ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

****

Cap. XV.

An Act to amend the *Walsall* Improvement and Market Act, 1848, and for other Purposes.

[31st *May* 1850.]

WHEREAS in the *Walsall* Improvement and Market Act, 1848, it was amongst other things recited, that Markets for supplying the Inhabitants of the Borough of *Walsall* and the Neighbourhood with Meat, Fish, Vegetables, Poultry, and other Provisions, and for buying and selling Corn, Goods, Wares, and Merchandize, are holden in a Place called *High Street*, and a Place called *Digbeth*, in the Borough of *Walsall*, and that Markets or Fairs for the buying and selling of live Cattle, Beasts, Sheep, Horses, Pigs, and other Animals have been and continue to be held in the said Borough on certain Days during the Year, and that the Mayor, Aldermen, and Burgesses of the said Borough are or claim to be the Owners of the Markets and Fairs held within the same Borough, and entitled to hold the several Markets and Fairs, and to have and receive Stallage, Piccage, Tolls, Profits, Rents, Duties, Payments, and Emoluments arising in respect of all Articles, and Cattle, Beasts, Sheep, and Horses and other Animals exposed for Sale in the said Markets

11 & 12 Vict. c. 161.

and Fairs, and that it would be for the Benefit of the said Mayor, Aldermen, and Burgesses, and of the Inhabitants of the said Borough, and of the Persons frequenting the said Markets, if proper Tolls and Duties were authorized to be demanded and taken by the said Mayor, Aldermen, and Burgesses, and proper Rules and Regulations were made for the good Government of the several Markets and Fairs held within the said Borough: And whereas by Sections numbered respectively XLV, XLVI, XLVII, XLVIII, XLIX, L, LI, and LII, in the Copy of the said Act printed by the Queen's Printer, "The Markets and Fairs Clauses Act, 1847," is incorporated with such Act, and the Commissioners by the said Act appointed are authorized and empowered to demand and take the several Stallages, Rents, and Tolls which are mentioned in Schedules A., B., C., and D. to the said Act annexed: And whereas, having Reference to the Terms of the Preamble herein-before set forth, it is apprehended that the Words "the said Commissioners" were introduced into the said Sections by Mistake, and by reason thereof the said Commissioners are now empowered, under and by virtue of the said Sections, to demand and take the said Stallages, Rents, and Tolls, instead of the said Mayor, Aldermen, and Burgesses: And whereas it is expedient that the said Markets and Fairs should be vested in the said Mayor, Aldermen, and Burgesses, and that the said Mayor, Aldermen, and Burgesses should be authorized to demand and take all Stallages, Rents, and Tolls in respect of the said Markets and Fairs, and to apply the same as Part of the Borough Fund of the said Borough of *Walsall*, and that the Provisions of the said Markets and Fairs Clauses Act, 1847, should be carried out under the Directions and Superintendence of the said Mayor, Aldermen, and Burgesses, as the Undertakers within the Meaning of the said last-mentioned Act: And whereas no Provision was made in the *Walsall* Improvement and Market Act, 1848, for the Disposal of the Sums to be collected by the said Commissioners in respect of such Stallages, Rents, or Tolls, and such Stallages, Rents, and Tolls have been collected by them, and certain Sums have been paid over on account thereof to the said Mayor, Aldermen, and Burgesses, and applied by them as Part of the Borough Fund of the said Borough: And whereas it is expedient that the Limits of the Markets in the said Borough should be further defined, and that the said Mayor, Aldermen, and Burgesses should be enabled to lease the said Stallages, Rents, and Tolls as herein-after provided: And whereas Twenty-four of the Twenty-seven Commissioners appointed by and in pursuance of the said last-mentioned Act are Commissioners by virtue of their being Members of the Town Council of the said Borough of *Walsall*, and are therefore not liable to cease to be Commissioners by reason of their Nonattendance, as provided by "the Commissioners Clauses Act, 1847," in the Case of Commissioners elected under that Act; and it is therefore expedient that the said Commissioners should be enabled

enabled to make Bye Laws to secure the more regular Attendance of the said Commissioners, and particularly of those who are Commissioners by virtue of their being Members of the said Town Council as aforesaid: And whereas it would conduce to the better Management of the Business of the said Commissioners if the annual Meeting of the said Commissioners were to be held in the Month of *November*, and if the Clerk of the said Commissioners were authorized to call Special Meetings of the said Commissioners when and so often as it should seem fit to him to do so: And whereas by the Sections numbered respectively LIII. and LVI. in the Copy of the said *Walsall* Improvement and Market Act, 1848, as printed by the Queen's Printers, the Owners of certain Tenements within the Parish of *Walsall* liable to be rated to the Poor Rate, Church Rate, Highway Rate, and Borough Rate were directed to be rated instead of the Occupiers thereof, and such Owners were empowered to compound for such Rates by paying (whether the Tenements are occupied or not) a reduced Rate of Two Thirds of a full Rate: And whereas it is expedient that such Owners should pay Rates in respect of such Tenements at all Times, whether the same are occupied or not, but that such Rates should be reduced to Rates of Half the full Rates which would be chargeable on such Tenements according to the rateable Value thereof: And whereas it is also expedient that the said Provisions should be extended to the Improvement Rate by the said Act authorized to be levied, and also to make further Amendments in the said Act: And whereas the *South Staffordshire* Railway Company were empowered by "The *South Staffordshire Junction* Railway Act, 1846," "The *Trent Valley, Midlands, and Grand Junction* Railway Act, 1846," and "The *South Staffordshire* Railway Act, 1847," or some or one of them, to take Parts of certain Lammas Lands in the Borough of *Walsall* called *Walsall* Lammas Land or *Long Meadows*, and over or in which the Freeholders and Householders, Rate-payers and Inhabitants of the Parish of *Walsall* or of the Borough or Foreign of the Parish of *Walsall* in the County of *Stafford* have or claim to have certain commonable or other Rights: And whereas the said Company, requiring at Two several Times to take Parts of such Lands so authorized to be taken by them in pursuance of the Provisions in that Behalf contained in the "Lands Clauses Consolidation Act, 1845," convened Two several Meetings of the Parties claiming such commonable or other Rights, and at the Meetings so convened Committees were respectively appointed to treat with the said Company for the Compensation to be paid for the said commonable or other Rights in and over the said Two several Pieces of Land so taken by the said Company as aforesaid, and such Committees agreed with the said Company for the Amount of the said Compensation to be paid in respect of the said several Pieces of Land, and such Compensation Monies amount in the whole, with Interest, to the Sum of One hundred and eighty-

seven

seven Pounds Six Shillings and Ten-pence, and such Sum was accordingly paid to *Arthur Adams*, *Frederick Thurstan*, *Thomas James*, and *Thomas Marlow*, and to the said *Arthur Adams* and *Frederick Thurstan*, and *Joel Smith* and *William Smith*, being Four of the Members of each of the said Committees respectively, according to their respective Proportions thereof, pursuant to the Provisions of the said Lands Clauses Consolidation Act, 1845: And whereas, owing to the Smallness of the said Sum, the Number of Persons claiming or who may claim to be interested therein, and the Diversity of the Rights of such Persons, the Proportion to be paid to each pursuant to the said Statute can only be ascertained, if at all, at an Expense far exceeding the said Sum of One hundred and eighty-seven Pounds Six Shillings and Ten-pence: And whereas the said Railway Company may, under the Powers in their said Act contained, or under the Powers of some Act to be hereafter obtained, take other Portions of the said Lands, and further Sums may be awarded or agreed to be taken in respect of such commonable or other Rights: And whereas a Meeting of the said Parties claiming such commonable or other Rights was convened by the said Committees in the Manner pointed out in and by the said "Lands Clauses Consolidation Act, 1845," for a Company to convene a Meeting to appoint a Committee to treat with Parties for the Compensation to be paid for the Extinction of their commonable or other Rights, and at such Meeting it was resolved that the said Sums so received by the said Committees, and also all further Sums which might be received by any other Committee to be appointed in like Manner to treat for the Extinction of such commonable or other Rights over any other Portions of the said Lands, should, after deducting all Costs, Charges, and Expenses incurred by the said Committee or the Members thereof, be paid to the said Mayor, Aldermen, and Burgesses, to be applied by them as Part of the Borough Fund of the said Borough; and it is therefore expedient that the said Committees so appointed as aforesaid, or any Committee hereafter to be appointed for the like Purposes, should be authorized and empowered to pay the said Sum so received, and any Sum which may hereafter be received in respect of such commonable or other Rights over or in any other Parts of the said Lands not yet taken by the said Company, after such Deductions respectively as aforesaid, to the said Mayor, Aldermen, and Burgesses, to be applied by them as Part of the said Borough Fund: And whereas the several Objects aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said *Walsall* Improvement and Market Act, 1848, and this Act, shall (save that all the Provisions of the said Act which

Recited Act 11 & 12 Vict. c. 161. and

which are inconsistent with or repealed by this Act shall be repealed, varied, and amended as herein-after mentioned,) be construed together, and shall form One Act.

this Act to be read as One Act.

II. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Proceedings, and in any Instruments or Documents whatsoever, it shall be sufficient to use the Expression, "The *Walsall* Improvement and Market Amendment Act, 1850."

Short Title.

III. And be it enacted, That all Payments made before the passing of this Act to the Mayor, Aldermen, and Burgesses of the Borough of *Walsall* by the said Commissioners, of or on account of the Sums collected by them for the Stallages, Rents, and Tolls authorized by the said *Walsall* Improvement and Market Act, 1848, to be by them demanded and taken, shall be and they are hereby confirmed and made valid, and the same and every of them shall be deemed and taken to have been duly made by the said Commissioners within the Powers and for the Purposes of the said last-mentioned Act.

Payments made by the Commissioners on account of Market Tolls to the Corporation confirmed.

IV. And be it enacted, That it shall and may be lawful for the said Commissioners and they are hereby authorized and required to pay over to the said Mayor, Aldermen, and Burgesses all such Sums as they shall have collected and as are now in their Hands, or as they shall at any Time after the passing of this Act, and before the First Day of *September* in the Year of our Lord One thousand eight hundred and fifty, collect, for or on account of such Stallages, Rents, and Tolls so authorized to be demanded and taken by them as aforesaid, after deducting therefrom all the necessary and proper Charges and Expenses of collecting and receiving the same.

Power to Commissioners to pay Tolls collected before the passing of this Act to the Corporation.

V. And be it enacted, That so much and such Part of the *Walsall* Improvement and Market Act, 1848, as is contained in the Sections thereof numbered respectively XLVI, XLVII, XLVIII, XLIX, L, LI, and LII, in the Copy of the said Act as printed by the Queen's Printer, shall be and the same are hereby repealed as and from the First Day of *September* in the Year of our Lord One thousand eight hundred and fifty.

Certain Sections of 11 & 12 Vict. c. 161. repealed.

VI. Provided always, and be it enacted, That all Bye Laws, and all Acts made or done by the said Commissioners, or which shall be made or done by them at any Time before the said First Day of *September* in the Year of our Lord One thousand eight hundred and fifty, under and in pursuance of and in anywise relating to the Matters contained in the said Provisions of the said Act, shall be deemed and taken to all Intents and Purposes to have been and to be made and done by the said Mayor, Aldermen, and Burgesses of the Borough of

All Bye Laws and Acts made and done by the Commissioners before 1st Sept. 1850 deemed to have been made and done by Mayor, &c. of Walsall.

of *Walsall*, and the same shall be and remain in full force and virtue until they shall be repealed, altered, rescinded, revoked, or amended by the said Mayor, Aldermen, and Burgesses; and further, that it shall be lawful for the said Mayor, Aldermen, and Burgesses, at any Time on and after the said First Day of *September* in the Year of our Lord One thousand eight hundred and fifty, to repeal, alter, rescind, or revoke any such Bye Laws or Acts which have been or which shall be made or done by the said Commissioners, in such and the same Manner and to such and the same Extent as if such Bye Laws or Acts had been made or done by the said Mayor, Aldermen, and Burgesses in pursuance of the Powers by this Act vested in them, as after mentioned.

Power to Mayor, &c. on and after 1st Sept. 1850 to alter Bye Laws.

Bye Laws made after 1st Sept. 1850 not to be in force until confirmed.

VII. And be it enacted, That no Bye Law which on or after the said First Day of *September* in the Year of our Lord One thousand eight hundred and fifty shall be made by the said Mayor, Aldermen, and Burgesses of the said Borough of *Walsall*, under any of the Powers for that Purpose herein or in any Act incorporated herewith contained, (except such as relate only to the Officers and Servants of the said Mayor, Aldermen, and Burgesses,) shall be of any Force until the Expiration of Forty Days after the same or a Copy thereof shall have been sent, sealed with the Seal of the said Mayor, Aldermen, and Burgesses, to One of Her Majesty's Principal Secretaries of State, and shall have been published once in Two of the Newspapers circulating within the said Borough; and if at any Time within the said Period of Forty Days Her Majesty, with the Advice of Her Privy Council, shall disallow the said Bye Laws, or any Part thereof, such Bye Laws, or the Part thereof which shall be so disallowed, shall not come into operation; provided also, that it shall be lawful for Her Majesty, if she shall think fit, at any Time within the said Period of Forty Days, to enlarge the Time within which any such Bye Law (if allowed) shall come into force, and in that Case no such Bye Laws shall come into force until after the Expiration of such enlarged Time.

Evidence of Bye Laws.

VIII. And be it enacted, That a Copy of any Bye Law which shall be so made as last aforesaid by the said Mayor, Aldermen, and Burgesses, under the Seal of the said Mayor, Aldermen, and Burgesses, with a Declaration thereon, signed by the Mayor of the said Borough, that the same hath been sent, sealed as aforesaid, to One of Her Majesty's Principal Secretaries of State, and published in Two of the Newspapers aforesaid, and that no Part thereof hath been disallowed by such Secretary of State, and that the same is in force, shall be received as Evidence of any such Bye Law, and of the sending and publishing thereof as aforesaid, in all Courts of Law and Equity, and before all Justices.

IX. And

Bye Laws to be printed and published.

IX. And be it enacted, That all Bye Laws which shall be so made as last aforesaid by the said Mayor, Aldermen, and Burgesses, in pursuance of this Act or any Act incorporated herewith, (except such as relate only to the Officers and Servants of the said Mayor, Aldermen, and Burgesses,) shall be printed, and a Copy thereof shall be affixed and continued in every Justice Room or Office in which any Justice shall sit for the Administration of Justice within the Limits of this Act, and Copies of such Bye Laws shall be delivered by the Town Clerk to any Person who may apply for the same, on the Payment of such Sum as the said Mayor, Aldermen, and Burgesses shall think fit to fix as the Price of such Bye Laws, provided that such Sum shall in no Case exceed the Charge of Sixpence *per* Folio of Seventy-two Words.

Penalty on Town Clerk refusing to give Copies of Bye Laws.

X. And be it enacted, That if the Town Clerk shall not, upon the Payment or Tender of such Sum as the said Mayor, Aldermen, and Burgesses shall direct to be paid for the same, deliver to any Person applying for the same at the Office of the Town Clerk a printed Copy of all or any Bye Laws which shall be made as last aforesaid by the said Mayor, Aldermen, and Burgesses, in pursuance of this Act, he shall for every such Offence be liable to a Penalty not exceeding Ten Pounds; and if the Person for the Time being having the Care of any Police Office or any Justice Room wherein any Justice shall sit for the Administration of Justice within the Limits of this Act shall not permit the printed Copy of any Bye Laws affixed in such Office or Room to be inspected at all reasonable Times by any Person who may require to be permitted to inspect the same, the Person so offending shall for every such Offence be liable to a Penalty not exceeding Five Pounds.

Penalty on Persons refusing Inspection of Bye Laws affixed in Police Office.

Markets and Fairs vested in the Corporation of Walsall.

XI. And be it enacted, That the said Markets and Fairs shall be and they are hereby vested in the said Mayor, Aldermen, and Burgesses of the Borough of *Walsall*, as and from the First Day of *September* in the Year of our Lord One thousand eight hundred and fifty, and on and after that Day the several Rents, Tolls, and Stallages herein-after authorized to be taken and demanded shall be taken to be and shall be paid and applied as Part of the Borough Fund of the said Borough, and the said Mayor, Aldermen, and Burgesses shall, so far as respects such Markets and Fairs, be the "Undertakers" within the Meaning of the said "Markets and Fairs Clauses Act, 1847."

Limits of Jurisdiction of Corporation as to Markets, &c.

XII. And be it enacted, That the Limits within which the said Markets and Fairs Clauses Act, 1847, and all Powers and Provisions of the said Act and this Act relating to the said Markets and Fairs, shall be put in force, shall be such and the same Limits as those prescribed in and by the said "*Walsall* Improvement and Market Act, 1848," as and for the Limits of that Act.

XIII. And

Corporation empowered to take Tolls, Stallages, &c.

XIII. And be it enacted, That it shall and may be lawful for the said Mayor, Aldermen, and Burgesses, on and after the First Day of *September* in the Year of our Lord One thousand eight hundred and fifty, from Time to Time to demand from any Person who shall on any Market or Fair Day occupy or use any Stand, Stall, Shed, Pen, or Place in the Market Place as herein-after defined, for Meat, Vegetables, and other like Commodities, or any Building or Ground appertaining thereto, or who shall on any such Market or Fair Day bring into such Market Place, Building, or Ground any of the marketable Commodities specified in Schedule A. to the said last-mentioned Act annexed, such Stallages, Rents, and Tolls as the said Mayor, Aldermen, and Burgesses shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the said Schedule.

Corporation empowered to take Tolls for Cattle Market.

XIV. And be it enacted, That it shall and may be lawful for the said Mayor, Aldermen, and Burgesses, on and after the First Day of *September* in the Year of our Lord One thousand eight hundred and fifty, from Time to Time to demand and take, from any Person who shall during any Cattle Market or Fair bring into the Cattle Market, or on any Market or Fair Day into the Pig Market of the said Borough, as the same are respectively herein-after defined, any Cattle or other live Stock, or any Vans, Booths, Stages, Shows, Swings, and other Things specified in Schedule B. to the said last-mentioned Act annexed, such Stallages, Rents, and Tolls as the said Mayor, Aldermen, and Burgesses shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the same Schedule.

Tolls for Weighing Machines.

XV. And be it enacted, That the "Markets and Fairs Clauses Act, 1847," so far as the same relates to weighing Carts in which any Goods shall be brought for Sale in any Market or Fair, shall be taken to extend to the weighing of any Carts containing any Goods brought for Sale within the Limits of the said last-mentioned Act and this Act, and usually sold by Weight; and that it shall be lawful for the said Mayor, Aldermen, and Burgesses, and the Person for the Time being appointed by them to attend to the Weighing Houses or Places for weighing or measuring any Articles sold by Weight or Measure, on and after the First Day of *September* in the Year of our Lord One thousand eight hunded and fifty, from Time to Time to demand and take such Tolls as the said Mayor, Aldermen, and Burgesses shall appoint, not exceeding in any Case the Amount set forth in Schedule C. to the said *Walsall* Improvement and Market Act, 1848, annexed.

Power to provide Slaughter-houses.

XVI. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, on and after the First Day of *September* in

in the Year of our Lord One thousand eight hundred and fifty, to provide such Slaughter-houses as shall from Time to Time be sufficient for the slaughtering of Cattle for the Supply of the said Borough and the Neighbourhood thereof.

Fee to be paid on Licence to erect Slaughter-houses.

XVII. And be it enacted, That for every Licence to erect or occupy any Slaughter-house, granted on or after the First Day of *September* in the Year of our Lord One thousand eight hundred and fifty, there shall be paid to the Town Clerk of the said Borough such Sum as the said Mayor, Aldermen, and Burgesses shall direct, not exceeding the Sum of Five Shillings; and no Fee or Charge shall be paid for the registering of any such Licence.

Tolls for slaughtering Cattle.

XVIII. And be it enacted, That it shall be lawful for the said Mayor, Aldermen, and Burgesses, on and after the First Day of *September* in the Year of our Lord One thousand eight hundred and fifty, to demand and take from any Person slaughtering Cattle in any Slaughter-house belonging to them such Tolls as are specified in Schedule D. to the said *Walsall* Improvement and Market Act, 1848, annexed.

Penalty on damaging Boards.

XIX. And be it enacted, That any Person who shall destroy, pull down, injure, or deface any Board on which any Bye Law or Rule of the said Mayor, Aldermen, and Burgesses, or any Rent, Toll, Stallage, or Duty to be taken in pursuance of this and the last-mentioned Act, shall be painted, shall forfeit a Sum not exceeding Five Pounds for every such Offence.

Defining Market Places.

XX. And be it enacted, That the Limits of the Market Place in and within which the said Market for Meat, Vegetables, and other like Commodities in this Act mentioned shall be holden shall be the *High Street* and *Digbeth* within the said Borough of *Walsall*:

And that the Limits of the said Pig Market shall be all that the inclosed Piece of Land for many Years used as a Pig Market, and situate between *High Street* and *Freer Street*, and abutting upon *Freer Street* aforesaid within the said Borough:

And that the Limits of the Cattle Market shall be as follow; (that is to say,) *Park Street*; a certain open Space or Piece of Ground in front of the *George* Hotel in the said Borough, bounded Northwardly by one End of *Bridge Street* aforesaid and by the National School, Eastwardly by a Messuage occupied by the Master of the said National School, by the said *George* Hotel, and by the lower End of *Digbeth*, Southwardly by Buildings now or lately occupied by Messrs. *Roper*, *Hobbins*, and *Rogers*, and by the lower End of *Bradford Street*, and Westwardly by the lower End of *Park Street*, by the Town Brook, and by the Road leading to *St. Paul*'s Chapel, and which said Space or

Piece of Ground is commonly called the *Bridge*; so much of *Bradford Street* as extends One hundred and fifty Yards from the *Bridge* aforesaid; so much of *Bridge Street* as extends from the *Bridge* aforesaid Fifty Yards beyond the Lower End of *Lichfield Street*; and any Part not exceeding One hundred Yards in Length of any public Street or Place, except *Digbeth*, which opens into or shall hereafter open into the said Place called the *Bridge*, or into any of the said Streets or Parts of Streets respectively; the said Distances of One hundred Yards and One hundred and fifty Yards to be in every Case measured from that Part of the said Place called the *Bridge*, or that Part of any of the said Streets into and upon which such public Street or Place opens and abuts, and not otherwise; and all which said Streets, Places, and Parts of Streets are within the Borough of *Walsall*.

As to exclusive Use of Pig Market.

XXI. And be it enacted, That live Pigs shall not be publicly sold or exposed for Sale, except in the said Pig Market, nor shall the said Pig Market be used for any other Purpose than the Sale of Pigs, unless otherwise directed by the said Mayor, Aldermen, and Burgesses by a Bye Law or Bye Laws to be by them made in that Behalf.

Power to lease Tolls of Markets.

XXII. And be it enacted, That it shall be lawful for the Mayor, Aldermen, and Burgesses, as and when they shall think proper, and from Time to Time, to demise, let to farm, and lease, or to agree to demise, let to farm, and lease, the several Stallages, Rents, and Tolls by the said last-mentioned Act and this Act authorized to be demanded and taken by the said Mayor, Aldermen, and Burgesses, to any Person, at any Rent, and on any Terms and Conditions, as to Prepayment, Security, or otherwise, which shall be mutually agreed on, for any Term not exceeding Three Years; and it shall be lawful for the said Mayor, Aldermen, and Burgesses by any such Lease to grant to the Lessee, and for such Lessee to use and exercise thereunder, all the Powers and Authorities vested in the said Mayor, Aldermen, and Burgesses by the said last-mentioned Act and this Act, and by the Markets and Fairs Clauses Act, 1847, or otherwise, save and except the Powers in such last-mentioned Act contained for making Bye Laws, and altering the Stallages, Rents, and Tolls.

Power to avoid Lease for Nonperformance of Terms, and to relet Tolls.

XXIII. Provided always, and be it enacted, That in every Case in which the Terms and Stipulations of such Agreement or Lease, whether as to Payment of Rent or otherwise, shall not be fully performed at the Days and Times and in the Manner in such Lease or Agreement specified, then and in every such Case the said Mayor, Aldermen, and Burgesses shall and they are hereby empowered, if they shall think fit, to declare the said Lease or Agreement to be void, and upon such Declaration to re-enter and take possession of the said Market, Toll Houses and Weighing Houses, and the Stallages, Rents, and Tolls then collected,

collected, and to put out and remove the Person or Persons so failing in the Performance of the Terms and Stipulations contained in any such Lease or Agreement from the Possession of the said Market, Toll Houses and Weighing Houses, and from the Collection of the said Stallages, Rents, and Tolls, and to relet the same in manner hereinbefore directed, or to appoint a Collector or other fit and proper Person to collect and receive the same: Provided always, that every such Lease or Agreement shall, notwithstanding such Declaration and Re-entry, be and be taken to be a valid and subsisting Lease or Agreement for the Purpose of enabling the said Mayor, Aldermen, and Burgesses to sue thereon in respect of any previous Breach or Nonperformance by the Lessee, or by the other contracting Party under such Agreement, if any, of the Terms or Stipulations in such Lease or Agreement contained.

Bye Laws as to Commissioners Attendance.

XXIV. And be it enacted, That the Commissioners under the "*Walsall* Improvement and Market Act, 1848," may from Time to Time make such Bye Laws as they shall think fit for the Purpose of enforcing the Attendance of the said Commissioners at the several monthly and annual Meetings appointed to be held under the said Act and the Acts incorporated therewith, and also the Attendance of such of the said Commissioners as shall be Members of any Committee appointed pursuant to the said Acts at the Meetings of such Committee, and may from Time to Time alter and repeal such Bye Laws, and make others, provided such Bye Laws be not repugnant to the Laws of *England*, or to the Provisions of the last-mentioned Acts or of this Act, and such Bye Laws shall be reduced into Writing, and shall be signed by the said Commissioners or any Two of them.

Bye Laws may be enforced by Fine.

XXV. And be it enacted, That it shall be lawful for the said Commissioners by such Bye Laws to impose such reasonable Penalties upon all Commissioners offending against any of such Bye Laws as they the Commissioners shall think fit, not exceeding the Sum of Twenty-five Pounds in any One Fine: Provided always, that no such Penalty, nor any other Penalty, Forfeiture, or Sum of Money whatsoever imposed or made payable for any Offence against or Noncompliance with this Act or the said recited Act, or any Act incorporated therewith, shall be sued for or recovered unless the Action or other Proceeding for Recovery thereof shall be commenced within Three Calendar Months next after the Time at which the Party charged in such Action or Proceeding shall have committed the Offence, or been guilty of the Noncompliance, in respect of which any such Forfeiture, Penalty, or Sum of Money shall have arisen or be sought to be recovered.

XXVI. And

Appointing Day for annual Meetings.

XXVI. And be it enacted, That the annual Meetings of the said Commissioners shall be holden on the Ninth Day of *November* in each Year, and the first of such Meetings after the passing of this Act shall be held on the Ninth Day of *November* in this present Year: Provided nevertheless, that when and so often as the said Ninth Day of *November* shall happen to be a *Sunday* the said annual Meeting shall be holden on the *Monday* following.

Clerk of Commissioners may call Special Meeting.

XXVII. And be it enacted, That the Town Clerk for the Time being of the said Borough of *Walsall*, in his Capacity of Clerk to the said Commissioners, may, if and so often as he shall think it necessary or expedient so to do, convene Special Meetings of the said Commissioners, without any Direction or Requisition of the said Commissioners or any of them.

Certain Sections of 11 & 12 Vict. c. 161. repealed.

XXVIII. And be it enacted, That so much and such Parts of the said last-mentioned Act as is contained in the Sections thereof numbered respectively LIII. and LVI. in the Copy thereof printed by the Queen's Printer shall be and the same are hereby repealed: Provided always, and be it enacted, that as to all Rates already made the Provisions in the said Sections contained shall be and remain in full Force and Effect, and shall apply to such Rates in the same Manner and to such and the same Extent as if this Act had not passed.

Owners of small Tenements to be rated instead of Occupiers, and to pay reduced Rate, whether Tenement occupied or not.

XXIX. And be it enacted, That the Owner of every Tenement within the Parish of *Walsall* which may be rated to the Poor Rate, the Highway Rate, the Church Rate, or the Borough Rate for the Borough of *Walsall*, and the Owner of every Tenement within the Limits of the said *Walsall* Improvement and Market Act, 1848, which may be rated to the Improvement Rate by the said Act authorized to be levied, and whereof the rateable Value (to be ascertained according to the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, Chapter Ninety-six, intituled *An Act to regulate Parochial Assessments*,) is Six Pounds Ten Shillings, or under that Sum, or which is let to weekly or monthly Tenants, or as ready furnished, or in separate Apartments, shall hereafter be rated and pay the several Poor Rates, Highway Rates, Church Rates, Improvement Rates, and Borough Rates to be made or assessed in respect of such Tenements, instead of the actual Occupiers thereof, and such Rates shall be made and assessed on such Tenements at One Half the rateable Value thereof (to be ascertained as aforesaid), and shall be paid by such Owners in respect of such Tenements, whether the same be occupied or not, and upon Non-payment of any such Rate so made or assessed as aforesaid such Rate shall and may be levied and recovered by Distress and Sale of the

the Goods and Chattels of the Owner of any such Tenement, wheresoever the same may be found, in the same Manner as is directed by "The Towns Improvement Clauses Act, 1847," for the Recovery of Rates, and that all the Clauses in the said Act relating to Rates shall extend, so far as the same are applicable, not only to the Rates imposed under "The *Walsall* Improvement and Market Act, 1848," or this Act, but also to the before-mentioned Poor Rates, Highway Rates, and Church Rates of the said Parish of *Walsall*, and to the said Borough Rates of the said Borough of *Walsall*: Provided always, that nothing herein contained shall be taken or construed to repeal, alter, vary, or amend the Sections numbered XL. and LV. respectively in the Copy of the said last-mentioned Act as printed by the Queen's Printers, or any of the Provisions thereof.

Use of Dogs as Beasts of Burden prohibited.

XXX. And be it enacted, That any Person who shall on or after the First Day of *September* in the Year of our Lord One thousand eight hundred and fifty, and within the Limits of the *Walsall* Improvement and Market Act, 1848, use any Dog for the Purpose of carrying or helping to carry any Burden or other Matter or Thing, or of drawing or helping to draw any Cart, Carriage, Truck, or Barrow, shall be liable to a Penalty of not more than Forty Shillings for the First Offence, and not more than Five Pounds for the Second or any following Offence.

Committees of Persons having commonable Rights empowered to pay over Amount agreed to be taken to extinguish them to the Borough Fund.

XXXI. And be it enacted, That it shall be lawful for the said Committees appointed or to be appointed by the Parties entitled to commonable or other Rights over or in such Portion of the Lammas Lands called the *Long Meadows* or *Walsall* Lammas Land aforesaid, pursuant to the Provisions of the Lands Clauses Consolidation Act, 1845, as have been or may hereafter be required and taken by the said *South Staffordshire* Railway Company, to pay the said Sums so received as aforesaid, and all Interest accrued or to accrue due in respect thereof, and all Sums which may hereafter be received by such Committees, or any Three of the Members thereof, as Compensation in respect of such commonable or other Rights over or in the said Lammas Lands, to the said Mayor, Aldermen, and Burgesses of the Borough of *Walsall*, to be applied by them as Part of the Borough Fund, first deducting from the Amount of such Compensation and other Monies the Costs, Charges, and Expenses incurred and to be incurred in and about the treating for, obtaining, and paying over such Compensation or other Monies as aforesaid, or in anywise relating or incidental thereto; and that the Receipt of the Treasurer for the Time being of the said Borough shall be a sufficient Discharge for the Amount of such Compensation and other Monies, and shall effectually exonerate and release

the said Committees and the Members thereof from all Liability on account thereof or with respect thereto.

Expenses of Act.

XXXII. And be it enacted, That the Costs and Expenses of passing this Act, and all preliminary and other Charges and Expenses incident to the obtaining thereof, to be taxed by the Clerk of the Peace for the County of *Stafford*, shall be paid by the said Commissioners from and out of the Monies in their Hands, or the first Monies which shall come to their Hands on account of the said Improvement Rate or any Mortgage thereof.

Public Act.

XXXIII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1850.