, determined, and settled by the Justice or Justices of the Peace by or before whom any Offenders shall be convicted of any such Offence or Offences, who is and are hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels in manner directed by this Act for levying any of the Penalties or Forfeitures. Damages and Charges, in Cases of Dispute, to be settled by Justices.

LXXVII. And be it further enacted, That when and as often as any Sum or Sums of Money shall by any Justice or Justices of the Peace, in pursuance of the Directions of this Act, be directed or ordered to be paid as or by way of Compensation or Satisfaction for any Costs, or for any Damage, Spoil, or Injury, of any Nature or Kind whatsoever, done or committed by the said Trustees, or any Person or Persons acting by or under the Authority of this Act, to the Party or Parties entitled to receive the same, in case the same shall not be fully paid within Ten Days after Demand in Writing shall have been made upon the said Treasurer, in pursuance of the Direction or Order made by such Justice or Justices, and in which Demand the Order of such Justice or Justices shall be stated, then and in such Case the Amount of such Compensation or Satisfaction, or such Part thereof as shall remain unpaid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels vested in the said Trustees by virtue of this Act, or of the Goods and Chattels of the said Treasurer for the Time being, under a Warrant to be issued for that Purpose by such Justice or Justices, which Warrant any such Justice or Justices is and are hereby authorized and required to grant under his Hand and Seal or their Hands and Seals, on Application made to him or them for that Purpose by the Party or Parties entitled to receive such Sum or Sums of Money as or by way of Compensation or Satisfaction for any such Costs, Damages, Spoil, or Injury as Remedies in case of Non-payment of Compensation for Damages, &c.

[Local.]

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aforesaid ;

aforesaid ; and in case any Overplus shall remain after Payment of such Sum or Sums of Money, and the Costs and Expences of hearing and determining the Matter in dispute, and also the Costs and Expences of such Distress and Sale, then and in such Case such Overplus shall be returned, on Demand, to the said Treasurer for the Time being acting under the Authority of this Act : Provided always, that it shall and may be lawful for such Treasurer to retain, out of any Monies which he shall have received or shall receive in pursuance of this Act, all such Damages, Costs, Charges, and Expences as he shall have sustained or be put unto by virtue of any such Warrant as aforesaid.

Justices may proceed by Summonses in the Recovery of Penalties.

LXXVIII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is imposed and made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon the Party complained against before him, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, 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 ; 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 or had been exhibited.

Fines and Penalties how to be recovered.

LXXIX. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by or in pursuance of this Act, (the Manner of levying and recovering whereof is not otherwise herein particularly directed,) or which shall be inflicted or imposed by any Rule, Order, or Bye Law to be made by virtue of this Act, shall and may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of any One or more Justice or Justices of the Peace for the City of *York* and the County of the said City, on Complaint to him or them for that Purpose exhibited, and afterwards levied, as well as the Costs of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, who is and are hereby authorized and required to summon any Witness or Witnesses, and to examine him, her, or them upon Oath of and concerning such Offences, Matters, and Things, and to hear and determine the same ; and the Overplus (if any) of the Money so to be levied or recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same, shall be returned, upon Demand, to the Owner or Owners of the Goods and Chattels so seized or distrained ; and in case such Fines, Penalties, and Forfeitures shall not be forthwith paid upon Conviction, then it shall be lawful for such Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before him or them on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such

such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice or Justices is and 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 whereupon to levy the said Fines, Penalties, Forfeitures, and such Costs as aforesaid, and the same shall not forthwith be paid, or in case it shall appear to the Satisfaction of such Justice or Justices, either by the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Fines, Penalties, and 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 the said Justice or Justices, or any other Justices of the Peace for the said City of *York* and the County of the said City, and they are hereby authorized and required, by Warrant under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction of and for the said City of *York* and County of the said City, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, unless such Fines, Penalties, and Forfeitures, and all reasonable Charges, shall be sooner paid and satisfied.

LXXX. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed, and to be levied, paid, and recovered, under or by virtue of this Act or the said recited Act, and which are not by this Act or the said recited Act specially directed to be otherwise applied or disposed of, shall be paid to the Treasurer for the Time being of the Commissioners under the said recited Act, to the Account of the Rate for general Purposes, and shall be applied towards the same Purposes as the Monies to be raised from the said Rate for general Purposes are directed to be applied and disposed of by the said recited Act.

Application  
of Penalties.

LXXXI. And be it further enacted, That it shall and may be lawful for any of the said Trustees, or their Collectors or other Officers respectively, and such Person or Persons as they or any of them shall call to their or his Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Trustees, Collectors, or other Officers,) who shall commit any such Offence or Offences against this Act or any of the Provisions thereof, or against any Rule, Order, or Bye Law to be made in pursuance thereof, and to take him, her, or them before any Justice or Justices of the Peace for the said City of *York*; and such Justice and 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.

For securing  
transient  
Offenders.

LXXXII. And be it further enacted, That if any Person or Persons having been summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace touching any Complaint for any Offence against this Act, or against any Rule, Order, or Bye Law made in pursuance thereof, whether on the Part of Prosecutors or the Person or Persons complained against, (a reasonable Sum for his, her, or their Costs and Charges having been tendered to him, her, or them,) shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed,

For com-  
pelling the  
Attendance  
of Witnesses.





‘ lighting, watching, and improving the City of York and the Suburbs thereof,  
 ‘ and the Liberty of Saint Peter within the said City, and for regulating the  
 ‘ Police of the same respectively, to the Account of the Rate for general  
 ‘ Purposes within such Parts of the said City and Suburbs as are not  
 ‘ within the Jurisdiction of the said Liberty; and I [or we] do further  
 ‘ order the said *A. B.* forthwith to pay to *C. D.* [*name the Informant*], who  
 ‘ informed me of the said Offence, the Sum of  
 ‘ as and for the reasonable Costs by him incurred in and about the said  
 ‘ Conviction. Given under                      Hand and Seal the Day and Year first  
 ‘ above written.’

LXXXVII. And be it further enacted, That when any Distress shall be made for any Sum or Sums of Money by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall be afterwards done by him or them, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Distress not to be unlawful for Want of Form.

LXXXVIII. Provided always, and be it further enacted, That if any Person or Persons, Body or Bodies Politic or Corporate, shall think himself, herself, or themselves aggrieved by any Rule, Order, or Bye Law, or by any Determination or Judgment, or any other Matter or Thing, to be made, given, or done by virtue or in pursuance of this Act, such Person or Persons, Body or Bodies Politic or Corporate, shall or may appeal to the Justices of the Peace at any General or Quarter Sessions of the Peace to be holden for the said City of *York* within Four Calendar Months next after the Cause of Complaint shall have arisen, such Appellant having given or caused to be given Ten Days Notice at least in Writing of his, her, or their Intention to bring such Appeal, and of the Cause and Matter thereof, to the Clerk for the Time being acting in pursuance of this Act, and within Four Days next after such Notice entering or causing a Recognizance to be entered into before some Justice of the Peace acting in and for the said City of *York*, with Two sufficient Persons as Sureties, conditioned to try such Appeal, and abide the Order thereon, and to pay such Cost as shall be awarded by such Justices at such General or Quarter Sessions; and such Justices, upon due Proof of Notice being given as aforesaid, and of entering into such Recognizance, shall hear and determine the Cause and Matter in a summary Way, and shall or may mitigate any Fine or Penalty or Forfeiture, and may order such Money to be returned which shall have been paid or levied in pursuance of any such Rule, Order, Bye Law, Regulation, or Determination, and may also order such further Satisfaction to be made to the Party injured as the said Justices shall think proper; and the Determination of such Justices at their General or Quarter Sessions shall be binding and conclusive.

Allowing an Appeal.

LXXXIX. And be it further enacted, That no Proceedings to be had or taken in pursuance of this Act shall be made void, quashed, or vacated for Want of Form, or be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *West-*

Proceedings not to be quashed for Want of Form.

[*Local.*]

15 Y

*minster*

*minster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Bye Laws to be printed and published.

XC. And be it further enacted, That Copies of the several Orders, Bye Laws, and Rules by this Act authorized to be made shall be signed by the respective Persons making the same, and shall be printed and published in such Manner as the same Persons shall from Time to Time order and direct, and shall be painted on Boards in legible Characters, and such Boards shall be affixed in some conspicuous Place in the said Markets.

Limitation of Actions.

XCI. And be it further enacted, That no Action or Suit shall be commenced or prosecuted against any Person or Persons for any thing done or omitted to be done in pursuance of this Act, or in the Execution or supposed Execution of the Powers and Authorities herein-before given, until Ten Days Notice in Writing of such intended Action or Suit, and the Cause thereof, shall have been given to the Clerk for the Time being acting in pursuance of this Act, signed by the Plaintiff or Plaintiffs, or by his, her, or their Attorney or Attornies, nor after the Expiration of Six Calendar Months from the Time when such Cause of Action or Suit shall have arisen, or in case of any consequential Damage upon any Cause of Action, within Six Calendar Months after such Damage shall have been discontinued or shall cease, nor after Tender of reasonable Amends shall have been made to the Party or Parties aggrieved by or on the Behalf of the Defendant or Defendants in such Action or Suit; and every such Action or Suit shall be laid, brought, and tried in the said City of *York* and not elsewhere; and the Defendant or Defendants in every Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence on any Trial to be had thereupon, and that the Matter or Thing for which such Action or Suit shall be brought was done or omitted in pursuance and by the Authority of this Act; and if such Matter or Thing shall appear to have been so done or omitted, or if it shall appear that such Action or Suit was brought before the Expiration of Ten Days from the Delivery of such Notice as aforesaid, or Tender of reasonable Amends as aforesaid, or if such Action or Suit 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 shall 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, the Defendant or Defendants shall and may recover his, her, or their Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

Adjournment of Meetings of Commissioners under recited Act.

XCII. And be it further enacted, That it shall be lawful for the respective Commissioners for executing the said recited Act, at their respective First Meetings to be holden after the passing of this Act, or at any subsequent Meetings for the Execution of the said recited Act, from Time to Time to adjourn, and to appoint their next Meeting to be holden at any future Day and Time at the same or at such other convenient Place within their respective Districts as the said respective Commissioners present at any such Meeting shall think proper; and if at any Meeting of the said respective Commissioners, the Commissioners present shall omit or neglect to adjourn such Meeting to another Day, or if a sufficient Number of Commissioners

Commissioners shall not appear to act and adjourn, then and in every such Case such Meeting or intended Meeting shall be deemed to be and is hereby declared to be adjourned to that Day Fortnight, and shall be holden at the same Place and at the same Hour of the Day as the former Meeting was appointed or ought to have been holden or intended to have been holden, and so from Time to Time until a sufficient Number of Commissioners shall meet and adjourn, any thing in the said recited Act contained to the contrary notwithstanding.

XCIII. And whereas several Streets have been formed and Rows of new Houses built in various Parts of the said City and Suburbs since the passing of the said recited Act, where no public Carriageway or Footway theretofore existed, and such Streets, and the Roads or Ways leading to and in front of such Houses, have not yet been properly drained, formed, or made; be it further enacted, That the respective Commissioners for carrying the said recited Act into execution shall not be liable to the draining, making, repairing, and sustaining of such new Streets, or any Carriageway or Footway leading to any such new Houses already formed or built, or which may hereafter be formed or built, where no public Road or Way existed before the passing of the said recited Act, until such new Roads, Carriageways, or Footways shall have been first drained, formed, and made to the Satisfaction of the said respective Commissioners or their Surveyor, or such other Person as they shall appoint, by or at the Expence of the Owners or Occupiers of such new Houses, or some of them.

Commissioners not to repair new Streets until the Ways therein are properly formed.

XCIV. Provided always, and be it further enacted, That in every Case where any Street or Row of new Houses hath been already formed or built, or shall hereafter be formed or built, in the whole or in part, and when the Carriageways or Footways leading to and in front thereof shall have been formed, made, and drained by or at the Expence of such Owners or Occupiers, or some of them, it shall be lawful for the said Owners or Occupiers, or any of them, to give Notice in Writing thereof to the said Commissioners or to their Clerk; and at the next ensuing Meeting of the said Commissioners they shall proceed to view such Carriageway or Footway, or otherwise cause the same, within Fourteen Days after such Meeting, to be viewed by their Surveyor, or such other competent Person as they shall appoint, who shall report thereon to the said Commissioners at their next ensuing Meeting; and at such last-mentioned Meeting the said Commissioners shall proceed to declare, and shall certify in Writing, to such Owners or Occupiers or Owner or Occupier, whether or not the same Carriageway or Footway shall be made to their Satisfaction; and in case the same shall be certified to be made to the Satisfaction of the said Commissioners, the said Street or Way, whether the same shall be a Thoroughfare or not, shall be held and deemed to be a public Road or Way, and the said Commissioners shall for ever afterwards be liable to the Repairs, Maintenance, and draining thereof; and it shall not afterwards be lawful for the said Owners or Occupiers, or any of them, to set up any Gate or Fence or other Barrier whereby the Public shall be excluded from or impeded in the free Use and Occupation thereof; but in case the said Commissioners shall certify that such Carriageway or Footway shall not be made and formed to their Satisfaction, and if such Owners or Occupiers, or any of them, shall think himself, herself,

When new Streets are properly formed, the Commissioners shall maintain them in repair.

herself, or themselves aggrieved by such Determination, it shall be lawful for any Two of His Majesty's Justices of the Peace acting in and for the said City, upon the Complaint of such Owners or Occupiers, or any of them, after Three Days Notice thereof shall have been given to the said Commissioners or their Clerk, to hear the respective Parties, and to determine whether such Carriageway or Footway is satisfactorily made or not; and such Justices are hereby empowered, if they shall deem it proper, to order and declare that such Carriageway or Footway is satisfactorily made and formed, and that the same shall be a public Road or Way, and that the said Commissioners shall be liable to the Repairs and Maintenance and draining thereof as aforesaid.

Commis-  
sioners may  
erect Build-  
ings for  
Offices,  
Slaughter-  
houses, &c.

XCV. And be it further enacted, That it shall be lawful for the Commissioners for carrying into execution the said recited Act in such Parts of the said City and Suburbs as are not within the Jurisdiction of the Liberty of *Saint Peter* to contract and agree for the Purchase of, and to purchase and take and hold to them and their Successors, any House or Houses or Building or Buildings, and any Plot or Plots of Land or Ground, and thereon to erect any House or Houses or Building or Buildings, for the Purpose of making use thereof as and for an Office or Offices for keeping their Accounts, holding their Meetings, and transacting the Business relating to the said recited Act, and as and for a Storehouse or Storehouses, Yard or Yards, for keeping their Implements and Materials, and as and for a Slaughter-house or Slaughter-houses for the slaughtering of Cattle, and for the other Purposes of the said recited Act; and for such Purposes it shall be lawful for the said Commissioners to use and exercise the several Powers and Authorities contained in the said recited Act for or relating to the Purchase of Land or Buildings for the Improvement of the said City and Suburbs as therein mentioned: Provided always, that no Contract or Agreement for any such Purchase shall be made by the said Commissioners without the Consent of the major Part in Number of the Justices of the Peace for the said City; and it shall be lawful for the said Commissioners to pay the Purchase Monies for, and the Costs, Charges, and Expences of and attending or incident to the making of any such Contracts or Purchases, and of erecting any such Building or Buildings as aforesaid, out of the Monies to arise from the Improvement Rate authorized to be raised by the said recited Act, or which may be called for by them in respect of such Rate in pursuance of this Act; and it shall also be lawful for the said Commissioners to let any such Slaughter-house or Slaughter-houses, and the Rents thereby arising shall be applied by the said Commissioners towards the Purposes of the said Improvement Rate.

Repealing  
Clause in  
former Act  
for the Re-  
moval of  
Slaughter-  
houses and  
other Nui-  
sances.

XCVI. And be it further enacted, That so much of the said recited Act as enacts that if any Slaughter-house, Boiling-house for Offal, Hogstye, Swinecoat, Necessary-house, Dunghill, or Midden in or near any of the said Streets, Lanes, Highways, Passages, or Places within the said City of *York* and Suburbs thereof, or Liberty of *Saint Peter*, shall be offensive to any of the Inhabitants within the Limits of the said Act, or any other Person or Persons, the same shall and may be deemed a Nuisance by the respective Commissioners, and an Offence against the said Act, shall be and the same is hereby declared to be repealed.

XCVII. And be it further enacted, That in case any Foundry, Candle-house, Melting-house or Melting-place, Soap-house, Slaughter-house, Hogstye, Swinecoat, Boiling-house for Offal, or uninclosed or uncovered Yard or Place for the Deposit or screening or sifting of any Lime or Ash Dust, or any Necessary-house, Dunghill, Manure Heap, Midden, or other noisome or offensive Depository, or Building, Place, or Matter whatsoever, in or near any of the said Streets, Lanes, Highways, Passages, or Places within the said City of *York* and Suburbs thereof, or Liberty of *Saint Peter*, shall in the Judgment of the Commissioners for executing the said recited Act be a Nuisance to the Inhabitants of the said City, Suburbs, or Liberty, it shall and may be lawful for the said respective Commissioners, by an Order in Writing under the Hands of Five or more of them, or under the Hand of their Clerk or Clerks, to direct any such Nuisance to be removed; and in case the same shall not be removed within Fourteen Days after Notice of such Order shall have been given to or left at the last or usual Place of Abode of the Person or Persons who ought to remove the same, such Person or Persons shall forfeit and pay any Sum not exceeding Five Pounds for every Day that the same shall continue unremoved after the Expiration of the said Fourteen Days: Provided nevertheless, that where any Person or Persons thinking himself, herself, or themselves aggrieved by such Order as aforesaid shall give Notice to the said Commissioners or their Clerk of his, her, or their Intention to appeal against the said Order, and shall enter into Recognizance within the Time and in manner herein-after mentioned and provided in respect of Appeals against any Matter or Thing to be done in pursuance of this Act, such Person or Persons shall not be subject to or liable to pay any such Penalty or Forfeiture as aforesaid until Fourteen Days next after the Hearing and Determination of such Appeal and the Confirmation thereupon of the said original Order of the said Commissioners.

Slaughter-houses, Hogstyes, and other Erections to be removed if deemed a Nuisance.

XCVIII. And be it further enacted, That from and after the passing of this Act the Owner or Owners, Tenant or Tenants, Occupier or Occupiers for the Time being of each House or Building fronting the several Streets, Roads, Lanes, Highways, Passages, or Places within the said City and Suburbs, shall, within Seven Days next after Service of any Order or Direction for the Purpose, signed by any Three or more of the said respective Commissioners acting in execution of the said recited Act, on him, her, or them personally, or left at his, her, or their last or usual Place of Abode, put up and place, and for ever afterwards keep in repair and condition, sufficient Spouts and Pipes, to be constructed according to the Directions of the said recited Act, for conveying the Water from the Roof of such House or Building in such a Manner that such Water shall pass underneath the Flagging or Foot Pavement into the common Channel, and so as not to fall upon or incommode the Persons passing over or along the Street or Footpath; and every Tenant or Occupier of any such House or other Building (except Houses or Buildings held on Lease for Twenty-one Years or upwards) who shall put out or place any such Spout or Pipe, or keep the same in repair, shall be entitled to deduct and retain out of the Rent payable to the Owner or Proprietor or Owners or Proprietors of such House or Building so much Money as such Tenant or Occupier shall have expended in putting up or placing or in keeping in repair any such Spout or Pipe; and the Payment of such Expences by such Tenant or Occupier shall be a sufficient

Water from Roofs of Houses to be carried off by Spouts and Pipes.

Discharge for him, her, or them for so much of his, her, or their Rent as the Amount of such Expence shall be equal to, and shall be abated or allowed to him, her, or them by the Owner or Owners, Proprietor or Proprietors of such House or Building, out of such Rent; and if any such Owner or Owners, Tenant or Tenants, Occupier or Occupiers, shall for the Space of Ten Days after Service as aforesaid of any such Order or Direction neglect to put up or place, or neglect to repair, any such Spout or Pipe as aforesaid, then and in every such Case it shall be lawful for the said respective Commissioners to cause the same to be forthwith done by some Person or Persons acting under their Authority; and the Costs and Charges attending the same, having been ascertained by some Justice or Justices of the Peace for the City or Place in which the Premises shall be situate, shall and may be recovered from the Owner or Proprietor of such House or Building in like Manner as any Penalties or Forfeitures are by the said recited Act authorized to be recovered; and when received the same shall be paid to the Treasurer or Treasurers of the said respective Commissioners, to be applied to the general Purposes of the said recited Act.

Clause in  
recited Act  
enabling  
Parishes to  
appoint Col-  
lectors re-  
pealed.

XCIX. And be it further enacted, That so much of the said recited Act as enacts, that for the Purpose of collecting the respective Rates and Assessments to be levied by virtue of the said Act the Inhabitants of the several Parishes in the said City and Suburbs, and the Inhabitants of the said Liberty of *Saint Peter*, shall and may and are hereby authorized and empowered from Time to Time, in their respective Vestries or usual Places of meeting, to appoint a Collector or Collectors, and from Time to Time to remove the same Collector or Collectors and appoint others, and that the Names of such Collectors so appointed shall be notified by such Vestries or Meetings to the said respective Commissioners or their Clerk, and that the Inhabitants of each of such Parishes and Liberty respectively shall be responsible for the Payment to the respective Treasurers of the said Commissioners by such Collectors of the Rates and Assessments levied and collected within such Parish or Liberty, and for any Failure or Default on the Part of such Collector to account for the Monies so collected, shall be and the same is hereby declared to be repealed.

Public Act.

C. 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.

## The FIRST SCHEDULE to which the foregoing Act refers.

SCHEDULE of the Property required for the proposed Alterations in the York Markets, and the Avenues thereto, referred to in the said Act.

Situation.	Description of Property.	Names of the Owners.	Names of the Occupiers.
Pavement	- Two Messuages or Dwelling Houses, with the Counting-house, Warehouses, Laboratories, Drugmill, Stable, Out-houses, and Yard.	William Lockwood	- Himself.
Ditto	- Public House, Stable, & Tenement, with the Outhouses, Yard, and Two Warehouses.	Thomas Harle and John Varley, as Trustees of the late Hannah Brown.	George Hustwick and Edward Gibson.
Ditto	- Messuage or Dwelling House, Warehouse, Yard, and Out-house.	Edward Gibson	- Himself.
Ditto	- Messuage or Dwelling House, Yard and Outhouse.	John Pole	- Himself.
Ditto	- Messuage or Dwelling House, now used as an Office, and Workshops.	Matthew Gawthorpe	- John Pole, and John and William Hargrove.
Ditto	- Two Cottages or Tenements, with their Appurtenances.	John Duncum	- John Teasdale, and One empty.
Ditto	- Two Cottages or Tenements, Wood Yard and Sheds, and Appurtenances thereto belonging.	John Heeles	- Himself, Robert Ellirker, and John Hall.
Ditto	- Three Cottages, with the Yard and Appurtenances thereto belonging.	Joseph Gilliam	- James Dixon, George Bramwell, and Thomas King.
Ditto	- Messuage or Dwelling House, and the Appurtenances thereto belonging.	Joseph Gilliam	- William Fletcher Wodson.
Ditto	- Messuage or Dwelling House, Four Workshops, Two Warehouses, Stable, Six Cottages or Tenements, with the Yard, Out-houses, and Appurtenances thereto belonging.	John Nelson	- Himself, William Potts, Elizabeth Burnell, Thomas Foster, Mary Turner, William Whitehead, Thomas Masser, Cornelius Crawshaw, George Wood, and John Herbert.
Ditto	- A Messuage or Dwelling House, Workshop, Brewhouse, and Tenement, with the Appurtenances thereto belonging.	John Heeles	- Himself and John Molony.
Ditto	- A Public House, with the Appurtenances thereto belonging.	Thomas Thomson	- William English.
Ditto	- A Public House, Two Warehouses, and Four Tenements, with the Court-yard, Outhouses, and Appurtenances thereto belonging.	George Cressy	- William Croft, John Bulmer, George Gallimore, Stephen Hudson, Joshua Ellis, Thomas Richmond, Jane Dale, George Empson, Widow Barker, and One empty.

Situation.	Description of Property.	Names of the Owners.	Names of the Occupiers.
Pavement	- A Messuage or Dwelling House, with the Warehouses, Workshops, and Court-yard.	Richard Burdekin -	Himself, George Brown, and George Jennings.
Ditto	- Tenement and Workshops	Executors of the late Thomas Wilson Esquire.	Henry John Rayson.
Ditto	- A Messuage or Dwelling House, with the Appurtenances thereto belonging.	Thomas Jennings -	George Jennings and George Brown.
Jubbergate	- A Messuage or Dwelling House, Coach Manufactory, Warehouses, and Court-yard, with a Tenement and the Appurtenances thereto belonging.	The Dean and Chapter of York, on Lease to Thomas Hawkswell Bradley.	Thomas Hawkswell Bradley and Sarah Parkinson.
Ditto	- A Messuage or Dwelling House, Workshop, Stable, and Out-buildings, with the Yard and Appurtenances thereto belonging.	The Dean and Chapter of York, on Lease to George Cooper.	George Cooper, William Foster, and William Godson.
Ditto	- Two Messuages or Dwelling Houses, with the Tenements, Lime-sheds, Yard, and Appurtenances thereto belonging.	The Dean and Chapter of York, on Lease to Thomas Garland.	Thomas Garland, Thomas Mooney, Thomas Craven, John Routh, and Charles Etherall.
Ditto	- Two Messuages or Dwelling Houses, with the Tenements, Stables, Slaughter-houses, Yards, and the Appurtenances thereto belonging.	William Johnson -	Himself, Major Brown, William Hustwick, Mary Milbourne, William Wood, Thomas Steele, Thomas Bywater, Thomas Matthews, Richard Douglas, Hercules Rooke, William Mawman, Charles Matthews, William Matthews, Joseph Dalby, John Kettlewell, Thomas Bell, William Birkinshaw, John Cook, Widow Parkinson, and Part unoccupied.
Ditto	- Two Messuages or Dwelling Houses, with the Yard and Appurtenances thereto belonging.	Godfrey Thurgarland -	Thomas Brown, William Birkinshaw, John Fox, William Shout, Robert Ezart, William Donaldson, Dorothea Dolphin, and William Turner.
Ditto	- Chapel (now used as a Sunday-school).	The Trustees, namely, George Lund, Edmund Hardman, Richard Hands, Abraham Stansfield, and William Fox.	Themselves.
Ditto	- Public House and Tenement, Stables, Coach-houses, Granaries, and Yard, with the Appurtenances thereto belonging.	Robert Cattle -	Himself, Samuel Maddocks, Richard Marshall, Simon Pin, John Micklethwaite, and John Fade.
Ditto	- A Messuage or Dwelling House	The Butchers Company, on Lease to James Turner.	James Turner.
Ditto	- Yard and Slaughter-houses	The Butchers Company.	Themselves.
Ditto	- A Messuage or Dwelling House, with the Outhouses and Yard.	John and Edmund Roper	Thomas Wells.
Ditto	- Three Messuages or Dwelling Houses, with the Yards, Outhouses, and Appurtenances thereto belonging.	John Waite - -	Jane Noble, John Wray, and One unoccupied.



Situation.	Description of Property.	Names of the Owners.	Names of the Occupiers.
Jubbergate & Starkthwaite Lane.	A Pipe Manufactory, Yard, Stables, and Slaughter-houses.	John Ward - -	Dinah Deacon, William Norrison, Robert Cattle, and Samuel Maddocks.
Jubbergate -	A Messuage or Dwelling House, with the Outhouse and Appurtenances thereto belonging.	William Lockey -	Dinah Deacon.
Ditto -	A Messuage or Dwelling House and Smith's Shop, with the Appurtenances thereto belonging.	The Assignees of — Bean.	John Glover.
Ditto -	A Messuage or Dwelling House, Five Cottages, with the Yard and Appurtenances thereto belonging.	John Venn - -	Himself, Dinah Deacon, John Dobson, Thomas Partridge, George Patrick, Henry Carr, and George Hudson, and One unoccupied.
Ditto -	Stables, Coach-house, and Yard, with the Appurtenances thereto belonging.	Edward Thomas Copley	James Barber Esq <sup>re</sup> .
Silver Street -	A Messuage or Dwelling House, Eight Cottages or Tenements, Stable and Warehouse, with the Yards, Outhouses, and Appurtenances thereto belonging.	John Waite - -	Himself, Mary Scott, John Anderson, Michael Charlton, Robert Hardy, George Richardson, William Hardisty, William Williamson, Thomas Armstrong, William Smith, and Part unoccupied.
King's Square and Girdlergate.	Five Messuages or Dwelling Houses, with the Yards, Outhouses, and Appurtenances thereto belonging.	William Gibson -	Himself, John Houghton, Anne Mawson, Hannah Pope, Thomas Barker, Mary Spink, John Whitwell, and Francis Mountain.
Girdlergate -	A Messuage or Dwelling House	Joseph Bingley -	William Douglas.
Ditto -	Three Messuages or Dwelling Houses, with the Yards and Appurtenances thereto belonging.	Anne Brown -	Sarah Fewster, Elizabeth and Sarah Foster, Anne Hodgson, Thomas Routledge, and One unoccupied.
Ditto -	Messuage or Dwelling House	William Allen -	Unoccupied.
Swinegate -	Part of Saint Sampson's Churchyard.	—	—
Ditto -	Public House, Brewhouse, Stableyard, and Outbuildings.	John Thickett -	John Wilkinson.
Sampson's Square	Two Messuages or Dwelling Houses, with the Stables, Slaughter-houses, and Yards, and the Appurtenances thereto belonging.	Dean and Chapter of York, on Lease to John Taylor.	Robert Brown, William Sadler, William Wood, John Wray, and Elizabeth Taylor.
Ditto and Silver Street.	Two Messuages or Dwelling Houses, with the Appurtenances thereto belonging.	Dean and Chapter of York, on Lease to William Dunsley Esquire.	William Stephenson and John and Richard Cowlman.
Silver Street and Sampson's Square.	Two Messuages or Dwelling Houses, with the Appurtenances thereto belonging.	The Feoffees of the Parish of St. Sampson.	Hannah Lambert and Hannah Burrill.
Sampson's Square	Two Messuages or Dwelling Houses, with the Yards and Appurtenances thereto belonging.	Anne Matthews -	John Hunt and James Oates, William Doughty, Anne Fox, John Burrill.
Ditto -	Two Messuages or Dwelling Houses, Bakehouse, Yards, and Outhouses, with the Appurtenances thereto belonging.	John Waite - -	Thomas Bell, John Morley, George Nicholson, Francis Masser, and Elizabeth Thompson.
Starkthwaite Lane.	Two Tenements or Cottages, Warehouses, Workshops, Timber Yard, and Sheds, with the Appurtenances thereto belonging.	John Ward -	James Plummer, Jane Waggoner, Thomas Rayson, and John Raper.

Situation.	Description of Property.	Names of the Owners.	Names of the Occupiers.
Sampson's Square	Public House, with the Yard and Appurtenances thereto belonging.	John Ward	John Pew.
Ditto	Two Messuages or Dwelling Houses, with the Yards, Cowhouse, Slaughter-house, and Tenements, and the Appurtenances thereto belonging.	Ditto	George Midgley, Margaret Archer, and Henry Bell.
Ditto	A Privy	Ditto	Thomas Deighton.
Ditto	Public House, Brewhouse, and Yard.	Thomas Deighton	Himself.
Ditto	Public House, Stables, and Tenement, with the Yard and Appurtenances thereto belonging.	John and Edmund Roper.	William Hewison and Jane Collins.
Ditto	Two Messuages or Dwelling Houses, Two Cottages or Tenements, with the Corn Chambers, Outhouses, Yards, and the Appurtenances thereto belonging.	Thomas Benson	Thomas Brown, Philip Darling, and William Holtby, and Part unoccupied.
Feasgate	Four Messuages or Dwelling Houses, with the Yards, Outhouses, and Two Cottages behind the same, and the Appurtenances thereto belonging.	Elizabeth Prest	Herself, Thomas Pattinson, Anne Severs, Elias Mann, Mary Dugelly, & Christopher Buckle.
Ditto	Two Messuages or Dwelling Houses, with the Stables, Workshops, Yards, and Outbuildings, and the Appurtenances thereto belonging.	Susannah Simpson	Marshal Johnson, Margaret Bartle, John James Baker, and Joseph Marsh, and Part unoccupied.
Ditto	A Messuage or Dwelling House, Warehouse, Outhouse, and Yard, with the Appurtenances thereto belonging.	William Cowper	Himself.
Ditto	Public House, Stable, Brewhouse, Cottage, and Yards, with the Outhouses and Appurtenances thereto belonging.	Joseph Webb	Himself and John Metcalfe.
Ditto	Two Messuages or Dwelling Houses, with the Appurtenances thereto belonging.	John Settle	Himself and Richard Johnson.
Ditto	A Messuage or Dwelling House	Emanuel Dale	John Bootland and Henry Twentyman.
Ditto	A Messuage or Dwelling House	William Austin	Himself.
Ditto	Two Messuages or Dwelling Houses, with the Outhouses, Slaughter-house, Three Stables, and Tallow Shop, with the Yards and Appurtenances thereto belonging.	George Whitehouse	Himself and John Dent.
Ditto	A Messuage or Dwelling House, Three Cottages and Yard, and the Appurtenances thereto belonging.	George Brown	Himself, Joseph Watkinson, George Hill, and One unoccupied.
Ditto	A Messuage or Dwelling House, Seven Cottages and Yard, with the Outhouses and Appurtenances thereto belonging.	Laurence Brodell	Himself, Thomas Gell, Richard Smouton, Francis Tiplady, John Ward, Robert Abbey, Joseph Graves, and One unoccupied.
Ditto	Two Messuages or Dwelling Houses, with the Outhouses and Yards.	Simon Nicholson	Himself and Thomas Lazenby.

Situation.	Description of Property.	Names of the Owners.	Names of the Occupiers.
Feasgate and Jubherrygate.	Two Messuages or Dwelling Houses, with the Stable, Tenements, and Yard, and the Appurtenances thereto belonging.	Emanuel Dale -	Himself, Elizabeth Bean, Hannah Thornton, Richard Naylor, Thomas Ward, Mary Herbert, John Airy, William Rickaby, Francis Turner, John Petty, and Anne Emmett.
Jubbergate -	Two Messuages or Dwelling Houses, with the Outhouses, Yard, and Appurtenances thereto belonging.	William Blackstone -	Thomas Hutchinson and Ann Holmes.
Ditto -	A Messuage or Dwelling House, Workshop, Four Cottages, Outhouses, and Yard, and the Appurtenances thereto belonging.	Thomas Fearnley -	Himself, Thomas Scowby, George Pool, Robert Taylor, William Cade, and William Baitson.
Ditto -	A Messuage or Dwelling House, with the Appurtenances thereto belonging.	Elizabeth Bussey -	Joseph Brown.
Ditto -	A Messuage or Dwelling House, Seven Tenements, Bakehouse, Wash-house, Yard, and Appurtenances thereto belonging.	Henry Machen and Christopher Gravely.	Henry Machen, Job Masterman, Richard Evers, Thomas Dent, Grace Woolley, Hannah Pollard, Mary Dean, Jeremiah Longbottom, William Wilkinson, and Richard Rose.
Ditto -	A Messuage or Dwelling House, with the Yard and Outhouses.	Matthew Bootland and Christopher Gravely.	Matthew Bootland.
Ditto -	A Messuage or Dwelling House, with the Outhouses and Yard.	John Lockey and Christopher Gravely.	William Dale.
Ditto -	Public House, Yard, and Stable, with the Appurtenances thereto belonging.	Elizabeth Spurr and Christopher Gravely.	Elizabeth Spurr.
Ditto -	A Messuage or Dwelling House, with the Yard, Stable, and the Appurtenances thereto belonging.	Mary Ledger and Christopher Gravely.	Mary Ledger.
Ditto and Coney Street.	A Messuage or Dwelling House, with the Yard and Appurtenances thereto belonging.	Robert Foster -	Himself.
Coney Street.	A Messuage or Dwelling House, with the Workshops, Outhouses, and Yard, and the Appurtenances thereto belonging.	William Deighton -	Himself.
Ditto -	A Messuage or Dwelling House, with the Laboratory, Outhouses, and Yard, and the Appurtenances thereto belonging.	William Barr - -	Isabella Sutcliffe.
Ditto -	A Messuage or Dwelling House, with the Workshops and Yard, and the Appurtenances thereto belonging.	John Hollins - -	Himself.
Ditto -	A Messuage or Dwelling House, with the Outhouses and Yard, and the Appurtenances thereto belonging.	William Blanchard -	Himself.

The SECOND SCHEDULE to which the foregoing Act refers.

RENTS and STALLAGE.

For every uninclosed covered Butcher's Stall not occupying less than Seven Feet in Length nor less than Three Feet in Breadth, for every Market Day, any Sum not exceeding	£ s. d.
For every other Day in the Week, any Sum not exceeding	- 2 0
For every Fish Stall used in the Market for any One Day, any Sum not exceeding	- 1 0
For every inclosed covered Butcher's Stall occupying in Space in the clear not less than Eight Feet Square, for every Market Day, any Sum not exceeding	- 1 0
For every other Day in the Week, any Sum not exceeding	- 2 6
For every Space of Ground not less than Three Feet in Length, occupied by any One Person, for exposing to Sale Poultry, Rabbits, Butter, Eggs, Fruit, Vegetables, or any other Articles of Provision, for each Day, any Sum not exceeding	- 0 3
For every additional Foot in Length, any Sum not exceeding	- 0 1
For every superficial Foot of uncovered Ground used or occupied by Persons offering for Sale or selling Cabbage or other Plants, Apple Trees, or Shrubs, for each Day, any Sum not exceeding	- 0 0½
For every superficial Foot of covered Ground used or occupied by Persons offering for Sale or selling Cabbage or other Plants, Apple Trees, or Shrubs, for each Day, any Sum not exceeding	- 0 1
For every Stall not occupying less than Seven Feet in Length, nor less than Three Feet in Breadth, for exposing to Sale any manufactured Goods, Wares, or Merchandize, for each Market Day, any Sum not exceeding	- 4 0

The several Rents and Stallage before mentioned and specified to be payable and paid for and in respect of the Occupation or Use of any Stall, Standing Place, Bench, Compartment, or Space of Ground, as well by the original Taker or Occupier thereof, for a Part or Portion of the Day, in case he or she shall not occupy the same the whole Day, as also by any subsequent Taker or Occupier of the same for the Residue of any other Part or Portion of the same Day.