ANNO QUINQUAGESIMO SEXTO

GEORGII III. REGIS.

Cap. xxiii.

An Act to enlarge, amend, and render more effectual the Provisions of an Act of His present Majesty, for paving and lighting the City of *Hereford*, and removing Nuisances therein; and for enabling the Corporation of the said City to sell and apply the Produce of certain Messuages and Lands in establishing Market Places, and otherwise improving the said City. [21st *May* 1816.]

WHEREAS an Act was passed in the Fourteenth Year of the Reign of His present Majesty, intituled *An Act for the paving, repairing, cleansing, and lighting the Streets and Lanes in the City of* Hereford, *and Suburbs thereof, and removing Nuisances and Annoyances therein; and for creating a Fund towards the Expences thereof, by inclosing divers waste Grounds within the Liberties of the said City; and for the better Application of Charity Money; for setting the poor People of the said City to Work; and to enable Bodies Corporate to alienate their Houses and Lands within the said City:* And whereas the Commissioners under the said Act have since the passing thereof greatly improved the said City, and many of the Nuisances have been removed: And whereas the Mayor, Aldermen, and Citizens of the said City, have made great Progress in the providing Accommodation for the Markets and Fairs held within the same, and are desirous and willing to extend the same, and to provide Buildings 14 G. 3. c. 38.

for carrying on public Buſineſs within the ſaid City; and alſo Accommodation for ſlaughtering Beaſts out of or within the ſaid City, which Improvements will be of great Convenience to the Inhabitants of the ſaid City and Suburbs, and to all Perſons reſorting to ſuch Markets and Fairs; and will alſo enable the Commiſſioners for Paving and Lighting the ſaid City more effectually to remove many Nuiſances, Annoyances, and Obſtructions in the ſaid City and Suburbs, and Streets, Lanes, Avenues, and Paſſages thereof, which ſtill remain, and cannot be remedied under the Proviſions of the ſaid Act: And whereas it would greatly tend to the Security and Comfort of the Inhabitants of the ſaid City and Suburbs if the Commiſſioners were empowered to eſtabliſh and regulate a Nightly Watch therein: And whereas the beneficial Purpoſes aforeſaid, and the further Improvement of the ſaid City and Suburbs, and Streets, Lanes, and Paſſages thereof, cannot be carried into Execution unleſs the Powers and Proviſions of the ſaid Act are amended, altered, extended, and enlarged, and further and additional Powers given for that Purpoſe, and to enable the Commiſſioners to borrow further Sums of Money, and to raiſe further and additional Rates and Aſſeſſments, and the ſaid Mayor, Aldermen, and Citizens are enabled to apply their Eſtates, and the Produce thereof, in the Purchaſe of Lands, Tenements and Hereditaments within the ſaid City, for the ſaid Markets and Buildings, and other Accommodations aforeſaid, and to collect Tolls, Rates, and Dues therein; but the ſame cannot be effected without the Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, at any Meeting to be held for that Purpoſe, of which Fourteen Days Notice ſhall be given, according to the Proviſion of the ſaid recited Act, to borrow and take up at Intereſt, upon the Credit of ſuch Part of the Waſte Lands, which in purſuance of the ſaid recited Act hath been allotted to the ſaid Commiſſioners, or ſuch Part or Parts and Proportion thereof as they ſhall think proper and direct, any Sum or Sums of Money, not exceeding the S m of Three thouſand Pounds over and above the Sum of Two thouſand Pounds allowed to be raiſed under the Proviſion of the ſaid recited Act; and it ſhall alſo be lawful for the ſaid Commiſſioners, or any Twenty-one or more of them, to borrow and take up at Intereſt, upon the Credit of the ſaid Waſte Lands ſo allotted as aforeſaid, or ſuch Part or Parts and Proportions thereof as they ſhall think proper and direct, any further Sum or Sums of Money, not exceeding Two thouſand Pounds, over and above the ſaid Sums of Three thouſand Pounds and Two thouſand Pounds reſpectively; ſo as that the whole Money borrowed and taken up at Intereſt under the ſaid recited Act and this Act ſhall not exceed in the whole the Sum of Seven thouſand Pounds; and that ſuch laſt-mentioned Sum of Two thouſand Pounds ſhall not be borrowed unleſs with the Conſent and by the Direction of Twenty-one of the ſaid Commiſſioners at the leaſt; and the Mortgages or Securities on the ſaid Lands ſo allotted to the ſaid Commiſſioners for the ſaid further Sums of Three thouſand Pounds and Two thouſand Pounds reſpectively, ſhall be in the ſaid Form, and executed in the ſame Manner, as by the ſaid recited Act is directed, in relation to the Mortgages and Securities for borrowing the Sum of Two thouſand Pounds allowed to be ſo raiſed under the Proviſion of the ſaid Act; and all the Powers, Authorities, Proviſions, Regulations, Clauſes,

Commiſſioners may borrow further Sums of 3,000l. and 2,000l.

Matters, and Things, in the ſaid Act contained, in relation to ſuch Mortgages or Securities, and the aſſigning or Re-payment thereof, and Intereſt therein, ſhall be applied and be in full Force as to all Mortgages or Securities granted under the Proviſions of this Act, for raiſing the ſaid ſeveral Sums of Three thouſand Pounds and Two thouſand Pounds reſpectively, or any Parts or Proportions thereof, in like Manner in every Reſpect, and as fully and effectually to all Intents and Purpoſes, as if the ſame were ſeverally and ſeparately repeated and re-enacted in this Act.

Mayor and Corporations to purchaſe Lands, &c. for Markets, &c.

II. And whereas Bodies Corporate are by the ſaid recited Act empowered to alienate Tenements and Hereditaments, belonging to ſuch Bodies Corporate, in Manner directed by the ſaid Act, and to apply the Produce thereof in the Purchaſe of other Tenements and Hereditaments, within the County, but without the ſaid City of *Hereford*: And whereas the Mayor, Aldermen, and Citizens of the ſaid City of *Hereford* are deſirous of extending the Markets thereof, and making proper and convenient Places within the ſaid City and Suburbs thereof for ſlaughtering Cattle; and alſo of purchaſing or erecting public Buildings for the uſe of the ſaid City; be it therefore enacted, That it ſhall be lawful for the ſaid Mayor, Aldermen, and Citizens, to purchaſe and take, and hold, without any Licence to be had for that Purpoſe, any Buildings, Lands, Tenemens, or Hereditaments within the ſaid City or Suburbs thereof, not exceeding Two Statute Acres in the whole, for the Purpoſe of extending the Markets within the ſame, and making convenient Places for the ſlaughtering of Cattle, Beaſts, and Swine; and alſo for erecting and making commodious Buildings within the ſaid City for holding Seſſions, and carrying on public Buſineſs within the ſame, and for the Improvement thereof, and for that Purpoſe to apply any Sum of Money ariſing from the Sale or Produce of Lands, Tenements, and Hereditaments, or Fee Farm or other Rents of or belonging to the ſaid Mayor, Aldermen, and Citizens, or any Rents, Tolls, or Dues, receivable by them in ſuch Purchaſes, or in the Re-payment of any Monies heretofore borrowed or expended, or which may be hereafter borrowed or expended for any ſuch Purpoſes as aforeſaid; any Thing in the ſaid recited Act to the contrary notwithſtanding.

When Accommodations for ſlaughtering Cattle, &c. be ready, none to be ſlaughtered near Streets, &c.

III. And be it further enacted, That when and ſo ſoon as the ſaid Mayor, Aldermen and Citizens ſhall have erected, made, and completed Houſes, Erections, Sheds, and Buildings for the ſlaughtering of Cattle, Beaſts, and Swine, which ſhall be in the Judgment of the ſaid Commiſſioners, or any Seven or more of them, convenient and proper for that Purpoſe, it ſhall be lawful for the ſaid Commiſſioners to give Notice thereof; and from and after the Expiration of One Month from the Publication of ſuch Notice, no Perſon or Perſons ſhall kill, ſlaughter, ſinge, ſcald, or dreſs any Cattle, Swine, or other Beaſts, in any Shop, Houſe, Shed, Building, Outhouſe, Yard, Garden, or Court, or in any other Place with the Walls of the ſaid City; nor ſhall cauſe or permit any Blood or Filth to run from any Slaughter-houſe, Shop, Shamble, or Place into the ſame, or any of them, and every Perſon ſo offending ſhall for every ſuch Offence forfeit and pay any Sum not exceeding the Sum of Five Pounds.

Markets and Accommodations

IV. And be it further enacted, That when and ſo ſoon as convenient and commodious Markets, Sheds, Stalls, Buildings, and other Accommodations

erected by the Corporation of Hereford, to be deemed the Market Places.

dations for holding any of the ſaid Markets and Fairs, ſhall be completed by the ſaid Mayor, Aldermen, and Citizens, it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, from Time to Time to cauſe Notice of their being ready for public Uſe to be given; and from and after the Publication of ſuch Notice the Market Places and Accommodations thereto belonging ſo provided ſhall be deemed and taken to be the Market Places of the ſaid City, to all Intents and Purpoſes; and Goods, Wares, and Merchandizes brought into the ſaid City, to be expoſed to Sale at the Markets or Fairs held within the ſame, ſhall be depoſited and expoſed to Sale in the ſaid Markets, Sheds, Stalls, Buildings, and Accommodations thereto belonging, and not elſewhere; and every Perſon who ſhall expoſe to Sale any ſuch Goods, Wares, or Merchandizes, on any Day or Days, or during the Time or Times of any of the uſual and accuſtomed Markets or Fairs held within the ſaid City, at any other Place within the ſaid City, other than in ſuch Markets, or the Sheds, Stalls, Buildings, or Accommodations thereto belonging, ſhall for every ſuch Offence forfeit any Sum not exceeding Five Pounds; provided that nothing in this Act contained ſhall prevent any Inhabitant of the ſaid City from ſelling or expoſing to Sale his or her Goods, Wares, or Merchandizes, in any Houſe, Shop, or other Place in his or her own Occupation.

Tolls in Schedule to be taken.

V. And be it further enacted, That it ſhall be lawful for the ſaid Mayor, Aldermen, and Citizens, and their Succeſſors, to have, collect, receive, and take, of and from the Perſons reſorting to the Markets and Fairs within the ſaid City, for the uſe of ſuch Markets, Sheds, Stalls, Buildings, and other Accommodations thereto belonging, the Rents, Tolls, and Dues, in the Schedule to this Act contained, and all other Profits, Commodities and Emoluments whatſoever to ſuch Markets and Fairs belonging, ariſing, or happening, with all Free Cuſtoms and Liberties to ſuch Fairs and Markets appertaining, for all Manner of Merchandizes, Wares, and Goods, brought to be ſold therein; and if any of ſuch Tolls, Rates, and Duties, ſhall remain unpaid and unſatisfied, the ſame ſhall be recovered and levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons, neglecting or refuſing to pay the ſame, with reaſonable Coſts of ſuch Diſtreſs, returning the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels on Demand.

When Markets, &c. afford Accommodation, Commiſſioners to give Notice, and no Stalls, Standings, Barrows, &c. to be placed in the Streets, &c. or elſewhere than in the Markets, &c.

VI. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or any Seven or more of them, and they are hereby empowered, from Time to Time as they ſhall ſee fit, by reaſon of ſufficient Accommodation being afforded by the erecting and extending from Time to Time of the Markets and Accommodations thereto belonging, to order and direct that no Stalls or Standings for expoſing any Goods, Wares, or Merchandizes, or other Articles for Sale, or any Sacks, Wheelbarrows, or Baſkets, or any Goods, Wares, or Merchandizes, or other Articles brought to the ſaid City for Sale, ſhall be erected, depoſited, put, or placed by any Perſon or Perſons, in any Streets, Lanes, and Paſſages, Courts, Yards, Buildings, or any other Places within the ſaid City, or in any other Place or Places than ſhall be aſſigned for that Purpoſe, ſave and except ſuch Goods, Wares, or Merchandize belonging to any Inhabitant of the ſaid City, that ſhall be expoſed to Sale in any Houſe, Shop, or other Place, being the Property of ſuch Inhabitant, or in his or her Occupation; and after any ſuch Order ſhall have been made and publiſhed for Fourteen Days,

Days, every such Stall and Standing, Barrow, Basket, or Article, placed or deposited contrary to such Order, shall be deemed a Nuisance, and the Person or Persons who shall erect, deposit, put, or place, any such Stall or Standing, Sack, Wheel-barrow, Basket, Goods, Wares, or Merchandizes, contrary to such Order, shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Projecting Signs, &c. to be removed.

VII. And be it further enacted, That all Signs, or other Emblems used to denote the Trade, Occupation, or Calling of any Person or Persons, Sign Posts and Sign Irons, Penthouses, Buildings, Shew-boards, Stalls, Window Shutters and Flaps, Porches, Sheds, Butchers Stalls, Bulks, and Gallowses, Shambles, Tenter Hooks, Blocks, Watering Butts or Troughs, Posts, Rails, Waterleds and Stumps, projecting into or standing and being in or over the said Streets, Lanes, Ways, or Passages, of which Notice shall be given by Order of the said Commissioners, or any Seven or more of them, to the Owner or Owners, Tenants or Occupiers, to take down and remove the same, shall be forthwith removed or altered in such Manner as shall be directed by the said Commissioners, or any Seven or more of them; and after the passing of this Act all such Signs and Emblems shall be put, placed, and fixed on the Fronts of the Houses, Shops, Warehouses, or Buildings, and not elsewhere, and shall not project therefrom; and every Person who shall thereafter hang, place, or build any such Sign, Emblem, or Sign Post, contrary to the Provisions of this Act, shall forfeit for every such Offence any Sum not exceeding Forty Shillings, and the same shall also be subject to be removed in Manner hereinbefore directed.

Bulk Sashes, &c. not to project into the Street, &c.

VIII. And be it further enacted, That no Bulk or Bulk-Sash shall at any Time hereafter be erected, built, or made to any House, Workshop or other Building, in any Street, Lane, Way or Passage, which now is or hereafter shall be upwards of Ten Yards in Breadth, to project more than Six Inches from the Perpendicular of the said House, Workshop or other Building, in or from which the same shall be made; nor shall any Bulk or Bulk-Sash whatever be erected, built, or made to any House, Work-Shop, or other Building, to project from the Perpendicular of such House, Workshop, or Building in any Street, Lane, Way, or Passage in the said City, which is or shall not be more than Ten Yards in Breadth, on Pain of forfeiting for each respective Offence any Sum not exceeding Twenty Shillings, and the further Sum of One Shilling for every Day such Bulk-Sash shall continue; and the Master Workman employed to erect, build, or make the same, shall forfeit and pay any Sum not exceeding Five Shillings; and it shall be lawful for the said Commissioners, or any Seven or more of them, to cause the same to be taken down, removed, and carried away, without Notice to be given to the Owner or Owners, Tenant or Occupier, to take down, remove or carry away the same.

Penalties on setting fire to Chimnies.

IX. And be it further enacted, That if any Person or Persons shall wilfully set fire to, or cause, permit, or suffer the Chimney of any House, Workshop, Outhouse, or other Building in the said City to be on Fire, the Owner or Occupier of every such House, Workshop, Outhouse, or other Building, shall forfeit and pay for every such Offence any Sum not exceeding Twenty Shillings.

Pavements to be raiſed when ordered by Commiſſioners.

X. And be it further enacted, That when and ſo often as the ſaid Commiſſioners in the ſaid recited Act mentioned ſhall order and direct any of the ſaid Streets, Lanes, or other Paſſages, in the paving or relaying the ſame, to be raiſed and elevated, or any Part thereof to be raiſed and elevated, the Owner or Owners, or Occupier or Occupiers of Houſes, Yards, or Gardens, adjoining to ſuch Streets, Lanes, or other Paſſages, or to the Parts thereof ſo raiſed and elevated, ſhall likewiſe at their own Coſts and Charges raiſe and elevate the Drains and Watercourſes belonging to ſuch Houſes, Yards, or Gardens ſo to be raiſed, level with thoſe directed by the ſaid Commiſſioners; and if any Occupier or Occupiers of any ſuch Houſes, Yards, or Gardens, ſhall in ſuch Caſe refuſe or neglect to raiſe and elevate the Drains and Watercourſes thereto belonging, it ſhall and may be lawful for the ſaid Commiſſioners, or any Seven or more of them, to order the ſame to be done by their Servants and Workmen, and to recover the Expences thereof, as any Penalty or Forfeiture may be recovered under the Proviſions of the ſaid recited Act and this Act.

Trap Doors to be repaired.

XI. And be it further enacted, That when and ſo often as the Owner or Occupier of any Houſe, Cellar, or Premiſes, ſhall permit or ſuffer any Trap Door belonging thereto, or to any Cellar, to be out of Repair ſo as to be dangerous to Foot Paſſengers, and ſhall not upon Notice thereof forthwith repair the ſame within ſuch Time as ſhall be ſpecified by any ſuch Notice, ſigned by the ſaid Commiſſioners, or any Seven or more of them, ſuch Owner or Occupier ſhall for every ſuch Neglect, forfeit and pay any Sum not exceeding Five Pounds; and it ſhall alſo be lawful for the ſaid Commiſſioners, or any Seven or more of them, and they are hereby authorized and required, in all Caſes where the Foot Pavements of any Streets, Lanes, or other Paſſages in the ſaid City or Suburbs ſhall not be Five Feet in Breadth, to order and direct Spouts and Trunks for catching the Water and Rain from the Eaves of the Houſes to be erected and affixed to the Walls of the ſaid Houſes; and any Owner or Occupier of any ſuch Houſe, who ſhall not affix ſuch Spouts and Trunks within ſuch Period as ſhall be ſpecified in any ſuch Order, or repair any ſuch Spouts or Trunks, ſhall forfeit for every Neglect any Sum not exceeding Five Pounds; and if any ſuch Owner or Occupier reſpectively ſhall after ſuch Notice or Order neglect to repair any ſuch Trap Door, or to affix any ſuch Spout or Trunk, it ſhall be lawful for the ſaid Commiſſioners, or any Three or more of them, to cauſe the ſame to be properly repaired or made, and affixed, as the Caſe may require, and to recover the Coſts, Expences, and Charges thereof from the Perſon or Perſons who ſhall have been guilty of Neglect, in like Manner as any Penalty or Forfeiture may be recovered under this Act.

Comiſſioners may name the *Streets*, and paint the Names on Houſes.

XII. And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, may, if they think fit, order and direct to be painted and engraved, or otherwiſe deſcribed on a conſpicuous Part of ſome Houſe or other Building, at or near the End or Corner of every Street, Lane, Way, public Paſſage, and Place, the Name by which ſuch Street, Lane, Way, public Paſſage, and Place, is now or hath heretofore been called or known; and may order and direct the ſeveral Houſes, Shops, Warehouſes, and Buildings within the ſaid ſeveral Streets, Lanes, Ways, public Paſſages, and Places, or any of them, to be numbered with Figures painted or placed on the Door of every ſuch Houſe, Shop, Ware-

houſe,

houſe, or other Building, or ſuch other Part thereof, as the ſaid Commiſſioners ſhall think proper; and if any Perſon ſhall wilfully obliterate or deface any ſuch Name or Names, Number or Numbers, or any Part thereof, or cauſe or procure the ſame to be done; or if any Perſon or Perſons whomſoever ſhall paint or engrave any ſuch Name of any or either of the ſaid Street, Lanes, or other Paſſages, other than the Name anciently uſed to deſcribe or diſtinguiſh ſuch Street, Lane, or other Paſſage, without the Conſent of the ſaid Commiſſioners, or any Seven or more of them, in Writing for that Purpoſe firſt had and obtained, every Perſon ſo offending in any of the ſaid Caſes ſhall forfeit and pay any Sum not exceeding Five Pounds for every ſuch Offence.

Penalty on Perſons improperly driving Horſes and Carriages.

XIII. And be it further enacted, That if the Driver of any Cart, Car, Dray, Waggon, or other Carriage whatſoever, ſhall drive or permit or ſuffer the Horſes, drawing the ſame to go at a furious or improper Rate along any of the Streets, Lanes, or public Paſſages, within the ſaid City or Suburbs thereof; or if ſuch Driver ſhall be at a greater Diſtance than Four Feet from ſuch Horſes, or ſhall leave ſuch Horſes ſo drawing as aforeſaid to go at Will, without leading or properly guiding them; or if any Servant or other Perſons employed to ride or lead any Horſe or Horſes out for the Purpoſe of airing or exerciſing, ſhall ride or lead ſuch Horſe or Horſes in a furious or improper Manner, and not give or turn aſide for any Coach, Chariot, Chaiſe, Waggon, Horſe, or Beaſts travelling along the ſaid Streets, Lanes, or other Paſſages, each and every ſuch Perſon ſo offending in any or either of the ſaid Caſes ſhall forfeit and pay for each and every ſuch Offence any Sum not exceeding Twenty Shillings.

Bulls and Stallions not to be expoſed in the Streets on Market Days, in any other Places than ſhall be fixed for the Purpoſe.

XIV. And be it further enacted, That if any Perſon or Perſons ſhall lead, drive, or expoſe for Sale or Show, or cauſe to be ſo led, driven or expoſed, any Bull or Stallion in any or either of the ſaid Streets, Lanes, or other Paſſages, during any Market or Fair Day, other than ſuch Street, Lane, or Place as ſhall be fixed upon and appointed by the ſaid Commiſſioners, or any Seven or more of them, for thoſe Purpoſes, by public Notice under their Hands, every Perſon or Perſons ſo offending ſhall forfeit and pay for each and every of ſuch Offences any Sum not exceeding Twenty Shillings.

Commiſſioners may appoint Watchmen in the City and Suburbs.

XV. And be it further enacted, That the ſaid Commiſſioners, or any Seven or more of them, may and they are hereby authorized and empowered from Time to Time, if they think neceſſary and proper, to appoint ſuch and ſo many Watchmen to be employed in the ſaid City and Suburbs thereof for ſo long Time in every Night, and during the whole or any Part of the Year, and under ſuch Regulations, and for ſuch Wages, as they ſhall think proper; and alſo to diſplace any ſuch Watchmen when they ſhall think proper, and to appoint others in the Room of thoſe ſo diſplaced; and that they the ſaid Commiſſioners may (if they think neceſſary) provide proper Watchhouſes and Watchboxes, or Places of Reception for ſuch Watchmen, and for the ſafe Cuſtody of ſuch Perſons as may be apprehended by ſuch Watchmen whilſt on Duty; and it ſhall be lawful for the ſaid Watchmen, or any of them, and they are hereby authorized and required to apprehend and ſecure all Malefactors, Diſturbers of the public Peace, and other ſuſpected Perſons who ſhall be found

found wandering or misbehaving themselves during the Hours of keeping Watch, and to detain, confine, and carry such Persons, as soon as conveniently may be, before some Magistrate of the said City, to be dealt with according to Law.

No Victualler to harbour Watchmen during Hours of Watch.

XVI. And be it further enacted, That if any Victualler or Keeper of any Public House, Wine Vaults or Liquor Shop, shall knowingly harbour, or entertain or suffer to remain in his or her Public House, or Premises thereto belonging, any such Watchman so to be appointed as aforesaid, during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper shall on Conviction forfeit and pay for every such Offence any Sum not exceeding Five Pounds.

Commissioners empowered to reward Watchmen.

XVII. And be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, to give such Rewards in Money, or otherwise, to any Watchman who may be disabled or wounded in the Execution of their Offices, as also for their Loss of Time in attending upon the Hearing or Conviction of any Offences to be committed against the Provisions of this Act, as they the said Commissioners shall think reasonable, such Money to be paid out of the Rates and Assessments by this Act authorized to be levied and raised.

Additional Rate for Watching to be raised under Powers of former Act.

XVIII. And, for providing a Fund for the Payment, and defraying the Expences of such Watchmen, be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, and they are hereby empowered to make, lay, and assess, upon all and every Person and Persons who now are or may be hereafter liable to be rated or assessed to the Rates allowed to be raised under the Provision of the said Act, an additional Rate or Assessment, not exceeding Sixpence in the Pound, in any one Year of the yearly Rent or Value of the Houses, Shops, Warehouses, Buildings, Yards, Gardens, and Lands, with their respective Appurtenances, upon or in respect of which such Rate or Assessment shall be made, to be paid to the Collector or Collectors for the Time appointed by the said Commissioners under the Authority of the said recited Act, which Rate or Rates, Assessment or Assessments, not exceeding Sixpence in the Pound as aforesaid, shall be in Addition to the Rate or Rates, Assessment or Assessments authorized or allowed by the said recited Act to be imposed, and shall be made, laid, and assessed upon such and the same and like Inhabitants, Tenants, or Occupiers of such and the same and the like Houses, Shops, Warehouses, Buildings, Yards, Gardens, or Lands, with their Appurtenances, and shall be signed and allowed by Two Justices of the Peace, and shall be raised, levied and recovered in such and the like Manner, and by such and the like Powers, Authorities, and Means, as are in the said recited Act contained, in relation to the Rate or Assessment allowed to be raised under the same; and all the Powers, Authorities, Regulations, Clauses, Rules, and Exemptions, Matters and Things, in and by the said recited Act given, granted, made, and enacted, as to the Rate or Rates, Assessment or Assessments thereby allowed to be imposed, shall be extended and applied to the Rate or Rates, Assessment or Assessments by this Act authorized to be collected, assessed, and levied in like Manner in every respect, as if the same were in this Act severally and separately re-enacted as to the Rates and Assessments allowed to be raised under this Act.

XIX. And

Powers of former Acts extended to this Act,

XIX. And be it further enacted, That all Penalties and Forfeitures impoſed by this Act, with reaſonable Coſts and Expences of Conviction and Recovery, ſhall be recovered and applied under the Proviſions of the ſaid recited Act; and all the Powers, Authorities, Proviſions, Regulations, Clauſes, Matters, and Things, in the ſaid Act contained, except ſuch as are altered, varied, or repealed by this Act, or as relate to any Exemption from Stamp Duties, ſhall remain and continue in full force, and be applied to the carrying into Execution the Proviſions of this Act, as fully and effectually as if the ſame were repeated and re-enacted in the Body of this Act.

Directing the Limits within which the Powers of the Act may be executed.

XX. And whereas ſome Doubts have ariſen as to the Diſtance to which the Suburbs of the ſaid City may be deemed to extend from the Walls or Scite of the ancient Gates of the ſaid City; for Removal of ſuch Doubts, be it further enacted, That none of the Powers, Clauſes, Regulations, and Proviſions of the ſaid recited Act, or of this preſent Act, ſhall be carried into Execution in any Street, Lane, or Paſſage in the Suburbs or Liberties of the ſaid City without the Walls, without the Order and Direction of Fourteen of the ſaid Commiſſioners, at a Meeting to be held for that Purpoſe, of which due Notice ſhall be given according to the Proviſions of the ſaid recited Act; and that it ſhall be lawful for the ſaid Commiſſioners, or any Fourteen or more of them, by Writing under their Hands, at a Meeting to be held for that Purpoſe, of which due Notice ſhall be given as aforeſaid, to order and direct that all and every or any of the Powers, Clauſes, Regulations, and Proviſions of the ſaid recited Act and of this Act ſhall be carried into Execution in ſuch Streets, Lanes, and other Paſſages within the Liberties of the ſaid City, as ſhall be mentioned and deſcribed in ſuch Order or Writing, any Thing in the ſaid Act or this Act contained to the contrary notwithſtanding.

Application of Compenſation Money when amounting to 200 l.

XXI. And be it further enacted, That if any Money ſhall be agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, or for any other Matter, Right, or Intereſt, of what Nature or Kind ſoever, purchaſed, taken, or uſed by virtue of the Powers of this Act for the Purpoſes thereof, which ſhall belong to any Corporation, Feme Covert, Infant, Lunatic, or Perſon or Perſons under any Diſability or Incapacity, 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 High Court of Chancery, to be placed to his Account *ex parte* the Commiſſioners for executing this Act, together with the Name or Names of ſuch Perſon or Perſons as any Seven of the ſaid Commiſſioners ſhall by Writing ſigned by them direct and appoint, 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 Lands, Tenements, or Hereditaments, in the Purchaſe of the Land Tax, or towards the Diſcharge of any Debt or Debts or ſuch other Incumbrance, or Part thereof, as the ſaid Court ſhall authorize to be paid affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments, ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court,

in the Purchaſe of other 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, Lands, Tenements, and 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 mean Time and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the Court of Chancery, 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; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and Annual Produce of the ſaid Conſolidated or Reduced Bank Annuities 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 ſaid Lands, Tenements, and Hereditaments ſo hereby directed to be purchaſed in caſe ſuch Purchaſe or Settlement were made.

Where leſs than 200l. and amounting to 20l.

XXII. Provided always, and be it further enacted, That if any Money ſo agreed or awarded to be paid for any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſons under Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed the Sum of Twenty Pounds, then 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 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 High Court of Chancery, and to be placed to his Account as aforeſaid, in order to be applied in Manner herein-before 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 Seven or more of the ſaid Commiſſioners (ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties), in order that ſuch Principal Money and the Dividends ariſing thereon may be applied in Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Where leſs than 20l.

XXIII. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed or awarded to be paid as laſt before mentioned ſhall be leſs than 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 Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, as the ſaid Commiſſioners or any Seven or more of them, 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.

Directions in Cases of not making out Titles.

XXIV. And be it further enacted, That in case the Person or Persons, to whom such Sum or Sums of Money shall be ordered so to be paid as aforesaid, shall not be able to make a good Title to the Premises, to the Satisfaction of the said Commissioners, or any Seven or more of them, or shall refuse to execute such Conveyance or Conveyances; or in case such Person or Persons to whom such Sum or Sums of Money shall be so ordered to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Tenements, or Hereditaments be not known or discovered, then and in every such Case it shall be lawful for the said Commissioners, or any Seven or more of them, to order the said Sum or Sums so awarded to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Lands, Tenements, or Hereditaments [describing them] subject to the Order, Controul, and Disposition of the said Court; which said Court, on the Application of any 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 said Court shall seem meet, to order the same to be laid out and invested in the Public Funds, or to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the 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, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Respecting disputed Titles.

XXV. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments or of any Estate, Right, or Interest in any 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 or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments, at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; 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 Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court may order Payment of reasonable Expences.

XXVI. Provided also, and be it further enacted, That where by reason of any Disability or Incapacity of the Person or Persons, or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchased under the

the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance thereof reſpectively, 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 Court ſhall deem reaſonable, together with the neceſſary Coſts and Charges of obtaining ſuch Order, to be paid by the ſaid Commiſſioners, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

Alterations of Markets, or Act, not to affect the Biſhop of *Hereford*, or his Right, &c. to Fairs in the City.

XXVII. Provided always, and be it further enacted, That nothing in this Act contained ſhall be held or conſtrued to abridge, deſtroy, or in any way affect the Right of the Lord Biſhop of *Hereford* to take and collect any Tolls ariſing from the Fair held in the ſaid City of *Hereford*, commencing on the Nineteenth Day of *May*, commonly called the Nine Days Fair, or in any way to injure, deſtroy, or affect any other Privileges, Franchiſes, or Immunities of the ſaid Biſhop, or in any Manner to prevent the holding the ſaid Fair in every reſpect as the ſame has heretofore been held; and ſuch Fair may continue to be held in ſuch and the like Places, and in ſuch and the ſame Manner, in every reſpect, as if this Act had not paſſed; and the ſaid Lord Biſhop of *Hereford* ſhall and may have, exerciſe, hold, and enjoy the ſame, in as full, ample, and beneficial a Manner as if this Act had not been paſſed, and ſhall be entitled to, and may take, receive, and collect all ſuch Tolls and Dues, as the ſaid Lord Biſhop was and is entitled by any Grant, Uſage, or Cuſtom, to demand, take, receive, and collect at or during ſuch Fair, within the ſaid City before the paſſing of this Act.

Limitation of Actions.

XXVIII. And be it further enacted, That no Action or Suit ſhall be brought or proſecuted againſt any Perſon or Perſons for any Thing done in purſuance of this Act, unleſs One Month's Notice thereof ſhall be firſt given in Writing to the Clerk or Treaſurer to the ſaid Commiſſioners, ſigned by the Plaintiff or Plaintiffs, or unleſs the ſame ſhall be commenced before the Expiration of Six Calendar Months next after the Fact committed, or unleſs Tender of reaſonable Amends hath not or ſhall not have been made by or on Behalf of the Defendant or Defendants in ſuch Action or Suit, nor unleſs ſuch Action or Suit ſhall be laid and brought in the County where the Cauſe of Action ſhall have ariſen; and the Defendant or Defendants, in any Action or Suit to be commenced for any Thing done in purſuance of this Act, ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the Matter or Thing for which ſuch Action or Suit ſhall be brought was done in purſuance and by the Authority of this Act; and if ſuch Matter or Thing ſhall appear to have been ſo done, or if it ſhall appear that ſuch Action or Suit was brought before One Month's Notice thereof was given in Writing to the Clerk or Treaſurer of the ſaid Commiſſioners, ſigned by the Plaintiff or Plaintiffs, or if it ſhall appear that ſuch Action or Suit was not commenced before the Expiration of Six Calendar Months next after the Fact committed, or if it ſhall appear that Tender of reaſonable Amends was made by or in Behalf of the Defendant or Defendants in ſuch Action or Suit, before ſuch Action or Suit was commenced, or if any ſuch Action

Action be brought in any other County or Place than the County aforesaid, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or 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 Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law.

Tender of Amends.

XXIX. Provided always, and be it further enacted, That in all Actions or Suits to be brought against any Person or Persons for any Matter or Thing done in pursuance of this Act, the Defendant or Defendants in such Action or Suit shall and may, before Plea pleaded, pay into Court such Sum or Sums of Money as he, she, or they shall think proper, in the Name of a reasonable Amends for such Matter or Thing; and if the Plaintiff or Plaintiffs shall refuse to accept the same, together with his, her, or their Costs, to that Time (to be taxed by the proper Officer), and if the Jury who try the Cause shall not find the Damages to amount to a greater Sum or Sums of Money than the Money so paid into Court, the Verdict shall pass for the Defendant or Defendants; and such Defendant or Defendants shall have all other Privileges and Advantages given to any Defendant or Defendants by this Act, and shall and may recover Treble Costs, and have the like Remedy for the same, as before directed, for recovering Treble Costs by any Defendant or Defendants.

Treble Costs.

XXX. And be it further enacted, That if any Action or Actions shall be brought by Order of the said Commissioners, or any Seven or more of them, against any Person or Persons for any Thing relating to this Act, or the Powers therein contained, and a Verdict shall be had and given against the Person or Persons against whom such Action or Actions shall be brought, such Person or Persons shall pay Treble Costs; and the Plaintiff or Plaintiffs in such Action or Actions shall have such Remedy and Remedies for recovering the same as any Plaintiff or Plaintiffs may have for his, her, or their Costs in any other Cases by Law.

Proceedings not to be quashed for Want of Form.

XXXI. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders against this Act, or any Order made, or other Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed 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 *Westminster*.

Public Act.

XXXII. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken Notice of as such by all Judges, Justices and others, without being specially pleaded.

The SCHEDULE of Tolls and Dues to which this Act refers.

	s.	*d.*
FROM the Occupier of each of the Butchers Shambles, per Week	2	6
For each and every of such Shambles for each Market Day	2	0
For each Shop or Stall for Sale of Goods, Wares, and Merchandises, as the same are now marked out and numbered, and distinguished on each and every Market Day	1	6
For every such Shop or Stall on Fair Days	2	6
For each and every covered Basket for Sale of Eggs, Butter or Poultry, and usually called or known by the Name or Description of Butter Basket	0	3
For each and every smaller open Basket with Eggs, Ducks, or Fowls only	0	2
For every such Basket containing more than Two Couples of such Fowls or Ducks	0	3
For every Two Couples of live Fowls exposed for Sale in the said Market, or a less Number than Two Couples	0	1
For each Portion of Bench and Table, as the same are distinguished and numbered	0	3
For every Goose, alive or dead, extending beyond such Portion or Space	0	1
For Stalls, Standings, or Places for laying down, placing, and exposing for Sale of Earthenware, manufactured Goods, Basket-makers and Coopers Wares; Onions, Seeds, and all other Articles, such Sums as shall be from Time to Time fixed and appointed for each Yard in Width of the Stalls, Standings, Boards, or other Conveniencies occupied by such Earthenware, &c. not exceeding	0	9
For every Waggon Load of Apples or Potatoes, or other Vegetables brought to the said Market for Sale	1	0
For every Cart Load of such Apples, Potatoes, or Vegetables	0	6
For selling and exposing to Sale the following Articles on Market or Fair Days in the Markets appropriated or to be provided for that Purpose:		
For every Bag or Pocket of Hops, including Weighing and Registry	0	6
For the Standing of each of such Bags or Pockets of Hops for every Week after the Fair or Market Day on which the same shall be brought, or for any less Time than One Week	0	2
For every Tod, Sheet, Bundle or Package of Wool, including Weighing and Registry	0	4
For the Standing of each and every such Tod, Sheet, Bundle, or Package for every Week after the Fair or Market Day on which the same shall be brought, or for any less Term than One Week	0	2

	s.	d.
For every Tub, Barrel, or Caſk of Salt Butter, brought into the ſaid Markets for Sale, including Weighing, the Sum of -	0	4
For every Hundred Weight of Cheeſe brought into the ſaid Market for Sale, including Weighing, and for a leſs Quantity in Proportion - - - -	0	4
For all other Goods, Wares and Merchandiſes, Proviſions, and every other Article whatſoever, not herein-before enumerated, which ſhall be brought and expoſed for Sale, in the ſaid Markets and other Accommodations, at and after the Rate for every ſuperficial or ſquare Yard taken up or occupied by ſuch Goods, Wares, Merchandiſes, Proviſions, or other Articles, the Sum of -	0	4

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