

ANNO DECIMO QUINTO

VICTORIÆ REGINÆ.

****

Cap. xlix.

An Act to enable the Mayor, Aldermen, and Burgesses of the Borough of *Sheffield* to make certain Bridges over the River *Dun*, Roads, Streets, and other Works, all within the Borough of *Sheffield*. [28th *May* 1852.]

WHEREAS Her present Majesty, by and with the Advice of Her Privy Council, and as well by virtue of the Powers and Authorities vested in Her Majesty as by virtue of the Powers and Authorities given to Her Majesty by an Act passed in the First Year of Her Reign, intituled *An Act to amend an Act for the Regulation of Municipal Corporations in* England *and* Wales, did, 1 & 2 Vict. c. 31.
by certain Letters Patent under the Great Seal of the United Kingdom of *Great Britain* and *Ireland*, bearing Date the Twenty-fourth Day of *August* One thousand eight hundred and forty-three, grant that the Inhabitants of the Borough of *Sheffield* comprised within the Boundaries of the same Borough as they were settled and determined by an Act passed in the Session of Parliament held in the Second and Third Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to settle and describe the Divisions of Counties* 2 & 3 W. 4. c. 64.

and the Limits of Cities and Boroughs in England *and* Wales, *in so far as respects the Election of Members to serve in Parliament*, (which said Boundaries include or comprise the entire Parish of *Sheffield*, in which are contained the several Townships of *Sheffield*, *Ecclesall Bierlow*, *Brightside Bierlow*, *Upper Hallam*, *Nether Hallam*, and *Attercliffe-cum-Darnall*,) and their Successors, should be for ever thereafter One Body Politic and Corporate in Deed, Fact, and Name, and that the said Body Corporate should be called "The Mayor, Alder- "men, and Burgesses of the Borough of *Sheffield* in the County of "*York*," and should have perpetual Succession and a Common Seal: And whereas it would be of great public Advantage if Two new Carriage Bridges were made over the River *Dun* within the Borough of *Sheffield*, and also if certain new Streets, Roads, and other Works were constructed within the same Borough, and it is expedient that Provision should be made for enabling the said Mayor, Aldermen, and Burgesses to make, construct, and maintain the same, but the Authority of Parliament is necessary for the Purpose: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows; (that is to say,)

Interpretation of Terms.

I. That in construing this Act the Words and Expressions following shall have the several Meanings hereby assigned them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

The Word "Person" or the Word "Persons," and Words applying to any Person or Individual, shall include and apply to Corporations, whether aggregate or sole:

The Expressions "the Borough" or "the Borough of *Sheffield*" shall respectively mean the Borough of *Sheffield* in the County of *York* as defined by the Charter of Incorporation thereof:

The Expression "the Mayor, Aldermen, and Burgesses," shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Sheffield*:

The Expression "the Mayor" shall mean the Mayor of the Borough of *Sheffield*:

The Expression "the Council" shall mean the Council of the Borough of *Sheffield*:

The Word "Committee" shall mean any Committee appointed by the Council:

The Expression "the Town Clerk" shall mean the Town Clerk of the Borough of *Sheffield*:

The Expression "the Treasurer" shall mean the Treasurer of the Borough of *Sheffield*:

The Word "Owner," used with reference to any Lands or Buildings in respect of which any Rate is required to be paid under this Act, shall mean the Person for the Time being entitled to receive, or who, if such Lands and Buildings were let to a Tenant at Rack-rent, would be entitled to receive the Rack-rent from the Occupier thereof, and when used in reference to the Purchase of any Lands shall include all Persons enabled to sell Lands under the Provisions of "The Lands Clauses Consolidation Act, 1845:"

The Words "Rack Rent" shall mean Rent which is not less than Two Thirds of the full net annual Value of the Lands out of which the Rent arises; and the full net annual Value shall be taken to be the Rent at which the Lands might reasonably be expected to let from Year to Year, free from all usual Tenants Rates and Taxes and Tithe Commutation Rentcharge (if any), and deducting therefrom the probable Average annual Cost of the Repairs, Insurances, and other Expenses (if any) necessary to maintain the same in a State to command such Rent.

Construction of certain Terms in 10 & 11 Vict. c. 34.

II. That in construing any Section of "The Towns Improvement Clauses Act, 1847," incorporated with this Act, the following Expressions shall for the Purposes of this Act have the Meanings hereby assigned them; (that is to say,)

"The Commissioners" shall mean the Council:

"The Special Act" shall mean this Act:

"Quarter Sessions" shall mean General Quarter Sessions of the Peace for the West Riding of the County of *York*, unless and until Her Majesty, Her Heirs or Successors, shall please to grant that a separate Court of Quarter Sessions of the Peace shall be holden in and for the Borough of *Sheffield*, and shall, if and after such Grant shall be made, thenceforth mean the General Quarter Sessions of the Peace for the Borough of *Sheffield*:

"The Rates made by the Commissioners for the Purposes of this Act," occurring in the One hundred and seventy-sixth Section of "The Towns Improvement Clauses Act, 1847," shall mean the Bridge Rate by this Act authorized to be made:

"Their principal Office of Business," occurring in the Two hundred and fourteenth Section of "The Towns Improvement Clauses Act, 1847," shall mean the Office of the Town Clerk.

Short Title.

III. That in citing this Act for any Purpose it shall be sufficient to use the Expression "The *Sheffield* Bridges and Streets Act, 1852."

The Council of the Borough to carry the Act into execution.

IV. That the Mayor, Aldermen, and Burgesses, by the Council, shall be and they are hereby empowered to carry this Act into execution.

V. That

Persons acting in execution of the Act not to be personally liable.

V. That no Matter or Thing done or Contract entered into by the Council, nor any Matter or Thing done by any Member thereof, or by the Town Clerk, Treasurer, Surveyor, or other Officer or Person whomsoever acting under the Direction of the Council, shall, if the Matter or Thing were done or the Contract entered into *bonâ fide* for the Purpose of executing this Act, subject them or any of them personally to any Action, Liability, Claim, or Demand whatsoever; and any Expense incurred by the Council, Member, Town Clerk, Treasurer, Surveyor, or other Officer or Person acting as last aforesaid shall be borne and repaid out of the Rates levied under the Authority of this Act.

Provisions of 8 & 9 Vict. c. 18. incorporated with this Act.

VI. That "The Lands Clauses Consolidation Act, 1845," except the Parts and Enactments of that Act with respect to the Recovery of Forfeitures, Penalties, and Costs, and with respect to small Portions of intersected Land, and with respect to the Provision to be made for affording Access to the Special Act by all Parties interested, and except so much of the One hundred and thirty-third Section thereof as relates to Liability to be assessed to the Poor's Rate, as therein mentioned, shall be and is hereby incorporated with this Act; and for the Purpose of this Act the Expression "the Promoters of the Undertaking," wherever used in "The Lands Clauses Consolidation Act, 1845," shall mean the Council, and the Word "Secretary" shall mean the Town Clerk; and all Lands, Buildings, and Premises which shall be purchased by the Council shall be conveyed and assured to the Mayor, Aldermen, and Burgesses.

Power to construct Works.

VII. That it shall be lawful for the Mayor, Aldermen, and Burgesses, when and in such Order as they shall think fit, to make the following Bridges over the River *Dun*, Streets or Roads and other Works, in *Sheffield*; that is to say,

A Bridge at or near the *Iron Bridge*:

A new Street or Road from the South End of such Bridge to *West Bar Green*:

A new Street or Road from the North End of *Bridge Street* to or near to the North-east End of *Bowling Green Street*:

A new Street or Road from the North End of the said Bridge to *Bridge Houses*:

A new Street or Road from *Bridge Houses* at or near the North End of the last-mentioned intended new Street or Road to *Harvest Lane*:

A Bridge at or near the Ford across the said River *Dun* at or near the Point where the Townships of *Sheffield*, *Nether Hallam*, and *Brightside Bierlow* meet, and an Approach thereto from *Neepsend Lane*;

A new Street or Road from the South End of the last-mentioned Bridge to the *Penistone Road*:

Also to widen *Coulston Street* and *New Hall Street*, and to alter the Level of certain Parts of the following Streets; namely, *Cotton Mill Walk*, *Bridge Street*, *Steam Street*, *Bower Street*, *Water Street*, *Steelhouse Lane*, *Spring Street*, *New Hall Street*, the *Bridge Houses*, *Neepsend Lane*, *Snighill*, and *Nursery Street*.

Works to be executed according to deposited Plans.

VIII. And whereas Plans and Sections of the said Bridges, Roads, Streets, and other Works, showing the Line and Levels thereof respectively, and also Books of Reference containing the Names of the Owners, Lessees, and Occupiers, or reputed Owners, Lessees, and Occupiers of the Lands through, in, or upon which the same are respectively intended to be made, have been deposited with the Clerk of the Peace for the West Riding of the County of *York*: Be it enacted, That, subject to the Provisions of this Act, the said Bridges, Streets, Roads, and other Works shall be made in or upon the Lands delineated on the said Plans and described in the said Books of Reference, and within the Limits of lateral Deviation defined on the said Plans, and according to the Levels defined on the said Sections; and it shall be lawful for the Mayor, Aldermen, and Burgesses to enter upon, take, and use such of the said Lands as shall be necessary for the Purpose: Provided always, that it shall be lawful for the Mayor, Aldermen, and Burgesses, in carrying the said Works into execution, to deviate to any Extent not exceeding Three Feet from the Levels defined on the said Sections: Provided also, that in making the said new Streets or Roads from the South End of the said first-mentioned Bridge to *West Bar Green*, and from the North End of *Bridge Street* to or near to the North-east End of *Bowling Green Street*, it shall not be lawful for the Mayor, Aldermen, and Burgesses, without the Consent of the *Soho* Steam Grinding Wheel Company, to deviate from the Lines thereof respectively as laid down on the Plans deposited as herein-before mentioned, so as to take more Land from the said Company than shall be necessary for making the same Streets or Roads in the Lines and of the Dimensions defined on the said Plans; nor shall it be lawful for the Mayor, Aldermen, and Burgesses, without such Consent as aforesaid, to take more of such Land than shall be necessary for such Purpose; and if the Mayor, Aldermen, and Burgesses shall under the Powers of this Act purchase any Lands marked Nos. 50, 58, and 59 in the Township of *Sheffield* on the same Plans adjoining or on the same Side of the said first-mentioned Street or Road as the Premises of the said Company which will not be required for the Purposes of the said Streets or Roads, they shall, before offering the same for Sale to any other Person, make to the Secretary for the Time being or other chief Officer of the said Company an Offer to sell the same to the said Company; and the said Company may, if they think fit, at any Time within Two Months after the Receipt of such Offer, agree to purchase the same, and if they shall so agree the Price

for such Land, in case of Dispute, shall be settled in the same Way as Cases of disputed Compensation are directed to be settled by the Lands Clauses Consolidation Act, 1845.

Errors, &c. in Books of Reference may be corrected by Justices, who shall certify the same.

IX. That if any Omission, Mis-statement, or wrong Description shall have been made of any Lands or Buildings, or of the Owners, Lessees, or Occupiers of any Lands or Buildings, described on the said Plans or mentioned in the said Books of Reference, the Council, after giving Ten Days Notice to the Owners, Lessees, and Occupiers of the Lands affected by such proposed Correction, may apply to any Two Justices for the Correction thereof, and if it appear to such Justices that such Omission, Mis-statement, or wrong Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, Mis-statement, or wrong Description; and such Certificate, with the other Documents to which it relates, shall be deposited with the Town Clerk, and such Certificate shall be kept by such Town Clerk with the other Documents to which it relates, and thereupon such Books of Reference shall be deemed to be corrected according to such Certificate; and the Council may take any Lands in accordance with such Certificate, as if such Omission, Mis-statement, or wrong Description had not been made.

Certificate to be deposited.

Plans, &c. to be open to Inspection.

X. That a Copy of the said Books of Reference, Plans, and Sections respectively shall be kept by the Town Clerk, and such Town Clerk shall permit all Persons to inspect the same at seasonable Times, and to make Copies and Extracts of and from the same respectively, on Payment by each Person of One Shilling for every such Inspection, and of the further Sum of One Shilling for every Hour during which such Inspection shall continue after the first, and after the Rate of Sixpence for every One hundred Words copied therefrom.

Copies of Plans, &c. to be Evidence.

XI. That true Copies of the said Plans, Sections, and Books of Reference, or of any Alteration or Correction thereof, or Extract therefrom, certified by the Clerk of the Peace of the West Riding of the County of *York*, or by the Town Clerk, which Certificate such Clerk of the Peace and Town Clerk respectively shall give to all Parties interested, when required, shall be received in all Courts of Justice or elsewhere as Evidence of the Contents thereof.

Power to deposit and work Materials on Lands.

XII. That it shall be lawful for the Council, in or upon any Lands delineated on the said Plans and described in the said Books of Reference, to deposit and work Materials for the building or constructing of the said Bridges, Roads, Streets, and other Works, and to make any temporary Erections for the Purposes aforesaid or any of them, doing as little Damage as may be, and making Satisfaction for

for such Damage to the Owners, Lessees, and Occupiers of such Lands in the Manner provided by "The Lands Clauses Consolidation Act, 1845."

Bridges, &c., when completed, to be declared public.

XIII. That when and so soon and as often as either or any of the said Bridges, Roads, Streets, and Approaches shall, in the Judgment of the Council, be completed and ready for public Use, the Council shall declare the same respectively to be a Highway, and Notice in Writing of such Declaration shall be put up in some conspicuous Part in or near the Bridge, Road, Street, or Approach therein referred to, and thereupon the same Bridge, Road, Street, or Approach shall become and be a Highway, and be thenceforth paved, cleansed, lighted, watched, kept in repair, and regulated as the other public Streets and Highways in the said Borough of *Sheffield*.

Power to levy Bridge Rate.

XIV. That all the Expenses of carrying this Act into execution, including the Sums required for paying all Principal Monies which may be borrowed by the Council under the Authority of this Act, and the Interest thereon, shall be defrayed by a Rate, to be called "The Bridge Rate," which the Council is hereby authorized and empowered to levy from Time to Time upon the Occupiers or Owners of all Buildings and Lands within the Borough, in manner herein-after provided: Provided always, that such Rate do not exceed in any One Year the Sum of Threepence in the Pound on the annual Value of such Buildings and Lands.

Provisions of 10 & 11 Vict. c. 34. incorporated with this Act.

XV. That, subject to the Provisions next herein-after contained, the Sections of "The Towns Improvement Clauses Act, 1847," with respect to the Manner of making Rates authorized by that or the special Act (except the One hundred and sixty-eighth, the One hundred and seventy-second, the One hundred and seventy-ninth, and the One hundred and eighty-first Sections thereof), shall be and the same are hereby incorporated with this Act.

Form of Rate.

XVI. That every Rate made under the Authority of this Act shall be fairly transcribed in a Book or Books to be kept for that Purpose, and shall be in such Form as the Council shall from Time to Time direct, and shall be sealed with the Common Seal of the Borough.

Land, &c. to be rated at a Quarter only.

XVII. Provided always, That every Person occupying Lands used as Arable, Meadow, or Pasture Ground only, or as Woodlands, or Market Gardens or Nursery Grounds, or any Land covered with Water, or used only as a Canal or Towing-path for the same, or as a Railway, constructed under the Powers of any Act of Parliament, for public Conveyance, shall be rated in respect of the same respectively to the Bridge Rate authorized to be levied by this Act in the Proportion of One Fourth Part only of the net annual Value thereof.

XVIII. That

Council may remit Rate.

XVIII. That it shall be lawful for Two Justices, on the Application of the Council, to remit or give Time for the Payment of the Rate authorized to be levied by this Act, on account of the Poverty or Sickness of any Person liable to the Payment thereof, provided that no Person be so excused for more than One Year's Rate at once; and it shall be lawful for the Council, if they think fit, to compound with the Owner of any Cottage or Dwelling House which under this Act may be respectively assessed at any Amount as the rateable Value thereof not exceeding Seven Pounds *per Annum*, for Payment of a Sum less than the Rate thereon, the Council not accepting for any such Composition less than Three Fourths of the whole Year's Rate, and such Owner paying the Amount of such Composition forthwith, on the same being agreed upon; and in the event of the same not being so paid, the Tenant or Occupier of every such Cottage or Dwelling House shall be and remain liable to the full Amount of such Rate, and to the Powers and Remedies by this Act provided for Recovery thereof, in such and the same Manner as if no such Composition had been attempted; and the Council shall from Time to Time, but not oftener than once in Three Years, fix the Proportion of the whole Year's Rate (not being less than aforesaid) for which such Composition shall be made, and every such Composition shall be made for the Proportion of Rate so for the Time being fixed, and no other.

Amount of Rate may include Expenses of recovering same.

XIX. That the Amount of any Rate made under the Authority of this Act by the Council may, if the Council think fit, be such as in their Judgment will be sufficient to raise or discharge, not only the Sum, Charges, or Expenses in respect of which such Rate is made, but also such a Sum as will in the Judgment of the Council meet the Expenses incurred and to be incurred in and about making, collecting, and recovering such Rate.

Certain Lands and Buildings not to be rated.

XX. That no Rate under the Authority of this Act shall be made upon any Person for or on account of any Church, Chapel, Meeting House, or other Place solely and exclusively appropriated and used for Public Worship and duly licensed for Religious Worship, or any Almshouse or Hospital, or for or on account of any Buildings or Parts of Buildings solely and exclusively appropriated, used, and occupied for the Purposes of public Charity, or for the gratuitous Education of the Poor within the Borough, or for or on account of any Buildings or Parts of Buildings solely and exclusively appropriated, used, and occupied for the public Encouragement or Promotion of Art, Science, or Education, or for or on account of any Workhouse in the Borough.

Property of the Corporation ex-

XXI. That no Lands, Buildings, or Tenements in the Borough which are or shall be occupied by the Mayor, Aldermen, and Burgesses

gesses or the Council shall at any Time after the passing of this Act be charged to or rated in or by any Rate or Assessment made under the Provisions of this Act. Exempted from Rates.

XXII. That the Sections of "The Towns Improvement Clauses Act, 1847," with respect to the Appeal to be made against any Rate, and with respect to the Recovery of Rates (except the One hundred and ninety-ninth Section thereof), and with respect to affording Access to the Special Act, shall be and the same are hereby incorporated with this Act. Certain Provisions of 10 & 11 Vict. c. 34. incorporated with this Act.

XXIII. That the Mayor, Aldermen, and Burgesses, or the Council, may, from Time to Time as they think fit, recover the whole or any Part of any Rate or other Money payable to them by virtue of this Act by Distress and Sale of the Goods and Chattels, wherever found, of the Person liable to pay the same, or in like Manner as Rates for the Relief of the Poor are by Law recoverable. Remedies for Recovery of Rates.

XXIV. Provided always, That nothing in this Act contained shall as between any Landlord and Tenant alter or affect any Lease, Contract, or Agreement, either written or parol, between any Landlord and Tenant relating to the Payment of any Taxes, Rates, Assessments, or Impositions. Contracts between Landlords and Tenants as to Taxes, &c. not to be affected.

XXV. That any Number of Names and Sums may be included in any Complaint, Warrant of Distress, or Notice for the Purpose of this Act, and may be stated either in the Body of such Complaint, Warrant of Distress, or Notice, or in any Schedule thereto. Several Names in One Warrant.

XXVI. That no Justice shall be disabled to act as such Justice in any Matter relative or referring to this Act, or any Act or Acts wholly or partially incorporated herewith, by reason of his being the Mayor or an Alderman or Councillor of the Borough, or a Member of any Committee of the Council. No Justice disabled from acting by reason of his being a Member of the Council.

XXVII. That no Person, although liable to the Payment of Money towards the Rate authorized to be raised under this Act, shall by reason thereof be disabled from acting as a Justice, Juror, Arbitrator, Umpire, or Under Sheriff in the Execution of this Act. Liability to Rates not to disqualify Justices, &c.

XXVIII. That it shall be lawful for the Council from Time to Time to take up and borrow, on Mortgage of the Bridge Rate hereinbefore authorized to be levied, any Sum or Sums of Money not exceeding in the whole the Sum of Thirty-one thousand seven hundred and twenty-five Pounds, for the Purposes for which the said Bridge Rate is applicable: Provided always, that the whole of the Sum or Sums borrowed under this Act, and the Interest accruing due Power for the Council to borrow Money for the Purposes of the Act.

from Time to Time, shall be repaid within Thirty Years from the Time of borrowing the same; and for the Purposes aforesaid the several Sections in "The Commissioners Clauses Act, 1847," contained, with respect to the Mortgages to be executed by the Commissioners, (except the Eighty-fourth Section thereof,) shall be and the same are hereby incorporated with this Act, and shall be considered and construed as if the Word "Council" had been inserted therein instead of the Word "Commissioners," and as if the Words "Town Clerk" had been inserted therein instead of the Word "Clerk," or the Words "Clerk to the Commissioners;" and that the Forms of Mortgage and Transfer of Mortgage may be according to the Forms respectively contained in the Schedules (B.) and (C.) to "The Commissioners Clauses Act, 1847," or to the like Effect.

Mortgagees may enforce Payment of Arrears by Appointment of Receiver.

XXIX. That the Mortgagees under this Act may enforce the Payment of any Arrears of Interest, or of the Arrears of Principal and Interest, due to them, by the Appointment of a Receiver, and in order to authorize the Appointment of such Receiver the Amount owing to the Mortgagee or Mortgagees by whom Application for such Receiver shall be made shall not be less than Five thousand Pounds in the whole.

Money raised to pay off prior Loans to be paid off within the same Period as that originally borrowed.

XXX. That if the Council shall at any Time borrow or take up at Interest any Sum or Sums of Money at a lower Rate of Interest than any Securities given by them and then in force shall bear, the Money so borrowed at a lower Rate of Interest shall be paid off within the same Period within which the Money originally borrowed would have been payable.

Sinking Fund to be provided.

XXXI. That in order to discharge the Principal Money borrowed on Mortgage under and by virtue of this Act, the Council shall every Year appropriate and set apart a Sum equal to not less than Six Pounds Ten Shillings *per Centum* on the Amount of the Principal Money so borrowed by them, and shall apply such Sums from Time to Time, after Payment thereout of the Interest from Time to Time becoming due, as a Sinking Fund in paying off the Principal Monies so borrowed, and shall from Time to Time cause such Sinking Fund to be invested in the Purchase of Exchequer Bills or other Government Securities, and to be increased by Accumulation, in the way of Compound Interest or otherwise, until the same respectively shall be of sufficient Amount to pay off the Principal Debts to the Payment of which such Sinking Fund shall be applicable, or some Part thereof which the Council shall think ought then to be paid off, at which Time such accumulated Monies or an adequate Part thereof shall be so applied in paying off such Principal Debts in the Manner mentioned in "The Commissioners Clauses Act, 1847."

XXXII. That

Power to raise Money on Annuities.

XXXII. That in case the Council shall think it advisable or more advantageous to raise all or any Part of the Money to be borrowed under this Act by granting Annuities for Lives or for Terms of Years not exceeding Fifty Years, instead of Mortgages, it shall be lawful for the Council, by Deed under the Common Seal of the Borough, to grant Annuities to any Person who shall contribute and pay to the Treasurer of the Borough any Sum of Money which to the Council shall seem right and proper, for the absolute Purchase of any Annuity, to be paid and payable during the Life of every such Contributor, or the Life of such Person as shall be nominated by such Contributor at the Time of Payment of his Contribution or Purchase Money, or during the Term of Years for which the Annuity shall be agreed to be granted; and such Grant may be according to the Form in Schedule (A.) to this Act annexed, or to the like Effect.

For preventing improvident Grants of Annuities.

XXXIII. That for preventing improvident Grants of Annuities the Amount of every Annuity to be granted by virtue of this Act shall be regulated according to the Price of the Three Pounds *per Centum* Consolidated Bank Annuities at the Time of granting the same, and at a Rate not exceeding by more than One Fifth the Rate prescribed by Two Acts, one passed in the Forty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act to enable the Commissioners for the Reduction of the National Debt to grant Life Annuities*, and the other passed in the Fifty-second Year of the Reign of His said Majesty, intituled *An Act for amending Two Acts, passed in the Forty-eighth and Forty-ninth Years of His present Majesty, for enabling the Commissioners for the Reduction of the National Debt to grant Life Annuities.*

48 G. 3. c. 142.

52 G. 3. c. 129.

Register, Transfer, and Register of Transfer of Annuities.

XXXIV. That the Provisions contained in "the Commissioners Clauses Act, 1847," with respect to the Register, Transfer, and Register of Transfer of Mortgages, shall be respectively applicable to the Register, Transfer, and Register of Transfer of Annuities granted by virtue of the Provisions herein-before contained; and the Form of Transfer of Annuities may, as near as practicable, be according to the Form of Transfer of Mortgages contained in Schedule (C.) to the said Act, or to the like Effect.

As to the Construction of Neepsend Bridge Approaches and the Street from Bridge House to Harvest Lane.

XXXV. That it shall be lawful for the Council to enter into any such Arrangement or Arrangements as they may think proper with the Owners of any Lands or Buildings upon or near to the Site of the said intended Bridge at or near the said Ford, and of the Approach thereto from *Neepsend Lane*, and of the said intended Street or Road from the said Bridge to the *Penistone Road*, and of the said intended Street or Road from *Bridge Houses* to *Harvest Lane*, or of any or either of them, for the Construction or Contribution towards the

the Construction thereof, or of any or either of them, at the Expense of or by such Owners; and all Monies which shall be received by virtue of any such Arrangement shall be applied by the Council in or towards the Construction of the said Bridge, Approach, and Streets, or Roads, or any or either of them, pursuant to the Terms of such Arrangement; and nothing in this Act contained shall be held or construed to render it obligatory upon the Mayor, Aldermen, and Burgesses, or the Council, to construct the said Bridge or Approach, or either of the said Streets or Roads, or to exercise any of the Powers of this Act with respect thereto, unless and until an Arrangement or Arrangements satisfactory to the Council shall have been made between them and the said Owners for the Construction of the said Bridge and Approach and each of the said Streets or Roads.

Costs of Proceedings for the Recovery of Rates to be included in the Warrants of Distress.

XXXVI. That it shall be lawful for any Justice, in any Warrant of Distress which he shall make and issue for the Recovery of any Rate or Sum of Money payable under or by virtue of this Act, to order that a Sum such as he may deem reasonable for the Costs and Expenses which the Complainant or Person applying for such Warrant shall have incurred in obtaining the same shall also be levied on the Goods and Chattels of the Offender or Person against whom such Warrant shall be granted, together with the reasonable Charges of the taking, keeping, and selling of the said Distress.

Authentication of Notices, &c.

XXXVII. That any Summons, Demand, Notice, Order, Declaration, or other such Document under this Act may be either in Writing or in Print, or partly in Writing and partly in Print, and if the same require Authentication by the Mayor, Aldermen, and Burgesses, or by the Council, or any Committee of the Council, the same shall be and be deemed sufficiently and legally authenticated if signed by the Mayor or Town Clerk, or any Person acting as or for the Town Clerk, and need not, unless specially required, be under the Common Seal of the Borough.

Summons, Notices, &c. to be served on the Town Clerk.

XXXVIII. That any Summons, Notice, Writ, or other Proceeding at Law or in Equity requiring to be given to or served on the Mayor, Aldermen, and Burgesses, or on the Council, or on any Committee thereof, may be given or served by delivering the same to the Town Clerk, or Person acting as and for the Town Clerk, personally, or leaving the same at the Office of the Town Clerk; and Service in any of the Modes aforesaid shall be sufficient for all Purposes whatsoever.

Accounts to be kept by Borough Treasurer, and audited.

XXXIX. That the Treasurer of the Borough shall, in a Book or Books to be kept for that Purpose, enter or cause to be entered true Accounts of all Sums of Money by him received and paid, and of the several Matters for which such Sums shall have been received and paid,

paid, under and by virtue of any of the Provisions of this Act; and such Books shall at all seasonable Times be open to the Inspection of any of the Aldermen or Councillors of the Borough; and all such Accounts, with all Vouchers and Papers relating thereto, shall be submitted by the Treasurer to the Auditors of the Borough, and such Accounts shall be audited in the same Manner as the Accounts of the Borough are directed to be audited under the Provisions of the Act of the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales; and the Council may, if they think proper, make to the said Auditors (except the Auditor appointed by the Mayor) a reasonable Allowance or Compensation for their Trouble.

5 & 6 W. 4. c. 76.

Accounts to be made out annually, and published.

XL. That previous to or in the Month of *October* in every Year a full Abstract shall be made in Writing by the Treasurer of such Accounts for the preceding Year ending upon the Thirty-first Day of *August*; and a Copy thereof shall be deposited with the Town Clerk, and shall be open to the Inspection of all Persons interested, and shall be published in some One or more Newspaper or Newspapers circulating in the Borough, or in such other Manner as the Council may direct.

Reserving Powers conferred by Municipal Corporation Acts.

XLI. That nothing in this Act contained shall be held to alter any of the Powers, Privileges, and Authorities vested in the Mayor, Aldermen, and Burgesses by or in pursuance of any Act or Acts of Parliament now in force or which may be hereafter passed in relation to Municipal Corporations, or by or in pursuance of the said recited Charter of Incorporation; and, except so far as is hereby otherwise provided, or as shall be inconsistent therewith, the said Powers, Privileges, and Authorities shall extend and apply to the Objects and Purposes of this Act, and may be exercised in the Execution of or otherwise in relation to such Purposes.

Forms in Schedule (B.) may be used.

XLII. That the several Forms in the Schedule (B.) to this Act annexed, or Forms to the like Effect, with such Alterations or Additions (if any) as Circumstances may require, may be used for any of the Purposes of this Act for which such Forms are applicable, and such Forms shall accordingly be to all Intents sufficient for such Purposes, and it shall not be necessary for any of such Purposes to use any other Form.

8 & 9 Vict. c. 20. incorporated with this Act.

XLIII. That the Sections of "The Railways Clauses Consolidation Act, 1845," with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices (except the One hundred and forty-third

Section thereof), shall be incorporated with and form Part of this Act; and in construing such Sections for the Purposes of this Act the following Words and Expressions shall have the several Meanings hereby assigned them; (that is to say), the Expression "Special Act" shall mean this Act; the Word "Company" shall mean the Mayor, Aldermen, and Burgesses; the Words "Justice" and "Justices" shall have the Meaning assigned them respectively when occurring in this Act; the Expression "principal Place of Business of the Company" shall mean the Office of the Town Clerk; and the Expression "Superior Courts" shall mean Her Majesty's Superior Courts of Record at *Westminster*.

Expenses of Act.

XLIV. That all the Costs, Charges, and Expenses of or preparatory to the passing or obtaining of this Act or incident thereto shall be borne by the Mayor, Aldermen, and Burgesses, and shall be paid by the Council out of the Bridge Rate hereby authorized to be levied, or out of the Borough Fund or Rate, or partly out of the said Bridge Rate and partly out of the said Borough Fund or Rate, and in such Proportions as the Council shall think proper.

SCHE-

SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

FORM OF SECURITY FOR GRANTING ANNUITY.

No. .

By virtue of "The Sheffield Bridges and Streets Act, 1852," the Mayor, Aldermen, and Burgesses of the Borough of Sheffield in the County of York, in consideration of the Sum of £ paid to the Treasurer of the said Borough by *A.B.* of for the Purposes of the said Act, do hereby grant unto the said *A.B.* an Annuity of £ out of the Bridge Rate or Rates arising or accruing by virtue of the said Act, which Annuity of £ shall be paid to the said *A.B.* or his Assigns, during the Term of his Life, [*or* to the said *A.B.* his Executors, Administrators, or Assigns, during the Life of *C.D.* , *as the Case may be*,] upon the Day of in every Year during the Life of him the said at the First Payment thereof to be made on the Day of next ensuing the Date hereof.

Dated this Day of One thousand eight hundred and .

Common Seal of the Borough.

SCHEDULE (B.)

FORM OF ESTIMATE FOR A BRIDGE RATE.

The Sheffield Bridges and Streets Act, 1852.

I, *F.R.* of, *&c.* estimate that the Sum of [£] is required for the Purposes of the Bridge Rate; that is to say, [£ for £ for *&c.*], and that

that the rateable Value of the Property assessable is [£], and that the Amount of Rate which for those Purposes it is necessary to make upon each Pound of such Value is [pence].

Dated this Day of .

F. R. of

FORM OF NOTICE OF INTENTION TO MAKE A BRIDGE RATE.

The Sheffield Bridges and Streets Act, 1852.

TAKE notice, That the Council intend at a Meeting on the Day of to make a Bridge Rate for the Purposes to which such Rate is legally applicable, of [pence] in the Pound on the rateable Value of all the Property assessable thereto in the Borough, and that the Statement of the proposed Rate is deposited at [*here specify the Place of Deposit*] in the Borough.

Dated this Day of .

A.B. Mayor,
or
C.D. Town Clerk.

[*Local.*

FORM OF RATE.

The Sheffield Bridges and Streets Act, 1852.

AN ASSESSMENT to the Bridge Rate, made this Day of 18 , after the Rate of pence in the Pound, by virtue of "The Sheffield Bridges and Streets Act, 1852."

No.	No. of House.		RATE.										COLLECTION.			
										Owner.		Occupier.		Uncollected at balancing this Book. Date 18 .			
Number.	Front.	Back.	Name of Occupier.	Name of Owner.	Description of Property rated.	Name or Situation of Property.	Estimated Extent.	Gross estimated Rental.	Rateable Value.	Rate at in the Pound.	Composition of reduced Rate on Owner.	Rate at in Pound.	Amount actually collected.	Recoverable Arrears at balancing the Book.	Irrecoverable at balancing the Book.		
															Amount legally excused.	Otherwise not recoverable.	
																Amount.	Causes.
							A. R. P.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	

(*To be sealed with the Common Seal of the Borough.*)

FORM

FORM OF NOTICE OF AMENDMENT OF RATE BY INCREASE, OR INSERTING A NEW NAME.

The Sheffield Bridges and Streets Act, 1852.

TAKE notice, That the Bridge Rate made on the Day of has been amended [by increasing the Amount of your Rate from £ to £ *or* by inserting your Name therein as rated at £].

Dated this Day of .

Mayor
or
Town Clerk.

To *A.B.*, *&c.*

FORM OF SUMMONS FOR NONPAYMENT OF RATE.

The Sheffield Bridges and Streets Act, 1852.

Borough of Sheffield, to wit. } I HEREBY require you (and every of you) to appear on the Day of at [Ten of the Clock in the Forenoon] at [the Town Hall in Sheffield] before me or any other Justice then and there present, to show Cause why the Bridge Rate made on the Day of in arrear and unpaid by you should not be paid; and if you fail to appear a Warrant will be issued to levy the same by Distress of your Goods and Chattels. Given under my Hand, this Day of .

N.O.,
A Justice of the Peace for the Borough of Sheffield.

FORM OF WARRANT OF DISTRESS.

The Sheffield Bridges and Streets Act, 1852.

To the Chief Constable and all other Constables and Peace Officers in the Borough of Sheffield, and the Collectors of the Bridge Rate authorized to be levied by and for the Purposes of the above-mentioned Act [*or otherwise*].

Borough of Sheffield, to wit. } WHEREAS it duly appears unto me [*or* us] that the Sum of £ is due from *A.B.*, of, *&c.* [*or* that the several Sums specified in the Schedule hereunder written are respectively due from the several Persons named in the said Schedule, opposite to whose Names therein such Sums respectively

tively appear], in respect of [*here state generally on what Account the same is or are due, as, for instance*, the Amount duly assessed upon him or them respectively by the Bridge Rate made pursuant to the said Act on the Day of 18 , *or otherwise, as the Case may be*]: And whereas it further appears to me [*or* us] that the said *A.B.* [*or* the said several Persons], although duly summoned in that Behalf, has [*or* have respectively] neglected and still does [*or* do] neglect to pay the said Sum of £ [*or* the said several Sums], and has not [*or* have not, nor hath any of them,] shown sufficient Cause for not paying the same:

These are therefore in Her Majesty's Name to command you and every of you forthwith to levy the said Sum of £ and also the Sum of £ for the Costs of proceeding to obtain this Warrant [*or* forthwith to levy the said several Sums and also the several Sums for Costs specified and set opposite to the Names of the said Persons respectively in the said Schedule,] by Distress and Sale of the Goods and Chattels of the said *A.B.* [*or* of the said several Persons], and your reasonable Charges of taking, keeping, and selling such Distress [in each Case], rendering to the said *A.B.* [*or* to each of the said Persons] the Overplus, on Demand; and if sufficient Distress cannot be found of his [*or* any of their] Goods you are to certify the same to me [*or* us], that such further Proceedings may be had therein as the Law directs.

SCHEDULE [*if necessary*].

Names.	Residences.	Amount of Rate due.	Costs.	Total Sum due.
		£ s. d.	£ s. d.	£ s. d.

Given under my Hand and Seal [*or* our Hands and Seals], this Day of .

C.D. (L.S.)
A Justice of the Peace of the Borough of Sheffield, *or*
C.D. (L.S.)
E.F. (L.S.)
Justices of the Peace of the Borough of Sheffield.

FORM

Form of Notice that a Bridge or Street is a Highway.

The Sheffield Bridges and Streets Act, 1852.

Take notice, That the Council declare the under-mentioned Bridge [*or* Street, *&c.*, *as the Case may be*,] to be a Highway.

Dated this Day of 185 .

A.B., Mayor,
or
C.D., Town Clerk.

[*Here specify the Bridge or Street, as*, the new Bridge called Bridge crossing the River Dun from to
or
Street from the Beginning to the End [*or* Street from where it is crossed by Street to where it is crossed by Street, *or otherwise as the Case may require.*]

LONDON:
Printed by George Edward Eyre and William Spottiswoode,
Printers to the Queen's most Excellent Majesty. 1852.