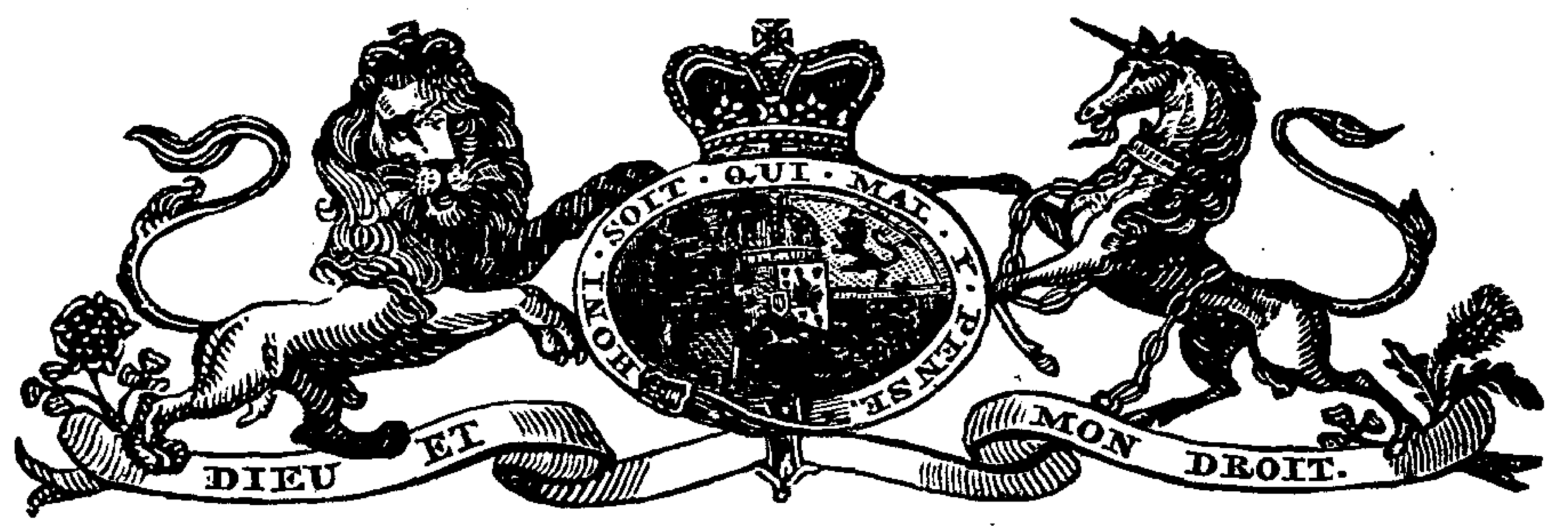


ANNO SEPTIMO & OCTAVO

GEORGII IV. REGIS.

****

Cap. xlvi.

An Act for removing the Corn, Hay, and Cattle Markets of the Town of *Sheffield* in the West Riding of the County of *York;* for erecting a Corn Exchange, and improving the Market Places and regulating the Fairs and Markets of the said Town, and erecting a Bridge there over the River *Dun*. [28th *May* 1827.]

WHEREAS an Act was passed in the Twenty-fourth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for enlarging the Market Place and regu-* 24 G. 3. c. 5.
lating the Markets within the Town of Sheffield *in the West Riding of the County of* York; *and for widening and rendering more safe and commodious several Streets adjoining or leading into the said Market Place; and for taking down the present Slaughter Houses within the said Town, and erecting others in a more proper Situation;* whereby, after reciting (amongst other Things) that the Right Honourable *Charles Howard* commonly called Earl of *Surrey* (who afterwards became Duke of *Norfolk,* and is since deceased,) was Owner of the said Market and Market Place, and was willing and desirous to make the Improvements therein mentioned, under the Direction of Commissioners as therein-after expressed, it was enacted, that certain Persons therein named should be and were thereby appointed Com-

missioners for better carrying the Purposes of the said Act into Execution; and by the same Act Powers were given to the said Earl of *Surrey*, or the future Owner or Owners of the said Market, to purchase certain Buildings, Grounds, and other Hereditaments, for enlarging the then Market Place under the Direction of the said Commissioners, and to erect a Market House or Houses, Butchers Shops, Sheds, Stalls, Standings, and other Erections and Conveniences, as the said Earl of *Surrey* or the future Owner or Owners of the said Market and the said Commissioners should judge suitable or proper for the Use and Convenience of the several Persons attending the said Market, and for the Purpose of exposing to Sale and vending all Sorts of Corn and Grain, Meal and Flour, Butchers Meat, Fish, Poultry, Vegetables, Cheese, Butter, and Eggs, and all other marketable Commodities, Matters, and Things whatsoever, which had been usually exposed to Sale in the Market Place or Streets of the Town of *Sheffield* in Times past; and (amongst other Powers and Authorities) the said Earl of *Surrey* and the future Owner or Owners of the said Market was and were empowered, in the Manner therein mentioned, to enfranchise, and for that Purpose to grant, convey, and assure any Messuages, Tenements, Lands, or Hereditaments held by Copy of Court Roll, or being of the Nature of Copyhold or Customary Tenure, and being Parcel of the Castle, Honour, or Lordship of *Sheffield*, or any other Manor or Lordship belonging to the said Earl of *Surrey* and the future Owner or Owners of the said Market, unto the Copyhold or Customary Tenant or Tenants of such Messuages, Tenements, Lands, or Hereditaments, and his, her, or their respective Heirs, to be holden to him, her, or them respectively for ever, as of the Seigniory whereof the said Messuages, Tenements, Lands, or Hereditaments were Parcel, in Free and Common Soccage, freed and discharged of and from all or any Fines, Heriots, Reliefs, Quit Rents, and other Customary Dues and Payments, Suits and Services whatsoever, and also to sell and dispose of, and for that Purpose to grant, convey, and assure unto and to the Use of any Person or Persons whomsoever, and his, her, and their Heirs, all or any of the ancient yearly Chief, Fee Farm, or Quit Rents, Rents Service, Rents Seck or Dry Rents, Fridleys, or other yearly Rents or Payments then or thereafter to become payable to the said Earl of *Surrey* and the future Owner or Owners of the said Market, for or in respect of any Freehold Estates within the District of *Hallamshire* in the said West Riding of the County of *York*, or the several Manors or Lordships aforesaid: And whereas under the Powers of the said recited Act several Buildings and Erections were made, and Land set out and appropriated for enlarging and improving the former Market, which was thereby considerably increased, and the same is now used for the Purpose of exposing to Sale and vending the several Matters and Things aforesaid; and under the Powers of the same Act the Markets and Fairs for Horses and other Beasts and Live Cattle were removed to or near a Place called *The Wicker* in the Township of *Brightside Bierlow* in the said Parish of *Sheffield*, where the same are now held; and certain Buildings and Conveniences thereto were erected and made upon a convenient Site for therein slaughtering Cattle; and pursuant to the same Act several Sums of Money were borrowed at Interest on Mortgage of the said Market Place, Buildings, and Erections, and of the Rents,

Rents, Issues, Tolls, and Profits thereof and of the said Market, the whole of which Sums of Money have since been paid off; and also, pursuant to the same Act, many Copyhold Estates have been enfranchised, and several Rents by the same Act made saleable have been sold: And whereas the Most Noble *Bernard Edward Howard* Duke of *Norfolk* now is Owner of the said Castle and Manor of *Sheffield*, and of the said Market and Market Places, and the Buildings and Sites thereof, and of the Rates, Tolls, Pickage, Stallage, Free Customs, Issues, Rents, Duties, and Profits of the said Markets and Fairs, the same being Part of or incident to the said Castle and Manor or Lordship of *Sheffield*: And whereas there has been held annually, for Time immemorial, on the *Wednesday* in *Easter* Week, within the Manor of *Sheffield* aforesaid, a Court Leet and View of Frankpledge before the Steward of that Manor, at which proper Persons are appointed Inspectors of Meat, Flesh, Fish, and other Victuals, Examiners of Weights and Measures, and to other public Offices and Duties within the said Manor and Town of *Sheffield*: And whereas in or about the Year One thousand eight hundred and eighteen the said *Bernard Edward* Duke of *Norfolk* purchased certain Hereditaments lying between *King Street* and *Castle Street* in *Sheffield* aforesaid, and erected Buildings thereupon, and upon the Site of the late Gaol for the said District of *Hallamshire*, all which have been added to and appropriated and since used for the Purposes of the said Market, and other Additions and Improvements have been also made to the said Markets and Market Places: And whereas the Trade, Manufactures, and Population of the said Town of *Sheffield* and its Neighbourhood have of late greatly increased, and a Canal or Navigation has been made to the same Town since the passing of the said recited Act, and the said Market and Market Places, notwithstanding the Additions and Improvements which have been so made thereto as aforesaid, are now become very inadequate for the Demands and Exigencies of the same Town and Neighbourhood; and the Corn Market is held on a confined Situation adjoining the most frequented Streets of the said Town, and remote from the Basin of the said Canal or Navigation; and the Hay Market is also held in another of the most frequented Streets; and the Markets and Fairs for Beasts, Horses, Swine, and other Cattle are now held in certain Places in the *Wicker* in the Township of *Brightside Bierlow* aforesaid, which adjoin one of the principal Entrances into the said Town, and thereby respectively the said Streets and Entrances are obstructed and rendered very dangerous and inconvenient to the Inhabitants and Public at large passing into or through the same: And whereas the Removal of the said Corn Market and Hay Market, and the Market and Fairs for Beasts, Horses, Swine, and other Cattle, from the Places where the same respectively are now held, to more suitable and convenient Situations adjacent to the Basin of the said Canal or Navigation, upon or near the Site of the Buildings, Land, and Hereditaments lately occupied by the Pensioners of the Hospital of *Gilbert* Earl of *Shrewsbury*, and the *Castle Orchards*; and the Erection of a Corn Exchange, with Houses, Offices, and Shops attached, and of a Weighing Machine near the intended Corn and Hay Markets; and the Enlargement and Improvement of the Market Place between *King Street* and *Castle Street*, so purchased and appropriated for a Market as aforesaid; and the further Regulation

Regulation of the said Markets and Fairs, and the Tolls, Pickage, Stallage, Duties, and Profits thereof, and the Establishment of proper Rules and Regulations for the Government and Management of the said Fairs and Markets, would be very convenient and advantageous, as well to the Inhabitants of the said Town and Neighbourhood as to the Public in general, and would tend to remove the Dangers hereinbefore mentioned, and improve the said Town: And whereas the said *Bernard Edward* Duke of *Norfolk* is willing to make the Improvements and Regulations aforesaid, under the Direction of Commissioners, as herein-after is expressed, in case he shall be enabled so to do by Authority of Parliament: And whereas the Erection of a Bridge across the River *Dun* opposite to *Blonk Street* in the said Township of *Brightside Bierlow* would open a very convenient and easy Communication with the said proposed Markets, and would otherwise be of public Utility, and a Subscription has been entered into for erecting the same: But as the Purposes aforesaid cannot be effected without the Aid and Authority of Parliament, May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the said herein-before recited Act of the Twenty-fourth Year of the Reign of His late Majesty King *George* the Third shall be and the same is hereby declared to be repealed, and null and void to all Intents and Purposes.

Recited Act repealed.

Officers under former Act to continue liable under this Act.

II. Provided always, and be it further enacted, That each and every Treasurer, Collector, Surety, or other Person in whose Hands, Custody, or Controul any Money shall have been received or collected under or by virtue of the said recited Act, or who shall be indebted in any Sum or Sums of Money to the said *Bernard Edward* Duke of *Norfolk*, or the Commissioners thereby appointed under the same recited Act, shall be and remain liable to pay, deliver up, and account for the same to the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, and the Commissioners for executing this Act, as if the same recited Act had not been repealed, or as if such Money had come to their or any of their Hands by virtue of this Act; and that all Conveyances, Enfranchisements, Leases and Counterparts of Leases, and the Covenants therein contained, and all Contracts, Stipulations, or Agreements, Orders, Matters, and Things, entered into, directed, made, or done before the passing of this Act by the said *Charles* Duke of *Norfolk* deceased, and by the said *Bernard Edward* Duke of *Norfolk* and the Commissioners acting by or under the same recited Act, or by any Person or Persons acting under their or any of their Direction or Controul, with any Person or Persons whomsoever, shall, notwithstanding the Repeal of the same recited Act, subsist and continue in force in such Manner as according to the Tenor thereof respectively the same would have subsisted and continued in force in case the same Act had not been repealed; and it shall be lawful for the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, and the Commissioners hereby appointed, to sue and be sued upon the same respectively, in such Manner and under the same Regulations

as they respectively might have been had not the said Act been repealed.

Books used under former Act to be Evidence.

III. And be it further enacted, That all and every Book and Books containing the Accounts and Proceedings of the said Commissioners for executing the said Act hereby repealed, or containing any Orders or Agreements made or entered into by them, and made Evidence thereby, shall and may be given in Evidence in all Cases of Appeal, and in all Prosecutions, Suits, and Actions whatsoever, in such and the same Manner as if the said recited Act had not been repealed.

Commissioners.

IV. And be it further enacted, That the Reverend *William Alderson* Clerk, *William Binks*, *Peter Brownell*, *Charles Brownell*, *Benjamin Burbeary*, *William Blagden*, *George Bennett*, *Joseph Bradley*, *John Brown*, the Reverend *George Chandler* Clerk, the Reverend *Stuart Corbett* Doctor in Divinity, *Peter Cadman*, the Reverend *William Downes* Clerk, *James Drabble*, *Thomas Dunn*, *Francis Wright Everett*, *Michael Ellison*, *Thomas Ellison*, *John Bernard Furniss*, *Francis Fenton*, *Samuel Fox*, *George Bustard Greaves*, *Robert Gainsford*, *John Greaves*, *James Gregory*, *Joshua Gillatt*, *Richard Greaves*, *Edward Greaves*, *Rowland Hodgson*, *Bartholomew Hounsfield*, *Henry Hartop*, *Thomas Beard Holy*, *Andrew Allan Hardy*, *George Hawksworth*, *Samuel Hadfield*, *Francis Hoole*, *Robert Jobson*, *William Jessop*, *Arnold James Knight* Doctor of Physic, *John Milner*, *James Montgomery*, *Jonathan Marshall*, *Edward Nanson* senior, *Edward Nanson* junior, *Samuel Newbould*, *Thomas Newbould*, *George Naylor*, *Hugh Parker*, *John Parker*, *John Porter*, *Luke Palfreyman*, *John Read*, *Joseph Read*, *Samuel Roberts*, *James Rimington*, *Ebenezer Rhodes*, *Robert Rodgers*, *John Rodgers*, *Samuel Revell*, *Samuel Shore* senior, *Samuel Shore* junior, *John Shore* the elder, *John Shore* the younger, the Reverend *Thomas Sutton* Clerk, *Benjamin Sayle*, *William Aldam Smith*, *Edward Smith*, *Richard Stanley*, *James Sorby*, *Offley Shore*, *John Sorby* the younger, *Robert Sorby*, *Benjamin Broughton Stead*, *Joseph Dixon Skelton*, *John Sykes*, *William Smith*, *John Shirley*, *Peter Spurr*, *Thomas Sanderson*, *Robert Taylor*, *Thomas Tingle*, *Joseph Tingle*, *William Vickers*, *Benjamin Vickers*, *Thomas Asline Ward*, *John Watson*, *Bernard John Wake*, *James Wheat*, *James Wilson*, *Samuel Broomhead Ward*, *Thomas Watson*, *Thomas Willey*, *Joshua Wigfull* the younger, *George Hawke Woollen*, *William Younge* Doctor of Physic, *Samuel Younge*, and *George Younge*, and their Successors, to be elected and appointed in manner herein-after mentioned, shall be and they are hereby appointed Commissioners for the better carrying the Purposes of this Act into Execution.

Power to appoint new Commissioners.

V. And be it further enacted, That when and so often as the Commissioners herein named, or hereafter to be elected by virtue of this Act, shall, by Death, Refusal, or Incapability to act, or by becoming disqualified, be reduced to the Number of Twenty, it shall be lawful for the surviving or remaining Commissioners, and they are hereby empowered, at any Meeting to be held for that Purpose in pursuance of this Act, to elect and appoint such other fit Persons as they shall think proper to be Commissioners in the Place or Stead of such Commissioners so dying, refusing or becoming incapable or disqualified

to act, as herein-before mentioned; and all and every Persons and Person so from Time to Time elected and appointed in manner herein-before directed (being qualified as herein-after mentioned), shall be Commissioners and a Commissioner, and be joined with the other Commissioners, and have the like Powers and Authorities vested in them and him in all respects whatsoever, for putting this Act into Execution, as if they had been in and by this Act named Commissioners or a Commissioner.

Qualification of Commissioners.

VI. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless at the Time of his acting he shall be in his own Right, or in the Right of his Wife, in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, or possessed of or entitled to a Personal Estate of the Value of Two thousand Pounds over and above all his Debts, nor unless he shall have previously taken and subscribed the Oath (or, being One of the People called *Quakers*, the Affirmation) next following, before any Two or more of the said Commissioners, who are hereby authorized and required to administer the same:

Oath.

'I *A. B.* do swear, (*or, being One of the Persons called Quakers*, do solemnly affirm,) That I am in my own Right or in Right of my Wife in the actual Possession or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments of the clear yearly Value of One hundred Pounds above Reprizes, *or* am possessed of or entitled to a Personal Estate of the Value of Two thousand Pounds over and above what will pay all my Debts; and that I will truly, faithfully, and impartially, according to the best of my Skill and Judgment, execute and perform the several Powers and Authorities reposed in me as a Commissioner by virtue of an Act passed in the Eighth Year of the Reign of His Majesty King *George* the Fourth, intituled [*here insert the Title of this Act.*] So help me GOD.'

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

Penalty on disqualified Persons acting.

VII. And be it further enacted, That if any Person not being so qualified, or becoming disqualified as herein mentioned, or not having taken and subscribed such Oath or Affirmation as aforesaid, shall act as a Commissioner in the Execution of this Act, such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, with full Costs of Suit, to any Person or Persons 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, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; and if upon the Trial of such Action it shall be proved that such Person acted or voted as a Commissioner in the Execution of this Act, a Verdict shall be given for the Plaintiff or Plaintiffs in such Action, unless the Defendant therein shall at such Trial prove to the Satisfaction of the Jury that at the Time he acted as such Commissioner he was qualified as aforesaid, and that before he acted as such Commissioner he took and subscribed the Oath or made and subscribed the solemn Affirmation herein-

herein-before provided, according to the Directions of this Act: Provided always, that all Acts and Proceedings of any Person acting as a Commissioner in the Execution of this Act, though not duly qualified, done previous to his being so convicted, shall be as valid and effectual, notwithstanding such Conviction, as if such Person had been duly qualified as aforesaid.

Commissioners not to act when interested.

VIII. Provided always, and be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act during such Time as he shall hold any Office, Place of Profit, or Employment under the said Commissioners, or during such Time as he shall have any Interest or Share in any Contract or Work to be performed and done under any of the Powers of this Act, or in any Manner wherein he shall be in anywise personally or beneficially interested, except as a Creditor on the Rents, Tolls, Proceeds, Profits, or Monies herein directed to be collected and received.

Meetings of the Commissioners.

IX. And be it further enacted, That the said Commissioners shall meet at the Town Hall in *Sheffield* aforesaid, or at such other Place within the Town of *Sheffield* aforesaid as they may think fit, on the Third *Wednesday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of Ten o'Clock in the Forenoon and Two o'Clock in the Afternoon, and shall then and there proceed to carry this Act into Execution; and it shall be lawful for the said Commissioners to adjourn themselves from Time to Time, and to meet at the Town Hall in *Sheffield* aforesaid, or at any other Place or House within the said Town of *Sheffield*, as often as they shall think proper, for putting this Act into Execution; and if it shall at any Time happen that a sufficient Number of Commissioners shall not meet to act, or to adjourn to a future Day, or if the Commissioners present shall at any Time neglect or omit to adjourn, then and in every such Case any Two or more of the said Commissioners, or their Clerk, shall and may, by Notice under their Hands to be affixed on the Doors of the Parish Church of *Sheffield* aforesaid, or any other public Place in the said Town, or by Notice to be published in some one Newspaper published in *Sheffield* aforesaid, appoint a Meeting of the said Commissioners to be holden, at the Distance of Seven Days at the least from the Publication of such Notice, at the Place where the last Meeting was appointed to have been held, and so from Time to Time until a sufficient Number of the said Commissioners do or shall meet as aforesaid; and at every Meeting of the said Commissioners to be held in pursuance of this Act the Commissioners present, or the major Part of them, shall appoint a Chairman of such Meeting; and all the Powers and Authorities by this Act granted to or vested in the said Commissioners shall and may from Time to Time be exercised, done, and performed by a Majority of the said Commissioners present at any Meeting to be held as aforesaid, where the whole Number present shall not be less than Five (except for the Purpose of appointing Meetings as aforesaid); and in case of an equal Number of Votes upon any Question, including that of the Chairman, the Chairman shall have the casting Vote; and at all their Meetings the said Commissioners shall pay and defray their own Expences, except any Sum not exceeding Ten Shillings a

Day

Day for the Use of the Room wherein they shall meet for the Purposes of this Act.

Proceedings of Commissioners to be recorded.

X. And be it further enacted, That all Accounts, Acts, Orders, and Proceedings of the said Commissioners acting in the Execution of this Act, shall be entered in a Book to be kept for that Purpose, and signed by the Commissioners making the same, at their respective Meetings, and that no Act, Order, or Proceeding of the said Commissioners shall be valid until the same shall have been so entered and signed; and all Persons interested shall at any seasonable Time or Times be at liberty to inspect or take Copies or Extracts of the Entries in the said Book, without Fee or Reward; and that no Act, Order, or Proceeding so made and signed as aforesaid, shall be afterwards altered, revoked, or set aside by any subsequent Act, Order, or Proceeding of the said Commissioners, unless the Number of Commissioners so altering, revoking, or setting aside the same, shall exceed the Number of Commissioners by whom such Act, Order, or Proceeding shall have been made; and that such Accounts, Acts, Orders, and Proceedings, so entered and signed, shall be deemed to be original Orders and Proceedings; and the said Book or Books, and also the Book or Books herein-after directed to be kept for registering Mortgages and Memorandums of Transfers of Mortgages, and true examined Copies thereof, signed by the Clerk for the Time being acting in pursuance of this Act, shall and may respectively be read in Evidence in Cases of Appeal, and in all Suits or Actions touching any thing done or to be done in pursuance of this Act.

Commissioners to appoint a Clerk and Treasurer.

XI. And be it further enacted, That the said Commissioners shall and may, at their First or any subsequent Meeting to be held in pursuance of this Act, nominate and appoint a Clerk and Treasurer for the Purposes of this Act, and shall and may from Time to Time remove any such Clerk or Treasurer, as they shall see Occasion, and appoint another in the Room of such as shall be so removed or who shall die; and the said Commissioners shall and are hereby required

Treasurer to give Security.

to take such Security from every such Treasurer to be appointed as aforesaid, for the due and faithful Execution of his Office, as they shall think proper; and it shall be lawful for the said Commissioners, out of the Money to be raised by virtue of this Act, and to be placed to their Account as herein-after directed, to pay or allow to such Clerk and Treasurer respectively such Salary or Allowance for his Trouble in the Execution of this Act, as the said Commissioners shall think reasonable and proper, and also to pay and defray or reimburse themselves all Expences which they shall be at or put unto in executing the Powers hereby vested in them; any thing herein contained to the contrary thereof notwithstanding.

Clerk not to act as Treasurer, and vice versâ.

XII. Provided always, and be it further enacted, That it shall not be lawful for the said Commissioners to continue or appoint the Person who hath been or 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 the Treasurer for the Purposes of this Act,

or

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

Accounts to be kept of Receipts and Disbursements.

XIII. And be it further enacted, That the said Commissioners shall and they are hereby required to order and direct a Book or Books to be provided and kept by their Clerk for the Time being, in which Book or Books such Clerk shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for the Purpose of this Act, and of the several Articles, Matters, and Things for which any Sum of Money shall have been disbursed, laid out, and paid; which Book or Books shall at all seasonable Times be open to the Inspection of the said Commissioners, and any Creditor or Creditors on the Rates or Tolls hereby granted, without Fee or Reward; and the said Commissioners and Creditors shall or may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Clerk shall refuse to permit or shall not permit the said Commissioners or such Creditors, or any of them, to inspect the same Book or Books, or to take such Copies or Extracts as aforesaid, every such Clerk shall forfeit and pay any Sum not exceeding Five Pounds, to be levied and recovered in manner herein-after mentioned.

Land appropriated for the Purposes of this Act.

XIV. And be it further enacted, That the several Pieces or Parcels of Land particularly mentioned and described in the First Schedule to this Act annexed, marked A., shall, from and immediately after the passing of this Act, be and the same are hereby appropriated and set apart as and for the Sites of a Corn Market, a Hay Market, and a Market and Fairs for Beasts, Horses, Swine, and other Cattle, and

and also, in case the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the said Commissioners, shall at any Time think fit, as and for a Market for vending Meal, Flour, Butchers Meat, Fish, Poultry, Potatoes and other Vegetables, Cheese, Butter, and Eggs, and all other Matters and Things which before the passing of this Act have been usually exposed to Sale in the Market Places provided under the herein-before in part recited Act of Parliament; and also that it shall and may be lawful for the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, to appropriate, set apart, and use as a Market Place and Market for the Sale of the several Matters and Things aforesaid, or any of them, the Plot or Space of Ground lying between *King Street* and *Castle Street*, and now used as a Fish Market, and also to enlarge and improve the same by the Purchase and Appropriation of the several Messuages, Buildings, Lands, Grounds, and Hereditaments described in the Second Schedule to this Act annexed, marked B.

The present Fish Market to be also appropriated.

Power to purchase Houses and Land.

XV. And be it further enacted, That it shall and may be lawful for the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, and he and they is and are hereby authorized and empowered to purchase and take the several Messuages, Buildings, Lands, Tenements, and Hereditaments in the said Parish of *Sheffield*, mentioned and specified in the First and Second Schedules to this Act annexed, marked A. and B. respectively, or so much or such Part or Parts thereof as the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the said Commissioners, shall think necessary and proper to be taken and used for all or any of the Purposes of this Act, and to take down or alter all or any of the said Messuages, Buildings, Tenements, or Hereditaments so to be purchased, or any Part thereof respectively, and to appropriate and set apart all or any of the Ground or Sites thereof respectively, and also all or any of the Land or Ground so to be purchased, for the several Purposes of this Act.

Form of Conveyance.

XVI. And be it further enacted, That all Sales, Conveyances, Assignments, and Assurances of any Lands, Tenements, or Hereditaments, to be made to the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, shall be made in the Form or to the Effect following; (that is to say,)

'I [*or* We] in consideration of the Sum of to me [*or* to us, *or* into the Bank of *England*, *as the Case may be*,] paid by by virtue of an Act passed in the Eighth Year of the Reign of King *George* the Fourth, intituled [*here insert the Title of this Act*], do hereby grant, assign, and convey to the said all [*here describe the Premises to be conveyed*], and all [my *or* our] Estate, Right, Title, Term, and Interest to and in the same and every Part thereof; to hold to the said , his Heirs and Assigns for ever. In witness whereof I [*or* we] have hereunto set my Hand and Seal [*or* our Hands and Seals, *or* our Common Seal, *as the Case may be*,] this Day of in the Year of our Lord .'

And every such Sale, Conveyance, Assignment, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever, any Law, Statute, Usage, or Custom to the contrary thereof notwithstanding.

Purchases of the Messuages, &c. mentioned in the Schedules, to be within Five Years.

XVII. Provided always, and be it further enacted, That in case the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, shall not purchase the Messuages, Lands, Tenements, or Hereditaments mentioned and described in the First and Second Schedules of this Act, marked A. and B. respectively, or any of them, within the Space of Five Years from the passing of this Act, then and in such Case it shall not be lawful for the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, to purchase any of the said Messuages, Lands, Tenements, or Hereditaments so remaining unpurchased, without the Consent in Writing of the Owner or Owners thereof for that Purpose first had and obtained.

No Houses to be taken but those marked in Schedules.

XVIII. Provided also, and be it further enacted, That nothing herein contained shall authorize or empower the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, to take or purchase any House, Buildings, Lands, Tenements, or Hereditaments for the Purposes of this Act, without the Consent of the Owners or Occupiers thereof, other than and except those which are particularly mentioned and specified in the First and Second Schedules hereunto annexed, marked A. and B. respectively.

Misnomer in describing the Premises not to retard the Execution of this Act.

XIX. Provided always, and be it further enacted, That if any of the Houses, Buildings, Lands, Tenements, or Hereditaments which are mentioned or described in the First and Second Schedules to this Act annexed, marked A. and B. respectively, or any of the Owners thereof, or of the Persons in whose Occupation or Possession the same 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 conveyed, disposed of, appropriated and applied to and for the Purposes of this Act, as fully and effectually as if the same were more properly named and described in the said Schedules; provided it shall appear to any Justice of the Peace for the West Riding of the County of *York*, and be certified by Writing under his Hand, that such Omission, Misnomer, or inaccurate Description proceeded from Mistake, or that the real Owners or Occupiers of such Houses, Buildings, Lands, or Hereditaments had previous Notice that the same respectively would be wanted for the Purposes of this Act.

Incapacitated Persons empowered to sell and convey.

XX. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Tenants in Tail or for Life, Husbands, Guardians, Trustees, Committees, Executors, Administrators, and all other Persons whomsoever, not only for and Behalf of themselves, but also for and

and on the Behalf of their respective Cestuique Trusts or Wards, Femes Covert, Infants, Issue unborn, Lunatics, Idiots, and other Persons; and it shall also be lawful for all Femes Covert who are or shall be seised or interested in their own Right, or entitled to any Interest therein, and to and for all and every other Persons and Person whomsoever, who are or shall be seised or possessed of, or interested in any such Messuages, Buildings, Lands, Tenements, or Hereditaments, which the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market are enabled to take or purchase by virtue of this Act for the Purposes thereof or any of them, and they are hereby required to contract for the Sale, and to sell and convey to the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, all such Messuages, Buildings, Lands, Tenements, and Hereditaments, or any of them, or any Part or Parts thereof; and all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances, which shall be so made as aforesaid, shall be good and valid in the Law to all Intents and Purposes whatsoever, not only to convey the Estate, Term, and Interest of the Body or Bodies Politic or Corporate or Collegiate, Person or Persons conveying, but also the Right, Estate, Interest, Use, Trust, Property, Claim, and Demand whatsoever of their several and respective Cestuique Trusts, Wives, Infants or Issue unborn, Lunatics, Idiots, Femes Covert, or other Person whomsoever, and all Persons claiming or to claim by, from, or under them or any of them, any Statute, Law, or Usage to the contrary thereof in anywise notwithstanding.

On Persons refusing to treat or to sell, Jury to be summoned to assess the Value, &c.

XXI. Provided always, and be it further enacted, That if any such Person or Persons, Body or Bodies Politic or Corporate, Corporations Aggregate or Sole, Tenants in Tail or for Life, Husbands, Trustees, Feoffees, Guardians, Committees, Executors or Administrators, or any other Person or Persons in anywise interested in such Messuages, Buildings, Lands, Tenements, or Hereditaments in the First and Second Schedules to this Act annexed, marked A. and B. respectively, particularly mentioned and described, or any Occupier or Occupiers thereof, sustaining any Loss, Injury, or Damage, shall, for the Space of Twenty-one Days next after Notice in Writing, signed by the Clerk for the Time being to be appointed in pursuance of this Act, 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 Corporation, 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 Act, of such Messuages, Buildings, Lands, Tenements, or Hereditaments being 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 *Bernard Edward* Duke of *Norfolk* and the future Owner or Owners of the said Market, then

then and in every such Case the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, shall cause the Value and Recompence to be made for such Messuages, Buildings, Lands, Tenements, or Hereditaments, or any Loss, Injury, or Damage thereto, to be inquired into and ascertained by a Jury of Twelve indifferent Men of the West Riding of the said County of *York*; and for the summoning and returning such Jury the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, is and are hereby empowered from Time to Time to issue his or their Warrant or Warrants to the Sheriff of the said County, thereby commanding and requiring him to impannel, summon, and return an indifferent Jury of Twenty-four Persons, qualified to serve upon Juries at the Sessions of the said Riding, and who are respectively seised or possessed of Freehold or Leasehold Estates within the said Riding of the annual Value of Ten Pounds, to appear before the said Sheriff at such Time as in such Warrant or Warrants shall be appointed, at the Town Hall within the said Town of *Sheffield*; and the said Sheriff is hereby required to impannel, summon, and return such Number accordingly, to attend at the Time and Place so appointed; and out of the Persons so impannelled, summoned, and returned, or out of such of them as shall appear upon such Summons, the said Sheriff 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 Sheriff shall return other honest and indifferent Men of the Standers-by, or that can be speedily 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 Sheriff is hereby also 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 Sheriff 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 he shall also order and cause the said Jury to view the Places in question (if there be Occasion), and use all lawful Ways and Means, as well for his own as for the said Jury's better Information in the Premises, as the said 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, or Damage or Injury thereto, 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 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 or Damage thereto, according to such Verdict or Inquisition of the said Jury.

Verdict of Jury to be final.

XXII. And be it further enacted, That such Verdict or Inquisition of the said Jury, and the Judgment, Order, or Determination thereupon

upon 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 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, and after such Payment, it shall and may be lawful to and for the said Sheriff to cause the Premises in respect whereof such Money shall be assessed to be disposed of, and such Acts to be done thereto, as if the Purchase thereof had been agreed upon and completed, and the said respective Premises were untenanted, and thereupon the Premises shall absolutely vest in the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, and they and each of them shall be and be deemed to be in the actual Seisin and Possession of such Parts respectively, 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 Peace for the West Riding of the said County of *York*, and the same or true Copies thereof shall be admitted, received, and taken in Evidence and Proof in all Courts of Law or Equity, and in all Places whatsoever; and all Persons shall have recourse to them *gratis*, and may take Copies thereof *gratis*, and may, if they think proper, order Copies thereof to be made, paying Sixpence for every Hundred Words, and so in proportion for any less Number of Words to be copied.

Penalty on Persons summoned not appearing, or refusing to be sworn.

XXIII. And be it further enacted, That the said 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 so 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 Juryman or Witness shall not exceed the Sum of Ten Pounds for One Offence.

Expences of Jury how to be paid.

XXIV. 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 such Damage or Injury as aforesaid, than shall have been offered or tendered by the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, 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 West Riding of the County of *York*, not being personally interested,) shall be borne and paid by the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, 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 *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, or of the Treasurer for the Time being under this Act, unless such Treasurer shall pay such Costs and Expences out of the 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 County, 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 *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, 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 *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, shall have had any Controversy or Dispute, and shall be recovered in the same Manner as any Penalties and Forfeitures are herein-after directed to be recovered; and the other Moiety thereof shall be borne and paid by the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, out of the Money arising as aforesaid, and recoverable 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 *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, out of the Money arising by virtue of this Act, and be recovered by Distress and Sale in manner aforesaid.

Lessees and Tenants at Will to deliver Pos-

XXV. 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,

session at Six Months Notice.

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 *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, upon having Six Calendar Months Notice from the Clerk for the Time being to be appointed in pursuance of this Act on behalf of the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, to quit the same at such Time or Times as shall be required by such Notice, the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, making such Satisfaction and Compensation to every such Tenant, Lessee, or other Person as 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 *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, 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 *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, for the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, is and are herein directed to be ascertained and settled in case of any Dispute or Difference about the 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 *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, peaceably and quietly deliver up the Possession of the said Premises to the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market; 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 *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, to issue his or their Precept or Precepts to the said Sheriff 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 Sheriff is 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.

For taking Possession of Messuages, &c. on Payment or Tender of Purchase Money agreed upon or assessed.

XXVI. And be it further enacted, That upon Payment or legal Tender by the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, 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

Bank of *England* in the several Cases herein mentioned, within One Calendar Month after such Purchase Money shall have been so agreed upon or assessed as aforesaid, it shall be lawful for the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, 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 *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, 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 *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, or any Person acting under his or 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 to any Estate therein.

Application of Compensation Money when amounting to 200*l.*

XXVII. 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 Feme Covert, Infant, Lunatic, Idiot, Cestuique Trust, or to any Person or Persons whose Messuages, Buildings, Lands, Tenements, and Hereditaments are limited in strict or other Settlement, or to any Corporation, or Person or Persons under any Disability or Incapacity whatsoever, and there shall not be any Power in the Deed or Will by which such Messuages, Buildings, Lands, Tenements, and Hereditaments shall be settled, authorizing the Sale thereof, so that a Conveyance may be taken under this Act, 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 *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, pursuant to the Directions of an Act passed in the First Year of the Reign of His present Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the 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

1 G. 4. c. 35.

the same Messuages, Buildings, Lands, Tenements, or Hereditaments, or affecting any other 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; and in the meantime, 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 Messuages, Buildings, Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation is under 200*l.* and shall exceed 20*l.*

XXVIII. 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 to 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 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 the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, (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 any Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

XXIX. And

Application where the Money is less than 20*l.*

XXIX. 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 *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, 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.

In case of not making out Titles, or Persons entitled not being found.

XXX. 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 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 *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market; or in case such Person or Persons to whom such Sum or Sums of Money shall be so 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 *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, to order the said Sum or Sums of Money so 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 any such Sum or Sums of Money into the said Bank as aforesaid.

Persons in Possession to be deemed presumptively entitled.

XXXI. 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

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, or of any Estate, Right, or Interest in 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 or 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, or to some Estate or Interest therein.

Court of Exchequer may order reasonable Expences of Purchases to be paid by the Owner of the Market.

XXXII. 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, and 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 *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, out of the Money arising by virtue of this Act, and he or they shall from Time to Time respectively pay such Sum or Sums of Money for such Purposes as the said Court shall direct.

For the Resale of Lands, &c. not wanted for the Purposes of this Act.

XXXIII. 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, and some of the Lands on which the present Markets and Fairs are now held will, in consequence of the Provisions of this Act, become unnecessary for the Purposes thereof; be it therefore further enacted, That it shall and may be lawful to and for the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, and he and they is and are hereby authorized and empowered to sell, dispose of, and convey, or cause to be sold, disposed of, and conveyed, such Part or Parts of the said Messuages, Buildings, Lands, Tenements, or Here-

ditaments to be purchased by virtue of this Act, and of the Lands on which the Markets and Fairs are now held, as shall be unnecessary, not wanted, or become useless for the Purposes 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: Provided always, that 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 to the Treasurer to be appointed under this Act, be liable to see to the Application thereof, or be in anywise answerable for the Misapplication or Non-application thereof or of any Part thereof.

Power to erect Corn Exchange.

XXXIV. And be it further enacted, That it shall be lawful for the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, to make, erect, and build upon the Lands and Hereditaments comprised in the First Schedule to this Act annexed, marked A., or such Part or Parts thereof as he or they and the said Commissioners shall think proper, such a Market House as a Corn Exchange, with Offices and Shops thereto, as the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the said Commissioners, shall judge suitable and proper for holding the Markets for the Sale of Corn and Grain, Flour, Malt, Seeds, and Hops, and such other marketable Commodities, Matters, and Things whatsoever, which have been usually exposed to Sale in the Market Places and Streets of the said Town of *Sheffield*, as the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, and the said Commissioners, shall from Time to Time order and direct; and also to erect and build such other Houses, Buildings, Stalls, Standings, Shambles, and other Conveniences, for the Sale of all the Articles aforesaid 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, as the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the said Commissioners, shall from Time to Time judge suitable and proper; and also to make commodious and convenient Roads, Ways, Passages, and Avenues leading to the same Market; and also to erect One or more Engine or Engines for weighing Corn, Hay, Straw, or other Articles to be bought or sold by Weight in the said Markets.

New Corn, Hay, and Cattle Markets, &c. to be provided.

XXXV. And be it further enacted, That it shall be lawful for the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the said Commissioners, and they are hereby authorized to appropriate and set apart such Portion as they shall think proper of the Lands mentioned in the First Schedule to this Act annexed, marked A., as and for a public Market Place for exposing to sale Corn, Grain, and other agricultural Produce in Bulk; and also to set apart and appropriate such other Portion as he or they shall think proper of the said last-mentioned Lands as and for a public Market Place for exposing to Sale and selling therein Hay and Straw; and also to set apart and appropriate such other Portion of such last-mentioned Lands, or some Part or Parts thereof, as and for

for a public Market Place for exposing to Sale and selling therein Live Cattle, Horses, Beasts, Sheep, and Swine, and to fence in and inclose the same with proper and sufficient Fences and Gateways and Entrances into and from the same, in such Manner as the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the said Commissioners, shall think expedient; and also to make and erect proper and sufficient Pens and other Accommodations for the Cattle, Horses, Beasts, Sheep, and Swine which may be exposed to Sale in the last-mentioned Market Place; and to appropriate certain and particular Portions of the said Lands so appropriated and set apart and provided as aforesaid, and also certain and particular Pens and Places for exposing to Sale the different Sorts of Cattle, Beasts, Sheep, and Swine therein; and from Time to Time to vary and alter the Form and Situation, and diminish or extend the said Market Places, or any of them, as the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the said Commissioners, shall think expedient; and also to do and perform all such other Acts, Matters, and Things as shall be deemed necessary or proper for the making, preserving, maintaining, and using of the said several Market Places, Market House as a Corn Exchange, Buildings, and Erections, according to the true Intent and Meaning of this Act, and for further improving and enlarging the same Markets at any Time or Times after the same shall have been made, set out, and completed as aforesaid.

Power to hold Markets.

XXXVI. And be it further enacted, That from and after the said Market House as a Corn Exchange, and new Market Places, shall have been built, appropriated, and open for public Use as aforesaid, and Notice thereof given as herein-after mentioned, all Markets and Fairs to be held within or for the said Town of *Sheffield*, for the Sale of all Live Cattle, Horses, Beasts, Sheep, and Swine, Corn and other Grain, Meal and Flour, Butchers Meat, Fish, Poultry, Butter, Eggs, Cheese, Vegetables, Fruit, and all other marketable Commodities, Matters, and Things usually exposed to Sale in the present Market Places of the said Town, shall be sold within the Limits of the said present and intended new Market Places only, and not elsewhere (except as herein-after mentioned); and all such Markets and Fairs shall thenceforth be respectively held on such Days or Times, and in such Manner, and subject to such Regulations, as the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the said Commissioners, shall from Time to Time order and direct; and the said *Bernard Edward* Duke of *Norfolk*, and the future Owner and Owners of the said Market, shall and may, by himself and themselves, or his or their Collectors, Farmers, Officers, or Servants, ask, demand, recover, receive, and take, of and from all and every Persons and Person exposing or offering for Sale or selling any Butchers Meat, Fish, Provisions, Corn, Hay, Straw, Goods, Wares, or Merchandizes aforesaid, or Live Cattle, Horses, Beasts, Sheep, or Swine, in the Markets aforesaid, or who shall rent, use, or hire any Stall or Standing Place in the said Markets, the several Rents, Tolls, Pickage, Stallage, or Sum or Sums of Money which shall from Time to Time be fixed and appointed by the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said

 Market,

Market, and the said Commissioners, to be paid for the same, not exceeding the several Rents, Tolls, Duties, Pickage, Stallage, or Sum or Sums of Money mentioned and specified in the Third Schedule to this Act annexed, marked C.; any Charter, Statute, Usage, or Custom to the contrary thereof in anywise notwithstanding.

Discontinuance of the present Corn, Hay, and Cattle Markets.

XXXVII. And be it further enacted, That from and after the said Market House as a Corn Exchange shall have been erected and built, and a Portion of the Lands mentioned in the First Schedule to this Act annexed, marked A., shall have been appropriated and set apart, and ready to be opened for public Use as a Market Place for exposing to sale Corn, Grain, and other agricultural Produce in Bulk, and from and after another Portion of the Lands mentioned in the said First Schedule to this Act annexed, marked A., shall have been set apart and appropriated, and ready to be opened for public Use as a Market Place for exposing to sale Hay and Straw, and from and after another Portion of the Lands mentioned in the First Schedule to this Act annexed, marked A., shall have been set apart and appropriated as and for a public Market Place for exposing to sale Corn, Grain, and other agricultural Produce by Sample, the Market now held in a Place now called *The Corn Market*, also the Market for exposing to sale Live Cattle, Horses, Beasts, Sheep, and Swine, the Market for exposing to sale Hay and Straw, now held in the Street called *The Hay Market*, and the Markets and Fairs for Cattle, Horses, Beasts, Sheep, and Swine, now held in Parts of the said Place called *The Wicker*, in the Township of *Brightside Bierlow* in the said Parish of *Sheffield*, or in any other Street or Streets, Place or Places within the said Town, shall, from the Expiration of One Month from the Time of giving such Notice as herein-after is mentioned, be removed to and holden respectively in the same new Market Places so to be set out and appropriated as aforesaid; and if any Person or Persons shall thereafter, on any succeeding Markets, Days, or Fairs, or any other Day, sell or expose to Sale within the said Town any Corn, Grain, or other agricultural Produce, except in the said new Corn Exchange, or in the new Corn Market, or any Hay or Straw, except in the said new Hay Market, or any Horse, Beast, Sheep, Swine, or other Cattle, except in the said new Cattle Market, every Person so offending shall for each and every such Offence, on Conviction before One or more Justice or Justices of the Peace for the said West Riding of the County of *York*, forfeit and pay any Sum not exceeding Forty Shillings, to be received, recovered, and applied as herein-after mentioned: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to prevent or hinder any Person or Persons from selling or exposing to Sale any Corn, Grain, or other agricultural Produce, Hay or Straw, or Live Cattle, Horses, Beasts, Sheep, or Swine, in his or her own Premises, in such Manner as they may now lawfully do.

Tolls of Cattle Market when to be paid, and how recovered.

XXXVIII. And be it further enacted, That it shall be lawful for the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Markets, and the said Commissioners, from Time to Time as they shall deem it expedient, to appoint, appropriate, and limit the particular Time or Times during which any particular Kind or

or Description of Live Cattle, Horses, Beasts, Sheep, or Swine shall be exposed to Sale in the said new Cattle Market, and for their Removal after Sale; and all the Tolls of the said Cattle Market shall become and be due when and as soon as the several Cattle, Horses, Beasts, Sheep, or Swine, in respect whereof the same are by this Act respectively made payable shall be driven, brought into, or enter the said Market Place; and in case of any Sale thereof in the said Market, and the Cattle, Horses, Beasts, Sheep, or Swine shall not be removed within the Time appointed for the Removal thereof after Sale, then another Toll shall become due for such Cattle, Horses, Beasts, Sheep, or Swine immediately after the Expiration of the Time allowed for the Removal of the same after the Sale thereof, and shall be forthwith paid to the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Markets, or to his or their Collector, Farmer, Officer, or Servant authorized to receive the said several Tolls, by the several Owner or Owners of the said Cattle, Horses, Beasts, Sheep, or Swine in respect whereof the same shall be respectively payable, or by the Person or Persons accompanying such Cattle, Horses, Beasts, Sheep, or Swine; and if such Owner or Owners, or other Person or Persons, shall, upon Demand thereof made by the Collector, Farmer, or other Person authorized to receive the same, neglect or refuse to make Payment of the said several Tolls aforesaid, or of any Part or Parts thereof, it shall be lawful for the said Collector, Farmer, or other Person so authorized to receive the same, either by himself or with Assistance, to detain, seize, and distrain the Cattle, Horses, Beasts, Sheep, or Swine in respect whereof such Tolls shall become due and payable, or any of them, or any of the Goods or Chattels of the Owner or Owners or such other Person or Persons so neglecting or refusing to pay the same as aforesaid; and if such Tolls, and the reasonable Charges of such Detention and Distress, and of keeping and maintaining the Things distrained, shall not be paid, such Collector, Farmer, or other Person authorized as aforesaid, shall and may, at the Expiration of Four Days thereafter, sell and dispose of the said Cattle, Horses, Beasts, Sheep, or Swine, or other Goods or Chattels so distrained, or any Part thereof, and out of the Monies which shall arise by such Sale shall and may pay or retain such Tolls, and all reasonable Charges incurred by such Detention, Distress, and Sale, paying and returning the Overplus (if any) of the said Monies, and such of the said Things distrained as shall remain unsold, if any such there shall be, upon Demand, to the Owner or Owners thereof, or the Person or Persons in whose Possession the same shall have been when so detained and distrained as aforesaid, or as he, she, or they shall direct: Provided always, that until the said Markets for Corn and Hay, Live Cattle, Horses, Beasts, Sheep, and Swine shall have been so respectively built, appropriated, and set apart and opened for public Use as aforesaid, and the Space of One Calendar Month shall have elapsed after Notice to be respectively given thereof as herein-after mentioned, nothing herein contained shall prevent or hinder, or be construed to prevent or hinder, the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Markets, from holding the several Markets aforesaid in the same Streets and Places and at the same Times as such Markets respectively are now holden, nor from taking such and the same

Corn, Hay, and Cattle Markets to be held in the Streets until new Markets are made.

same Rents, Tolls, Pickage, Stallage, and Profits, for or in respect of Corn and Hay, and Live Cattle, Horses, Beasts, Sheep, or Swine, and Meat, Provisions, Goods, Wares, and Merchandizes, to be sold therein, or brought thereto respectively, and for the Shops, Stalls, and Standing Places therein, as he or they have heretofore been accustomed to receive and take.

Notice to be given when new Markets ready to be opened.

XXXIX. And be it further enacted, That when the said new Market Places for the Sale of Corn, Grain, Hay, Live Cattle, Horses, Beasts, Sheep, or Swine, or any of the said Market Places, shall be built, appropriated, and set apart and ready to be opened for public Use as aforesaid, the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Markets, and the said Commissioners, shall, and he or they is and are hereby required, by a printed Handbill or Advertisement, signed by the Clerk for the Time being acting in pursuance of this Act, to be circulated in the said Town and Parish of *Sheffield* and the Neighbourhood thereof, to give One Calendar Month's Notice of such Market Places, or any of them, having been so built, appropriated, and set apart, and ready to be opened for public Use, previous to the Day on which such Market Places, or any of them, shall be opened for public Use.

Regulations may be made for holding the said Markets.

XL. And be it further enacted, That it shall be lawful for the said *Bernard Edward* Duke of *Norfolk*, or the future Owner and Owners of the said Market, and the said Commissioners, from Time to Time to direct and appoint what particular and respective Part or Parts of the said several Market Places shall be occupied and made use of for exposing to Sale therein of Butchers Meat, Fish, Poultry, Butter, Eggs, Cheese, Vegetables, Fruit, Meal and Flour, and all or any other Commodities, Matters, or Things which shall be sold or exposed to Sale within the said several present and intended Market Places; and also from Time to Time to make such Rules, Orders, Regulations, and Bye Laws, (not inconsistent with or repugnant to the Directions or Provisions contained in this Act, or to any Law or Statute of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*,) as the said *Bernard Edward* Duke of *Norfolk*, or the future Owner and Owners of the said Market, and the said Commissioners, shall think proper and necessary for the better regulating, cleansing, letting, occupying, holding, and using all and every or any of the said Markets and Market Places and Corn Exchange, and every Part or Parts thereof, with such Penalty for disobeying the same, not exceeding for each and every Offence the Sum of Five Pounds, as he or they shall think fit; and also for fixing and ascertaining, changing, altering, or varying the Day or Days of the Week, and the Time or Times of holding every or any such Markets as aforesaid, and also the Hours at which all or any of such Goods, Wares, or Commodities shall respectively begin to be offered or exposed to Sale therein, and how long the same shall continue exposed to Sale therein, and also the Time or Times when and the Manner in which every moveable Shed, Stall, Standing, and Bench allowed to be used or set up in the said Market Places shall be set up, used, taken down, and removed from, and deposited and laid by therein; a Copy of which Rules, Orders, Regulations, and Bye Laws

shall be from Time to Time painted on Boards in large and legible Characters, and affixed and stuck up and continued and renewed as often as the same shall be obliterated or defaced, upon some conspicuous Parts of each of the said Market Places during such Markets respectively, for Two Market Days before such Orders and Regulations respectively shall be deemed to be and be in force and obligatory; and the said *Bernard Edward* Duke of *Norfolk*, or the future Owner and Owners of the said Market, and the said Commissioners, shall cause the Time or Times of beginning and concluding every Market and Fair to be announced by the ringing of a Bell, or otherwise, as he or they shall think proper; and such Rules, Orders, Regulations, and Bye Laws shall be subject to Appeal at the General Quarter Sessions of the Peace for the West Riding of the said County of *York*, as herein-after mentioned.

Penalty on Persons exposing Provisions to Sale, except in the Market Places.

XLI. And be it further enacted, That if any Person or Persons shall on any Market Day, or on any other Day, sell or expose to Sale at any Time within the said Town of *Sheffield* (except in the said Market Places, and as herein-after mentioned,) any Corn, Grain, Meal, Flour, Meat, Fish, Poultry, Butter, Eggs, Cheese, Vegetables, Fruit, or other marketable Commodities, Matters, or Things usually exposed to Sale in the present Market Places of the said Town, every Person so offending shall for every such Offence, on Conviction before any One or more Justice or Justices of the Peace for the said West Riding of the said County of *York*, forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as herein-after mentioned: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to prevent or hinder any Person from selling or exposing to Sale any Goods, Wares, Merchandizes, or any marketable Commodities, Matters, or Things whatsoever, in his or her own private Dwelling House, or in any Shop, Part of such Dwelling House, in any Part of the said Town of *Sheffield*; nor to subject, charge, or make liable any Person whomsoever selling or exposing to Sale in the said Market Places any Butter, Eggs, or Poultry in any Hand Basket or Baskets, to any Exaction or Toll for or in respect of or under the Idea of Pickage or Stallage; nor to subject, charge, or make liable any Corn, Grain, or Meal exposed to sale in the said Markets to any Toll or Demand other than what hath hitherto been paid or demanded, or of Right was due and payable within the present Market Place of the said Town, before the passing of this Act.

Power to appoint Officers.

XLII. And be it further enacted, That it shall and may be lawful for the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, and he and they is and are hereby required to appoint a Clerk of the Market, Collector or Collectors, and also to appoint and employ such other Person or Persons as may be necessary for the Purposes of this Act, and may from Time to Time remove any such Clerk of the Market, Collector or Collectors, or other Persons so to be appointed as aforesaid, as he or they shall think proper, and appoint another or others in the Room or Stead of any such Officers so removed or dying, or declining to act; and the Treasurer or Treasurers to be appointed under this

Act

Act shall and may, out of the Monies to arise under or by virtue of this Act, make such Allowances to such Person or Persons respectively as the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, shall judge a reasonable Compensation for their respective Trouble and Services.

Penalties on evading Tolls.

XLIII. And be it further enacted, That the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, shall set up and maintain, in some conspicuous Parts of each of the same Markets, a Table of the Tolls to be taken by virtue of this Act, painted on Boards in White Letters on a Black Ground, to be renewed as often as the same shall be obliterated or defaced; and in case any Person holding, using, or in any Manner occupying any of the said Stalls or Standings, or selling or exposing to Sale any Butchers Meat, Fish, or any other Provisions, Goods, or Articles as aforesaid, in the said Markets, shall refuse to pay the several Sums or Tolls aforesaid, or any of them, or any Part thereof, then and in such Case, and as often as it shall so happen, it shall be lawful for the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, or the Collector, Farmer, or other Person or Persons to be appointed by the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, to receive such Tolls, to levy the same by Distress and Sale of all or any of the Goods, Articles, or Things so exposed to Sale; and the Distress and Sale so to be taken to sell immediately, rendering the Overplus (if any be), after deducting the Expence of such Distress and Sale, to the Person or Persons whose Property such Provision, Goods, Chattels, or other Things as aforesaid were at the Time of every such Distress; and in case any Dispute or Difference shall or may arise touching the same, such Dispute or Difference shall and may be settled and determined by any One or more Justice or Justices of the Peace for the said West Riding of the County of *York*, who shall and is or are hereby empowered to summon the Parties before them, and to hear and determine the Matter of every such Complaint upon Oath, and to make such Order therein, and award such Costs to either Party, as to him or them shall in his or their Discretion seem meet, and by Warrant under his or their Hand and Seal or Hands and Seals to cause the Costs which shall be so awarded to be levied by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any) to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of every such Distress and Sale.

Owner of Market may let Buildings and Shops in Market.

XLIV. Provided always, and be it further enacted, That nothing herein or in the Third Schedule to this Act annexed marked C. contained, shall extend or be construed to hinder or prevent the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, from letting all or any of the Buildings, Shops, and Vaults which are already erected and made, and which may or shall hereafter be erected and made within or under the present Shambles, Market Houses, and Places, or within or under any of the Market Places hereafter to be set out and appropriated under or by virtue

virtue of this Act, for such Rent or Rents, Sum or Sums of Money, as the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, shall or may from Time to Time think proper, from any Person or Persons who shall be willing to rent and occupy the same; and the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, shall have such and the like Power for Recovery of such Rent or Rents, Sum or Sums of Money, in case of Refusal to pay the same, as is herein given for the Recovery of the Rents, Tolls, Pickage, and Stallage hereby granted and made payable.

Power to erect and appoint public Weighing House, &c.

XLV. And be it further enacted, That it shall and may be lawful to and for the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the said Commissioners, to appoint the Building already erected on the present Market Place to be a public Weighing House or Place, and also to erect and appoint One or more other public Weighing House or Place or public Weighing Houses or Places, in or near the said Market Places or any of them, as they shall from Time to Time think proper, for weighing and measuring such Meat, Provisions, or other Articles aforesaid as shall be bought or sold by Weight or Measure in the said Markets or any of them, in case the Buyers or Sellers thereof shall desire the same; and the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, shall and he and they is and are hereby required to have and keep proper and sufficient Weights, Scales, and Measures, (according to the respective Standard Weights and Measures in the Exchequer at *Westminster*, established by Two several Acts, the one passed in the Fifth Year of
5 G. 4. c. 74. His present Majesty, intituled *An Act for ascertaining and establishing Uniformity of Weights and Measures*, and the other passed in the
6 G. 4. c. 12. Sixth Year of His present Majesty, intituled *An Act to prolong the Time of the Commencement of an Act of the last Session of Parliament, for ascertaining and establishing Uniformity of Weights and Measures, and to amend the said Act,*) at one or more such Weighing House or Place, Weighing Houses or Places, and to appoint some proper Person or Persons to attend the same on every Market Day, at such Time or Times as in the Rules, Orders, or Bye Laws to be made by virtue of this Act shall from Time to Time be directed; and all and every Person and Persons selling Meat or other Provisions or Things by Weight or Measure in the said Market shall weigh and measure the same in or by the said Weights, Measures, or Scales as aforesaid, if required so to do by the Buyer or Buyers thereof; and in order to defray the Expences of providing the said Weights, Scales, and Measures as aforesaid, and a proper Person or Persons to attend the same as aforesaid, there shall be paid by the Buyer or Buyers of such Meat, or other Provisions or Things, to the Person or Persons appointed to receive the same as aforesaid, the several Tolls or Sum or Sums of Money mentioned in respect of the said Weighing House or Place, or Weighing Houses or Places, as are specified in the Third Schedule to this Act annexed, marked C.

For preventing Nuisances in the Markets.

XLVI. And be it further enacted, That if any Person or Persons shall kill, slaughter, singe, scald, or dress, or cause to be killed, slaughtered,

slaughtered, singed, scalded, or dressed, any Beast, Swine, Calf, Sheep, or other Cattle, in any Stall, Standing, or other Place in the said Markets, or shall wilfully, carelessly, or negligently injure, deface, or spoil any Part of the said Stalls or Standings, or the Roofs, Walls, Columns, Steps, or Pavements belonging thereto respectively, or any Part thereof; or if any Person or Persons shall cause, do, or commit any other Kind of Obstruction, Annoyance, or Nuisance, Damage, Injury, or Spoil, in any Part of the said Markets, or upon any of the Stalls, Standings, Erections, or Buildings therein, every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds, and shall, over and above such Penalty, pay such Sum or Sums of Money as the Justice or Justices for the said West Riding of the County of *York*, before whom the Complaint of any such Act or Offence as aforesaid shall be heard, shall think reasonable, by way of Satisfaction for any Damage done by such Offender or Offenders.

Inspectors to destroy unwholesome Meat.

XLVII. And be it further enacted, That if any Person or Persons shall sell or expose to Sale in the aforesaid Markets, or in any of them, or in any Shop or other Place or Places within the said Town of *Sheffield*, any Meat, Fish, or other Provisions which shall be of an unwholesome Nature, or in a State improper for human Food, it shall be lawful for the Persons to be from Time to Time appointed at the said Court Leet for the said Manor of *Sheffield* Inspectors of Flesh, Meat, Fish, and other Provisions, and each and every of them, without any other Authority than this Act, to seize and destroy, or cause to be seized and destroyed, such Flesh, Meat, Fish, and other unwholesome Provisions as aforesaid; and every Person selling or exposing to Sale any such Meat, Fish, or other such Provisions as aforesaid, shall, in addition to the Forfeiture thereof, for every Offence, upon Conviction before One or more of His Majesty's Justices of the Peace for the said West Riding of the County of *York*, forfeit and pay any Sum not exceeding Five Pounds; and in case any Offender shall not have sufficient Goods and Chattels to answer and satisfy the said Penalty, and the Charges and Expences attending the Recovery thereof, the Justice or Justices before whom he, she, or they shall be convicted, shall and may commit the Offender or Offenders to the House of Correction for the said West Riding of the County of *York*, for any Period not exceeding Thirty Days, there to be kept to hard Labour, without Bail or Mainprize, unless the Penalty, and all Costs, Charges, and Expences, shall in the meantime be paid and satisfied.

Justices to grant Warrants to search for and seize unwholesome Provisions.

XLVIII. And be it further enacted, That it shall and may be lawful to and for any Justice or Justices of the Peace for the said West Riding of the County of *York*, and he and they is and are hereby authorized and required, upon Information exhibited to him or them upon Oath that any Meat, Fish, or other Provisions of an unwholesome Nature, or in a State improper for human Food, is or are concealed or suspected to be concealed for Sale in any of the Markets erected or to be erected by virtue of this Act, or in any Dwelling House, Shop, or other Place or Places within the said Town of *Sheffield*, to issue his or their Warrant or Warrants to search all such Markets, Dwelling Houses, Shops, and other Places, and any Meat, Fish, or other Provisions of an unwholesome Nature, or in a State improper

for human Food, then and there found, to seize and convey before such Justice or Justices, who, upon Proof of the unwholesome Nature thereof, or of the same being improper for human Food, either by One credible Witness or upon his or their own Inspection, may order the same to be destroyed; and it shall be lawful for the said Justice or Justices to summon the Person or Persons in whose Custody the said unwholesome Meat, Fish, or other Provisions shall have been found, to appear before him or them, and upon the Appearance of such Person or Persons, or in case he, she, or they shall not appear, then upon due Proof of the Service of the Summons, either personally or by leaving the same at his, her, or their last or usual Place or Places of Abode, to adjudge the said Person or Persons to have forfeited for every such Offence any Sum not exceeding Five Pounds.

No Goods to be sold by Auction in the Streets.

XLIX. And be it further enacted, That if any Person or Persons shall sell, or offer or expose for Sale, or cause to be sold or offered or exposed for Sale, by Auction or Outcry, any Cattle, Goods, Wares, Merchandize, Chattels, Articles, or Things whatsoever, in the public Streets of the said Town of *Sheffield*, every Person so offending shall for every such Offence, on Conviction before any One or more Justice or Justices of the Peace for the said West Riding of the said County of *York*, forfeit and pay any Sum not exceeding Forty Shillings, to be recovered and applied as herein-after mentioned.

No manufactured Goods to be sold in the Market Places except on Market Days.

L. And be it further enacted, That if any Person or Persons shall, except on the Market Days, or on any Fair Day, sell, offer, or expose for Sale in the said Market Places any manufactured Goods, Wares, or Merchandize whatsoever, other than such as shall be expressly authorized to be sold within the said Market Places by the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the said Commissioners, every Person so offending shall for every such Offence, on Conviction before any One or more Justice or Justices of the Peace for the said West Riding of the said County of *York*, forfeit and pay any Sum not exceeding Ten Pounds for every Day he, she, or they shall sell, offer, or expose the same for Sale as aforesaid.

Power to let Stalls, &c.

LI. And be it further enacted, That it shall and may be lawful to and for the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, and he or they is and are hereby authorized and empowered to let any of the Stalls, Standing Places, Shambles, or other Conveniences already erected, built, made, or set up, or hereafter to be erected, built, made, or set up by him or them within the said Market Places, to any Person or Persons who shall or may be willing or desirous to take the same, for a Year or any longer or shorter Period than a Year, the Rent for the same to be payable in advance.

Power to lease Market Places, Tolls, &c.

LII. And be it further enacted, That it shall and may be lawful for the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, at any Time or Times, or from Time to Time, to demise and let the said Market Places, or any of them,

and the Rents, Tolls, Stallage, Duties, and other Sum or Sums of Money to be collected or to arise from or in respect of the said Markets, or any of them, by virtue of this Act, to any Person or Persons who shall be willing to take and farm the same respectively, by public Auction or private Contract, for a Year, or any longer or shorter Period than a Year, upon such Terms and Conditions, at such Rent or Rents, and with such Securities for the Payment of the same, as shall be agreed upon and settled by the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the Person or Persons respectively to whom such Letting or Lettings shall be made.

Remedies in case of Non-payment of Rents, &c.

LIII. And be it further enacted, That in case the said Market Places, and the Rents, Tolls, Stallage, Duties, and other Sum or Sums of Money to be collected or to arise from or in respect of the said Markets, or any Part thereof, by virtue of this Act, shall be demised or let to farm, and the Lessee or Lessees, Farmer or Farmers thereof, shall neglect or refuse to perform the Terms and Conditions on which the same shall be so demised or let, or in case the Rent or Rents agreed to be paid by such Lessee or Lessees, Farmer or Farmers, shall be in arrear by the Space of Fourteen Days next after any of the Days on which the same ought to be paid, pursuant to the Lease or Agreement for the demising or letting thereof, then and in either of the said Cases the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, or the Clerk or Treasurer to be appointed in pursuance of this Act, or any other Person or Persons duly authorized by the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, shall be at liberty, and he or they is and are hereby authorized to enter upon and take Possession of the said Market Places and every Part thereof, and to remove and put out such Lessee or Lessees, Farmer or Farmers of the said Market Places, Rents, Tolls, Stallage, Duties, and other Sum and Sums of Money to be collected or to arise as aforesaid, from the Possession thereof, and from the Collection of such Rents, Tolls, Stallage, Duties, Sum and Sums of Money; and thereupon it shall be lawful for the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, if he or they should think fit, and shall give Notice in Writing of such his or their Intention, by or under the Hand of the Clerk or Treasurer for the Time being acting under this Act, to such Lessee or Lessees, Farmer or Farmers, to vacate and determine the Lease, Contract, or Agreement for demising or letting the said Markets, Rents, Tolls, Stallage, Duties, Sum and Sums of Money, to such Lessee or Lessees, Farmer or Farmers, and then and from thenceforth the same Lease, Contract, or Agreement shall be utterly void to all Intents and Purposes, save as to the Covenants or Agreements for Payment of the Rent or Rents thereby reserved, or other unperformed or broken Covenants or Agreements on the Lessee's Part, as if such Demise, Contract, or Agreement had never been made; and it shall be lawful for the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, in every such Case again to demise or let to farm the said Market Places, Rents, Tolls, Stallage, Duties,

Sum

Sum or Sums of Money, to any other Person or Persons, or to cause them to be collected as if no former Demise, Contract, or Agreement had been made relating thereto.

Power to borrow Money upon Mortgage of the Tolls, &c.

LIV. And be it further enacted, That it shall and may be lawful for the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, at any Time or Times and from Time to Time hereafter, to borrow and take up at Interest in one or more Sum or Sums, and at any Rate of Interest not exceeding Five Pounds *per Centum per Annum*, such Sum or Sums of Money (not exceeding in the whole the Sum of Sixteen thousand Pounds, as the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, shall deem necessary for the Purposes of this Act, upon the Credit of the Rents, Tolls, Duties, and Stallage granted or arising under or by virtue of this Act, and upon the present and intended new Market Places, and the Buildings, Stalls, Standings, Shambles, and Conveniences thereon; and by any Deed or Deeds, Writing or Writings, under the Hand and Seal or Hands and Seals of the said *Bernard Edward* Duke of *Norfolk*, or of the future Owner or Owners of the said Market, (to be registered in the Register Office for the said West Riding of the County of *York*,) to mortgage all or any Part of the said Rents, Tolls, Duties, Stallage, and Market Places, Buildings, and Conveniences aforesaid, to such Person or Persons, or Body or Bodies Politic or Corporate, as shall lend or advance the said Money, or any Part thereof, or to his, her, or their Trustee or Trustees, as a Security or Securities for such Sum or Sums of Money so to be advanced, with Interest for the same as aforesaid, in the Form herein-after mentioned; and the Charges and Expences of such Mortgages shall be from Time to Time defrayed by the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, out of the Money so borrowed; and every such Mortgage may be in the Words or to the Effect following; (that is to say,)

Form of Mortgage.

‘ I (*or* We), acting in
‘ pursuance of an Act passed in the Eighth Year of the Reign of
‘ King *George* the Fourth, intituled [*here set forth the Title of this*
‘ *Act*], in consideration of the Sum of
‘ advanced and lent by of
‘ , upon the Credit and for the Purposes of the said Act,
‘ do hereby grant and assign unto the said
‘ (*or* to his, her, or their Trustee or Trustees, *as the Case may be*),
‘ his (*or* her, *or* their) Executors, Administrators, Successors, or
‘ Assigns, such Proportion of the Rents, Tolls, Duties, and Stallage,
‘ granted or arising by virtue of the said Act, and also of the said
‘ Stalls, Standings, Shambles, and other Conveniences erected in and
‘ upon the said Market Places, as the said Sum of
‘ doth or shall bear to the whole Sum or Sums
‘ of Money which may at any Time be borrowed or become due and
‘ owing, or be charged upon the Credit of the said Rents, Tolls,
‘ Duties, Stallage, and Premises; to be had and holden from this
‘ Day of until the Sum of
‘ , together with Interest for the same at the Rate
‘ of

‘ of *per Centum per Annum*, to be paid Half-yearly, at
‘ and shall be fully paid and satisfied.
‘ In witness whereof I (*or* we) have hereunto set my Hand and Seal
‘ (*or* our Hands and Seals), the Day of
‘ in the Year of our Lord One thousand eight hundred and
‘ .’

Mortgagees of Tolls to be equally entitled without any Preference.

And every Person and Persons, and Body or Bodies Politic or Corporate, to whom such Mortgages shall be made, or who shall become and be entitled to the Money thereby secured, shall be, in proportion to the Sums therein respectively mentioned, Creditors on the said Rents, Tolls, Duties, Stallage, Hereditaments, and Premises, equally one with another, without Preference in respect of the Priority of advancing any such Money, or the Dates of any such Mortgages; and every such Security shall be good, valid, and effectual in the Law, and shall entitle the Person or Persons, or Body or Bodies, to whom the same shall be made, his, her, or their Executors, Administrators, Successors, and Assigns, to the Payment of the Money thereby secured, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act; provided always, that a Copy of every such Mortgage, and when such Mortgage shall be delivered from the Person or Bearer to whom the same was first granted to any other Person or Bearer, a Memorandum of the Delivery thereof, containing the Date of the Entry, the Name of the Bearer or Person producing every such Mortgage, and the Sum or Sums of Money thereby secured, shall be entered in a Book to be kept for that Purpose by the Clerk for the Time being to be appointed in pursuance of this Act; and any Person interested shall and may, at all convenient Times in the Day, have free Access and Liberty to inspect the said Book without Fee or Reward, but for entering every Copy of such Mortgage, such Clerk shall be paid the Sum of Two Shillings and Sixpence and no more, out of the Rents, Tolls, Duties, and Stallage by this Act authorized to be levied, and for entering every such Memorandum as aforesaid, such Clerk shall be paid the Sum of Two Shillings and Sixpence and no more, by the Person or Persons desiring such Memorandum to be made; and after every such Memorandum shall be entered as aforesaid, the Person or Persons in whose Name the same shall be entered as aforesaid, and his, her, or their Executors, Administrators, Successors, or Assigns, shall be entitled to the full Benefit of such Mortgage, without any other Transfer, Assignment, Enrolment, or Registry thereof, and the same may in like Manner be transferred *toties quoties*, and shall also be entitled to any other Benefit or Advantage which Creditors on the Rents, Tolls, Duties, and Stallage by this Act authorized to be levied are under and by virtue of this Act entitled unto.

Application of Rents, Tolls, &c.

LV. And be it further enacted, That all Monies which shall be raised by virtue of this Act, and all Monies which shall be received from the Rents, Tolls, Duties, and Stallage authorized to be levied by this Act, or from the Letting thereof, shall from Time to Time be paid by the Collectors, Receivers, or other Persons, to the Treasurer or Treasurers appointed as aforesaid, who shall pay and apply the same

same in the Order and Manner herein-after mentioned; (that is to say), in the first place, pay all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act, together with lawful Interest from the Time of advancing, paying, or disbursing the same; and in the next place, pay all Costs, Charges, and Expences attending the purchasing of the Messuages, Lands, Tenements, and Hereditaments mentioned in the First and Second Schedules to this Act annexed, marked A. and B. respectively, and the carrying of this Act into Execution, and all Allowances to the several Officers appointed as aforesaid, and the Costs, Charges, and Expences of maintaining and keeping in repair the said Market Places, and the several Buildings, Roads, and Avenues already or hereafter to be erected and made for the Purposes of this Act; in the next place, from Time to Time pay and discharge the Interest of all the Monies authorized to be borrowed by this Act; and in the last place, from Time to Time pay the annual Balance (if any) of the Monies which shall be received as aforesaid, in reduction of the several Principal Sums due on the several Mortgage Securities to be made in pursuance of this Act as herein-after mentioned; (that is to say), when such Balance or Overplus shall amount to the Sum of Two hundred Pounds or more, the same shall be applied in paying off and discharging, in the Manner herein-after mentioned, so much of the said Principal Money as the same Sum will amount unto; and when such annual or the remaining Balance will not amount to the Sum of Two hundred Pounds, then such annual or remaining Balance (as the Case may be) shall remain in the Hands of the Treasurer for the Time being to be appointed in pursuance of this Act, until the same shall amount to the Sum of Two hundred Pounds, and then such Monies shall, so often as the Case shall happen, be applied in paying off and discharging the same Principal Money in manner herein-after mentioned.

Mortgages, &c. how to be paid off.

LVI. And be it further enacted, That when the Monies due on any of the said Mortgage Securities shall be intended to be paid off and discharged, the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, shall for that Purpose cause the Numbers of all Securities granted and then in force, for securing the Principal Monies to be borrowed as aforesaid, to be written on distinct Pieces of Paper of an equal Size, and all such Papers shall be rolled up in the same Form, or as near as may be, and put into a Box, and the Number or Numbers of the said Securities to the Amount then intended to be paid off shall be drawn separately out of the said Box by the Chairman of the said Commissioners acting under this Act at a Meeting to be held for the Purpose; and after every such Ballot, the said Commissioners shall cause a Notice, signed by the Clerk for the Time being to be appointed in pursuance of this Act, to be given or left at or sent by Post to the last or usual Place or Places of Abode in *England*, of the Person or Persons who shall be entitled to the Money to be paid off pursuant to such Ballot, or if the Place or Places of Abode of such Person or Persons shall not be known or cannot be found, then the said Clerk shall cause an Advertisement, addressed to the Person or Persons who shall be so entitled, to be inserted in

One of the Newspapers published in the Town of *Sheffield* in Three successive Weeks, which Notice or Advertisement shall state the Intention of the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, to pay him or her as aforesaid, and shall express the Sum to be paid off, together with the Interest due thereon; and the same shall be paid on a Day and at a Place to be specified in such Notice or Advertisement, such Day not being sooner than One Calendar Month next after the Day of giving or leaving such Notice, or inserting the same as aforesaid; and the Interest of the Principal Money to be so paid off shall, from and after the Day so specified, cease and be no longer paid or payable, unless such Money shall be demanded pursuant to such Notice or Advertisement and not paid; but the Principal Money in respect whereof such Notice or Advertisement shall be given or inserted, and also the Interest thereof to the Day so specified, shall nevertheless be payable on Demand.

When the Sums borrowed are paid off, the Market Places, &c. to remain vested in the Owner or Owners of the Market.

LVII. And be it further enacted, That when all the Monies authorized or directed by this Act to be borrowed shall be paid off and discharged, either by the Means aforesaid, or by any other Ways or Means whatsoever, the said Market Places, and all the Buildings, Stalls, Standings, Shambles, and other Conveniences to be erected for the Purposes of this Act, and any Lands or Hereditaments to be purchased in pursuance of this Act, shall from thenceforth and for ever thereafter remain and be vested in the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market; and then also all and every Sums and Sum of Money which shall accrue or arise from the Rents, Tolls, Duties, and Stallage authorized to be levied by this Act, or from the Letting thereof, shall from Time to Time from thenceforth for ever thereafter be collected, received, or taken by the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, by such Person or Persons as he or they shall nominate or appoint for that Purpose.

Bridge may be erected across the River Dun.

LVIII. And be it further enacted, That it shall be lawful for the said *Bernard Edward* Duke of *Norfolk*, and the future Owner or Owners of the said Market, and he and they is and are hereby authorized and empowered (if he or they shall think proper), by and with the Approbation of the said Commissioners, to erect and build a Bridge across the said River *Dun* from the Lands described in the First Schedule to this Act annexed marked A., opposite to and to unite with a Street in the said Township of *Brightside Bierlow*, called *Blonk Street*, of such Form and Construction, with such Materials, and in such Way and Manner, as the said Commissioners and the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, shall judge most convenient and proper.

For recovering Subscriptions.

LIX. And be it further enacted, That if the several Persons or any of them who have already subscribed or agreed to subscribe, or who shall hereafter subscribe or agree to subscribe any Sum or Sums of Money towards the Expences of erecting the said Bridge, shall, after Twenty Days previous Notice in Writing under the Hands of the Treasurer or Clerk for the Time being to be appointed in pursuance of

of this Act, to them, him, or her given, or left at their, his, or her Dwelling House or Houses, or usual Place or Places of Abode, refuse or neglect to make Payment of the respective Sums by them, him, or her so subscribed or agreed to be subscribed, or such Part or Parts thereof as may be required in such Notice, it shall be lawful for the said Clerk for the Time being to be appointed in pursuance of this Act, in his own Name, to bring or cause to be brought in any of His Majesty's Courts of Record at *Westminster* an Action of Debt or on the Case, or to institute or file and proceed in any Suit, Bill, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed, against any Person or Persons so refusing or neglecting as aforesaid, or their, his, or her Heirs, Executors, or Administrators, and on Proof of such Persons or Person having so subscribed or agreed to subscribe such respective Sums or Sum, and of such Notice as aforesaid, such respective Sums or Sum so subscribed or agreed to be subscribed, or so much thereof as shall be required in such Notice to be paid, shall be recovered in such Action, with full Costs of Suit.

Limitation of Actions.

LX. 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 or contrary to this Act, unless One Calendar Month's Notice thereof shall be first given in Writing 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, or unless the same shall be commenced before the Expiration of Three 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 not elsewhere; and the Defendant or Defendants in any Action or Suit to be commenced for any thing done or omitted in pursuance of or contrary to this Act, 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 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 One Calendar Month's Notice thereof was given in Writing to the said 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, or if it shall appear that such Action or Suit was not commenced before the Expiration of Three Calendar Months next after the Fact committed, or if it shall appear that Tender of reasonable Amends was made by or on Behalf of the Defendant or Defendants in such Action or Suit before such Action or Suit was commenced, or if such Action or Suit be brought in any other County or Place than the County 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

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 other Cases by Law.

For securing transient Offenders.

LXI. And be it further enacted, That it shall and may be lawful for any of the said Commissioners, or for any of their Surveyors, Collectors, or other Officers appointed under the Authority of this Act, or by or at the said Court Leet for the Manor of *Sheffield* aforesaid, and such Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person or Persons (being unknown to such Commissioners, Surveyors, Collectors, or Officers,) who shall commit any Offence or Offences against this Act, and to deliver him, her, or them into the Custody of any Peace Officer, in order to be secured and conveyed before any Justice or Justices of the Peace for the said West Riding of the County of *York*, and such Justice and Justices is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

Form of Conviction.

LXII. And be it further enacted, That for the more speedy Conviction of Offenders against this Act, all and every the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the Form or to the Effect following; (that is to say,)

'West Riding of the County of York (to wit.) } BE it remembered, That on the Day of in the Year of our 'Lord is convicted before me '[*or* us] His Majesty's Justices of the Peace for the 'West Riding of the County of *York*, by virtue of an Act passed in 'the Eighth Year of the Reign of His Majesty King *George* tne 'Fourth, intituled *An Act, &c.* [*here set forth the Title of this Act, 'and specify the Offence, and the Time and Place when and where the 'same was committed.*] Given under Hand and Seal, the Day 'and Year first above written.'

Distress not to be unlawful for Want of Form.

LXIII. 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 the Notice, Information, Summons, Conviction, Warrant of Distress, or other 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 the Party or Parties so distraining, 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.

Fines and Penalties, how to be recovered.

LXIV. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, (the Manner of levying and Recovery whereof is not otherwise herein particularly directed,) or

or which shall be inflicted or imposed by any Rule, Order, or Bye Law of the said *Bernard Edward* Duke of *Norfolk*, or the future Owner or Owners of the said Market, and the said Commissioners as aforesaid, 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 said West Riding of the said County of *York*, 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 upon Oath, and to examine him, her, or them 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 them on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Ten 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 thereupon, 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 whereon such Penalties, Forfeitures, and Fines 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 West Riding of the said County of *York*, and they are hereby authorized and required, by Warrant under their Hands and Seals, to cause such Offender or Offenders to be committed to the Gaol or House of Correction for the said West Riding of the County of *York*, 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; and such Penalties and Forfeitures when so levied (the Application whereof is not otherwise directed) shall be paid, one Moiety thereof to the Informer or Person suing for or recovering the same, and the other Moiety thereof to the Treasurer acting in pursuance of this Act, to be applied and disposed of for the Purposes of this Act.

LXV. Pro-

Allowing an Appeal.

LXV. 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, Bye Law, Order, or any Judgment or Determination made or given by virtue of this Act, or any other Matter or Thing done or to be done 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 Quarter Sessions of the Peace to be holden for the said West Riding of the said County of *York*, within Four Calendar Months next after the Cause of Complaint shall have arisen, such Appellant giving or causing to be given Fourteen 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 Seven 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 West Riding of the said County of *York*, with Two sufficient Persons as Sureties, conditioned to try such Appeal and abide the Order thereon, and to pay such Costs 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 of such Appeal in a summary Way, and shall or may mitigate any Fine, Penalty, or Forfeiture, and may order such Money to be returned which shall have been levied in pursuance of any such Bye Law, Rule, Order, 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 said General or Quarter Sessions shall be binding and conclusive.

Proceedings not to be quashed for Want of Form.

LXVI. And be it further enacted, That no Proceedings to be had and 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 *Westminster* or elsewhere, any Law or Statute to the contrary notwithstanding.

Public Act.

LXVII. 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.

SCHE-

SCHEDULES to which this Act refers.

SCHEDULE A.

	A.	R.	P.	Owners.	Occupiers.
A Piece of Land fronting to the Street or Road in Sheffield Park, called Broad Street, which lately formed the Site of the Hospital of Gilbert Earl of Shrewsbury, and of the Court and Gardens thereto, and containing by Admeasurement -	1	2	32	Duke of Norfolk.	Duke of Norfolk.
Another Piece of Land, lying between the above Land and the Road from the Canal Basin to the Town of Sheffield - - - - -	0	1	13	Ditto.	Ditto.
Another Piece of Land in Sheffield Park, being Part of certain Lands there called the Castle Orchards, bounded on or towards the North in part by the River Dun, and in part by other Land of the Duke of Norfolk, and on or towards the East, West, and North by other Lands of the said Duke of Norfolk, proposed to be opened for Streets, and containing - - -	4	0	0	Ditto.	Ditto, and the late William Silcock's Executors.

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SCHEDULE B.

Owners.	Occupiers.	Description.	Situation.
Frederic Frith - -	Thomas Booker -	Dwelling House, Kitchen, Yard, Two Warehouses, Stable, Piggery, &c.	Between King Street and Castle Street, in Sheffield.
The Twelve Capital Burgesses and Commonalty of the Town and Parish of Sheffield, of the Freehold, and Benjamin Wardle of a long Term of Years.	Benjamin Wardle	Dwelling House, Stable, Two Warehouses, Two Shops, and Yard.	
	John Waterfall -	Dwelling House.	
William Travis - -	William Travis -	Public House, Brewhouse, and Stable.	
	William Shaw -	Dwelling House.	
	John Jones -	Ditto.	
	John Crimshaw -	Ditto.	
	Joseph Bower -	Ditto.	
	Unoccupied -	Ditto.	
	Michael Law -	Ditto.	
	William Travis and others.	Yard, &c.	
The Twelve Capital Burgesses and Commonalty of the Town and Parish of Sheffield, of the Freehold, and Thomas Nicholson of a long Term of Years.	Thomas Nicholson	Dwelling House, Two Warehouses, Stable, Ash Place, Yard, &c.	
William Cockayne -	James Brownhill -	Dwelling House.	
	Ditto and others -	Yard.	
	Thomas Kirby -	Painter's Shop.	
Thomas Walker - -	Thomas Walker -	Brazier's Shop.	
John Heppenstall - -	William Lee -	Dwelling House, Shops, and vacant Land.	
	William Lee and Charles Showell.	Shops.	
Thomas Wild and Mary his Wife, and John Pitt and Elizabeth Pitt.	Joseph Barker and Robert Leader.	Two Stables and Yard.	

SCHEDULE C.

	£	s.	d.
Corn Exchange.			
For every Office or Box for the Transaction of Business within the proposed Corn Exchange, any Sum not exceeding, per Week - - - - - -	0	5	0
Corn Market.			
For every Stand or Standing Place occupying a Space not more than Nine Feet superficial Measure on the Ground, for selling or exposing to Sale any Malt, Seeds, Hops, or other Agricultural Produce, and exempted from Toll by the above Act, any Sum not exceeding, for each Market Day - - - - - - -	0	1	6
If occupying a larger Space, then for every additional superficial Foot, not exceeding - - - - -	0	0	2
Persons offering or exposing by Sample any of the Articles aforesaid, either within the said Market or adjacent thereto, not having any Stand or Standing Place therein, not to be liable to pay any Rent or Toll whatever.			
Hay Market.			
For every Waggon Load of Hay or Straw exposed or offered for Sale - - - - - - - -	0	0	4
For every Cart Load of Hay or Straw exposed or offered for Sale - - - - - - - -	0	0	2
Cattle Market and Fairs.			
For every Horse, Gelding, or Mare brought, offered, or shewn for Sale, any Sum not exceeding - - - - -	0	1	0
For every Colt, Filly, Foal, Mule, or Ass, any Sum not exceeding - - - - - - - -	0	0	6
For every Bull, Ox, Cow, Steer, or Heifer, any Sum not exceeding - - - - - - - -	0	0	4
For every Calf (except a Sucking Calf), any Sum not exceeding	0	0	0½
For every Score of Sheep or Lambs, and so in proportion for any less Number, any Sum not exceeding - -	0	0	10
For every Head of Swine (except Sucking Pigs), any Sum not exceeding - - - - - - -	0	0	1
And for every Sucking Pig, the Sum of - - -	0	0	0½
Meat Market.			
For every Butcher's Shop already erected, or hereafter to be erected by the Owner or Owners of the said Market, if taken by the Year, any Sum not exceeding, per Week - -	0	8	0
If taken by the Week - - - - -	0	9	0
For every moveable Butcher's Stall, if taken by the Year, any Sum not exceeding, per Week - - - -	0	4	0
If taken by the Week, not exceeding - - -	0	5	0

	£ s. d.
Poultry Market.	
For every Space for exposing to Sale any Poultry, Butter, Eggs, or other Articles commonly sold in Poultry Markets, not more than Six Feet superficial Measure, not exceeding, each Day - - - - - -	0 0 4
When occupying a larger Space, then for every additional superficial Foot, not exceeding - - - -	0 0 1
Fruit and Vegetable Market.	
For every Fruit Seller's or Green Grocer's Shop, already erected or hereafter to be erected by the Owner or Owners of the said Market, any Sum not exceeding, per Week -	0 8 0
For every moveable Fruit Seller's or Green Grocer's Shop, any Sum not exceeding, per Week - - -	0 2 0
For every Stand or Standing Place, not more than Fourteen Feet of superficial Measure on the Ground, for selling or exposing to Sale any Fruit or Vegetables, not exceeding, each Day - - - - - -	0 0 4
And if occupying any larger Space, then for every additional superficial Foot, not exceeding - - - -	0 0 $0\frac{1}{2}$
For every Waggon laden with Fruit, Vegetables, or other Agricultural Produce, sold or exposed to Sale by Wholesale, not exceeding - - - - - -	0 1 0
For every Cart laden with Fruit, Vegetables, or other Agricultural Produce, sold or exposed to Sale by Wholesale, not exceeding - - - - - -	0 0 6
Miscellaneous Articles.	
For every Stand or Standing Place, occupying a Space of not more than Fourteen Feet superficial Measure, for selling or exposing to Sale any Cloth, Cheese, or other Article not herein-before particularly mentioned, for each Day, not exceeding - - - - - -	0 4 0
And if occupying a larger Space, then for every additional superficial Foot, not exceeding - - -	0 0 4
For every Exhibition of Wild Beasts, and other Public Shows and Performances, a Sum each Day not exceeding Six Times the Amount of the highest Charge for one individual Person seeing the same.	
Weighing and Measuring.	
For every Load of Hay, Straw, or other Agricultural Produce, not exceeding the Sum of - - -	0 0 6
One Hide, not exceeding - - - - -	0 0 1
One Lot of Tallow not exceeding the Produce of One Beast, not exceeding - - - - - -	0 0 1
One Flitch of Bacon, not exceeding - - -	0 0 1
One Skin, not exceeding - - - -	0 0 1
One Sheep, Lamb, or Calf, not exceeding - -	0 0 2
One Pig, not exceeding - - - -	0 0 3
One Beast, not exceeding - - - -	0 0 4

	£	s.	d.
One Quarter of a Beast, not exceeding - - -	0	0	1
One Half of a Beast, not exceeding - - -	0	0	2
Three Quarters of a Beast, not exceeding - - -	0	0	3
Every Weighing of other Articles, not exceeding One Hundred Weight, not exceeding - - - -	0	0	1
And if more than One Hundred Weight, and less than Two Hundred Weight, not exceeding - - - -	0	0	2
And so in proportion for any greater Quantity.			
For every Quantity of Goods and Articles sold by Measure, for every Bushel, not exceeding - - - -	0	0	0½

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