ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. lvi.

An Act to enable the Mayor, Aldermen, and Citizens of the City of *York* to purchase the Undertaking of the *Foss* Navigation Company, and to execute Works for the sanitary Improvement of the said City; to alter the Tolls taken in the Cattle Markets and Fairs of the City; and for other Purposes. [28th *June* 1853.]

WHEREAS by the Local and Personal Act, 33 *Geo.* III. Chapter 99, intituled *An Act for making and maintaining a navigable Communication from the Junction of the River* Foss *with the River* Ouse, *at or near the City of* York, *to* Stillington Mill *in the Parish of* Stillington *in the North Riding of the County of* York, *and for draining and improving certain Low Lands lying on each Side of the said River* Foss, certain Persons were incorporated by the Name of "The *Foss* Navigation Company," and were empowered to make and maintain a navigable Communication for Barges and other Vessels, from the Junction of the said River *Foss* with the said River *Ouse*, at or near the City of *York*, to *Stil-* 33 G. 3. c. xcix.

lington Mill aforesaid: And whereas by the Local and Personal Act, 41 *Geo.* III. Cap. 115., intituled *An Act to explain and amend an Act passed in the Thirty-third Year of the Reign of His present Majesty, intituled* '*An Act for making and maintaining a navigable* '*Communication from the Junction of the River* Foss *with the River* 'Ouse, *at or near the City of* York, *to* Stillington Mill *in the Parish of* 'Stillington *in the North Riding of the County of* York, *and for drain-* '*ing and improving certain Low Lands lying on each Side of the said* '*River* Foss,' *so far as the said Act relates to the said Navigation, and for enabling the Company of Proprietors of the said Navigation to complete the same,* the said Company of Proprietors were amongst other things authorized, after they had completed the said Navigation to *Sheriff Hutton Bridge*, to discontinue the Remainder of the Works above the said Bridge authorized by the said first-recited Act: And whereas under the Powers of the said Act the said Company completed the said Navigation from the River *Ouse* at *York* to *Sheriff Hutton Bridge* aforesaid, but no Portion of the Works above *Sheriff Hutton Bridge* has been executed by the said Company: And whereas the Traffic on the said Navigation has greatly diminished, and the same will not now pay the Expenses of keeping up the said Navigation: And whereas the said Navigation passes through the City of *York*, and receives in its Course the Sewage of a Portion of the said City: And whereas the Sewage so running into the said River *Foss* is not carried off, but is retained in the said River, to the great Injury of the Health of the Inhabitants of the Districts on each Side thereof: And whereas the Low Lands called the *Foss Islands*, adjoining the said River, are subject to be overflowed by the Waters thereof, and are the Cause of much Fever and Sickness, and are very prejudicial to the Health of the Inhabitants of the said City: And whereas it is expedient that the Waters of the said River *Foss*, from a Point near the Workhouse above *Monk Bridge*, should be freed from the Sewage now flowing into the same; but the Local Board of Health of the City have no Power to interfere with the said Navigation, or the Banks or Towing-paths thereof, for the Purpose of constructing Sewers in or near the same, for the Purpose of intercepting the Sewage now flowing into the said River: And whereas the said Low Lands called the *Foss Islands* cannot be effectually protected from Overflow, and the Waters of the Becks now flowing through the same carried off, unless the said Lands be raised, and a new Channel or Sewer through the same be constructed, commencing from a Point near the End of *Palmer Lane*, in the Parish of *St. Saviour* in the said City, marked A upon the Plans deposited as herein-after mentioned, and proceeding thence into the River *Ouse*, below the Junction with the River *Foss*, to the Point marked B on the said Plans; and the Mayor, Aldermen, and Citizens, for the Purpose of improving the sanitary Condition of the City, are willing to purchase and raise the said

41 G. 3. c. cxv.

said Low Lands, and to construct the said new Sewer through the same: And whereas, for the Purpose of enabling the proposed Interference with the said River and the Banks and Towing-paths thereof to be made, the Mayor, Aldermen, and Citizens of the said City have agreed with the said Navigation Company for the Purchase, and the said Company have agreed with the said Mayor, Aldermen, and Citizens for the Sale to them, of the said Navigation and Branches, and of all the Lands, Mills, and Property belonging thereto, for the Sum of Four thousand Pounds, subject to the Approval of Parliament; and it is expedient that such Purchase and Sale should be carried into effect, and the Affairs of the said Company wound up and the Assets thereof distributed amongst the Proprietors thereof: And whereas by the Provisional Order of the General Board of Health, dated the 29th Day of *May* 1850, and by "The Public Health Supplemental Act, 1850," all the Powers, Authorities, and Duties then vested in the Commissioners acting under the Local and Personal Act, 6th *George* IV. Chapter 127, and not repealed by the said Provisional Order, were, so far as the same were not repugnant to or inconsistent with the Public Health Act, 1848, or the said Provisional Order, or any Byelaw to be made under the said Public Health Act, transferred to the Local Board of Health of the said City, and the said Local Board were declared to be the Commissioners for executing such Parts of the said Act as should not be repealed according to the Provisions of the said Provisional Order, and all Parts and Places within the Boundaries of the said City were declared to be within and subject to such of the Provisions of the said Local Act as should not be repealed according to the Provisions of the said Provisional Order, as fully as if the same had always been subject to and within the Provisions of the said Local Act: And whereas it is expedient that the Powers of the Local and Personal Act, 6 *Geo.* IV. Chap. 127, now vested in the Council of the said City as the Local Board of Health of the said City, for regulating the Sale and Weighing of Water-borne Coals brought into the said City, should be extended to Coals brought into the said City by Railway or otherwise, and that further Powers should be granted to the said Local Board of Health in relation to the Weighing and Sale of Coals within the said City: And whereas it is expedient that the Powers of making, assessing, and levying Rates within the said City, now vested in the Local Board of Health of the said City, should be amended, and further Powers granted for ascertaining, assessing, and fixing Rates within the said City, and for levying District Drainage Rates in addition to general Rates over the same District: And whereas the said Mayor, Aldermen, and Citizens are about to effect Improvements in the Cattle Market held within the said City or Suburbs thereof, and it is expedient that some of the Provisions of the Local and Personal Act, 3 *Wm.* IV. Chap. 62, relating to the Markets and Fairs held within the said City, should be

repealed

repealed and amended, and other Powers granted in lieu thereof, and that the Tolls taken in the said Markets and Fairs should be altered: And whereas it is expedient that the said Mayor, Aldermen, and Citizens should be enabled to raise Money for all or any of the Purposes mentioned in this Act, and that some of the Powers and Provisions of the said Acts 33 *Geo.* III. c. 99. and 41 *Geo.* III. c. 115. relating to the *Foss* Navigation, the 6th *Geo.* IV. c. 127. relating to the Markets and Fairs in the said City, and of "The Public Health Supplemental Act, 1850," so far as relates to the City of *York*, should be repealed, altered, amended, and extended, and further Powers granted to the Mayor, Aldermen, and Citizens, and also to the Local Board of Health of the said City: 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, in the Manner following; (that is to say,)

Short Title.

I. That in citing this Act for any Purpose whatever it shall be sufficient to use the Expression "The *York* Drainage and Sanitary Improvement Act, 1853."

Interpretation of Terms.

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

The Word "Person" shall include Corporations:

The Word "City" shall mean the City of *York*, as defined by the Act to provide for the Regulation of Municipal Corporations in *England* and *Wales*:

The Word "Corporation" shall mean the Mayor, Aldermen, and Citizens of the City:

The Word "Council" shall mean the Council of the City:

The Expression "Local Board" shall mean the Local Board of Health of the City:

The Expression "Quarter Sessions" shall mean the General or Quarter Sessions of the Peace for the City:

The Word "Company" shall mean the *Foss* Navigation Company.

Limits of Act.

III. That, except in relation to the Undertaking of the *Foss* Navigation, which extends beyond the Boundaries of the City, and to the Exercise of Powers connected with the said Undertaking, the Limits of this Act shall comprise and include the City of *York*, as defined by the Act 5 & 6 *William* the Fourth, Chapter 76, to provide for the Regulation of Municipal Corporations in *England* and *Wales*.

IV. That

Council to execute Powers, &c. of this Act, except those vested in others.

IV. That the Corporation, by the Council, shall be and they are hereby empowered to carry this Act and all the Powers and Provisions thereof into execution, except only such of the Powers thereof as are conferred upon and intended to be executed by the Local Board, or by the Lord Mayor, as the Clerk of the Markets within the said City, or by the Company or some other Body or Person expressly named in such Powers and Provisions respectively.

Council to appoint Committees.

V. That the Council may appoint out of their own Body from Time to Time such and so many Committees, consisting of such Number of Persons as they shall think fit, for all or any of the Purposes of this Act, which in the Discretion of the Council would be better regulated and managed by means of such Committees, and may fix the Quorum of such Committees: Provided always, that the Acts of every such Committee shall be submitted to the Council for their Approval.

Quorum of Committees.

VI. That every Committee so appointed may meet from Time to Time, and may adjourn from Place, to Place, as they may think proper, for carrying into effect the Purposes of their Appointment; but no Business shall be transacted at any Meeting of the Committee, unless the Quorum of Members, if any, fixed by the Council, and if no Quorum be fixed, Five Members, be present; and at all Meetings of the Committee One of the Members present shall be appointed Chairman, and all Questions shall be determined by a Majority of the Votes of the Members present, and in case of an equal Division of Votes the Chairman shall have a Casting Vote in addition to his Vote as a Member of the Committee.

Minutes to be entered in a separate Book.

VII. That Minutes of the Proceedings of the Council and their Committees in carrying into effect the Provisions of this Act shall be entered in a Book to be kept for that Purpose.

Treasurer and Town Clerk.

VIII. That the Treasurer and Town Clerk of the City shall be the Treasurer and Clerk for the Purposes of this Act.

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

IX. That "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act.

Certain Provisions of 10 & 11 Vict. c. 16. incorporated with this Act.

X. That all the Clauses and Provisions of "The Commissioners Clauses Act, 1847," with respect to the following Matters; (that is to say,)

With respect to the Construction of the Act and any Act incorporated therewith;

With respect to the Contracts to be entered into and the Deeds to be executed by the Commissioners;

With respect to the Liabilities of the Commissioners, and to legal Proceedings by or against the Commissioners;

With respect to the Appointment and Accountability of the Officers of the Commissioners;

With respect to the Mortgages to be executed by the Commissioners;

With respect to the making of Byelaws;

With respect to giving Notices and Orders; and

With respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices;

Shall be incorporated with this Act; and such Clauses shall apply to the several Objects and Purposes of this Act, and to the Corporation or the Council on their Behalf, and shall be construed as if the Word "Corporation," or the Expression "the Mayor, Aldermen, and Citizens of the City of *York*," had been inserted therein instead of the Word "Commissioners," or where any Act is authorized or required to be done by or to a certain Number of Commissioners, as if the Word "Council" had been inserted therein instead of the Word "Commissioners."

Powers to purchase the Foss Navigation.

XI. That it shall be lawful for the Corporation, and they are hereby required, within Six Months after the passing of this Act, to purchase from the Company the said *Foss* Navigation and the Branches thereof, and all Lands, Buildings, Dams, Locks, and Works connected therewith, and all Messuages, Mills, Buildings, Lands, Tenements, and Hereditaments belonging to the Company or held or enjoyed thereby, and all the Tolls, Rates, Duties, Rights, Powers, and Privileges of the Company in relation thereto or to the said River *Foss*, for the Price or Sum of Four thousand Pounds, being the Price at which the Corporation have agreed to purchase and the Company have agreed to sell the same; and it shall be lawful for the Company, and they are hereby required, on the Demand of the Corporation, to sell and convey to them the said Navigation and Branches, with the Lands, Buildings, Dams, Locks, and other Works connected or held or enjoyed therewith, and all Messuages, Mills, Buildings, Lands, Tenements, and Hereditaments belonging to the Company or held or enjoyed thereby, and all the Tolls, Rates, Duties, Rights, Powers, and Privileges in relation thereto or to the said River *Foss*, for the said Sum of Four thousand Pounds; and the Receipt or Receipts in Writing of Three of the Committee for the Time being of the Company for the said Sum shall be an effectual Discharge for the same to the Corporation, who shall not afterwards be obliged to see to the Division or Distribution thereof, under the Provisions herein-after contained, or be otherwise accountable or answerable for any Loss, Misapplication, or Nonapplication thereof or of any Part thereof.

XII. That

On Payment of Purchase Money Canal to vest in the Corporation.

XII. That upon the Payment by the Corporation to the Company of the said Sum of Four thousand Pounds, of which Payment having been duly made a Receipt under the Hands of Three of the Committee for the Time being of the Company shall be sufficient Evidence, and upon the Execution of a Deed of Conveyance duly stamped for denoting the Payment of the full and proper Stamp Duty by Law payable in respect of the said Purchase Money, the *Foss* Navigation and Branches, and all Lands, Buildings, Dams, Locks, and other Works belonging thereto, and being the Property of the Company, and the Ground and Soil thereof respectively, and all and every the Messuages, Mills, Buildings, Lands, Tenements, and Hereditaments belonging to the Company, or held or enjoyed thereby, and all the Tolls, Rates, Duties, Rights, Easements, and Appurtenances whatsoever of or to which the Company are or at the Time of such Payment shall or may be seised, possessed, or entitled, at Law or in Equity, and all Powers, Rights, and Privileges of the Company in relation thereto, shall belong to, and shall by virtue of this Act be absolutely vested in, the Corporation; and from thenceforth the Corporation, and their Officers, Servants, and Agents, may exercise all the Powers and Rights which may so become vested in the Corporation as aforesaid, in the same or the like Manner as if the Name of the Corporation had been inserted in the said recited Acts or either of them relating to the said Navigation, in lieu of the Name of the Company of Proprietors thereof: Provided also, that the Company shall be entitled to all the Monies and Securities for Money belonging to the Company, and to all the Profits of the said Navigation and Works hereby authorized to be sold, which shall accrue up to the Day of Payment of the said Purchase Money, and shall be at liberty to recover and receive the same, and all Monies belonging to the Company in the Hands of their Treasurer, Bankers, or other Agents, and to dispose of and divide the same amongst the Shareholders of the Company, in the same Manner as they might have done if this Act had not been passed.

Preserving Rights of Persons having Charges or Claims on the Navigation.

XIII. Provided always, That nothing herein contained shall extend or be deemed or construed to extend in any way to defeat, affect, or prejudice any Rents, Annuities, Payments in lieu of Tithes, or for the Repairs of Highways, or other Payments, or other Rights which under the said recited Acts relating to the said Navigation, or either of them, have been granted or secured to any Persons whomsoever by the Company, but all such Persons shall, notwithstanding the Transfer of the said Navigation and Works to the Corporation, have all the same Powers and Remedies for enforcing Payment of such Rents, Annuities, and other Payments by the Corporation, as they would have had against the Company if this Act had not passed.

XIV. That

Actions, &c. not to abate.

XIV. That no Action, Suit, Prosecution, or other Proceeding whatsoever relating to the said Navigation, Branches, and Works hereby authorized to be sold, commenced either by or against the Company previously to the Time when the said Purchase Money shall be paid as aforesaid, shall abate or be discontinued or prejudicially affected by virtue or in consequence of the Provisions of this Act, but the same shall continue and take effect both in favour of and against the Company in the same Manner in all respects as the same would have continued and taken effect if this Act had not passed; and all Penalties incurred by reason of any Offence against the Provisions of the said Acts relating to the Navigation previously to the Payment of the said Purchase Money as aforesaid may be sued for, and all Offences which may have been committed before such Payment against the Provisions of the said last-mentioned Acts or either of them may be prosecuted, in such or the like Manner to all Intents and Purposes as the same might have been sued for and prosecuted respectively if this Act had not passed.

Application of Purchase Money.

XV. That the Committee for the Time being of the Company shall stand possessed of the said Sum of Four thousand Pounds when paid by the Corporation, upon trust to pay and discharge thereout all the Debts and pecuniary Liabilities of the Company which shall then have been incurred and remain unpaid, and to divide and distribute the Residue of the said Sum between the several Persons who shall be Holders of Shares in the Company, their respective Executors, Administrators, or Assigns, rateably and in proportion to the Number of their respective Shares and to the Sums paid in respect thereof, as hereinafter mentioned.

Receipt of the Executor, &c. of the Shareholders to discharge Company.

XVI. That the Receipt of any Executor, Administrator, Committee, or Guardian of any Shareholder in the Company shall be a good and effectual Discharge to the same Company and the Committee thereof, for so much Money as shall be paid by the said Committee for or on behalf of such Shareholder, and as shall be expressed in any such Receipt to have been received, and shall exonerate and discharge the Company and the said Committee from seeing to the Application thereof, and from being answerable for the Misapplication or Non-application of the same or of any Part thereof, or from being liable to any other Duty or Obligation, by reason of any Trust affecting the Person to whom or in whose Behalf such Payment shall be made, and that the Assets of the Company or of the said Committee shall not after such Payment be in anywise liable to the Performance of such Trusts, or to any Action or Suit at Law or in Equity in respect thereof.

Lists of Non-claimants to be given in

XVII. That at the Expiration of Three Months next after the Day on which the said Sum of Four thousand Pounds shall have been paid by

by the Corporation, the Committee of the Company shall, in case the whole of the Monies to be distributed under the Authority of this Act shall not then have been called for, cause a Notice or Advertisement to be inserted Three Times in the "*London Gazette*," and also in Two or more Newspapers published and circulated in the County of *York*, and also in some Newspaper published in *London* besides the "*London Gazette*," containing the Names in alphabetical Order of the several Persons appearing in the Books of the Company to be Holders of Shares therein who may not have called for or claimed their Shares or Proportion of the Monies by this Act ordered to be distributed amongst the Shareholders in the Company, and stating that if such Persons or their Representatives shall not make and substantiate their Claim to such Monies within a Time to be limited in such Notice (being Six Months from the Day on which the said Sum of Four thousand Pounds shall have been paid), the Amount of such Monies will be paid into the Bank of *England*, and shall also cause a Copy of such Notice as last aforesaid to be given or sent by Post unto or left at the last known or usual Place of Abode in *England* of the last Proprietor appearing in the Books of the Company to have been possessed of such unclaimed Shares at least One Month previously to the Expiration of the said Period of Six Months: Provided, that in case the last or usual Place of Abode in *England* of any such Proprietor cannot be ascertained upon Inquiry, then the Insertion as aforesaid of such Notice in the "*London Gazette*" and such Newspapers as aforesaid shall be deemed sufficient Notice to such Proprietor, and all Persons claiming under him, of the Matters contained in such Notice.

Notice in the London Gazette and certain other Papers.

XVIII. That at the Expiration of Six Months from the Day on which the said Sum of Four thousand Pounds shall have been paid in pursuance of this Act, the Committee of the Company shall cause all such Sum and Sums of Money as shall not have been distributed amongst the Shareholders in the Company, or their respective Executors, Administrators, or Assigns, and shall then remain in the Hands of the said Committee, either from the same not having been called for by the Persons entitled thereto, or from the Persons claiming the same not having shown a sufficient Title thereto to the Satisfaction of the said Committee, or from any other Cause (except on account of the Existence of adverse Claims as next herein-after is mentioned), to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there to the Credit of the Party or Parties who upon the Books of the Company shall appear to have been last entitled thereto, describing him or them as he or they may be described in the said Books of the Company, pursuant to the Method prescribed by the Act of the Twelfth Year

Shares not claimed within Six Months to be transferred into the Name of the Accountant General of the Court of Chancery.

of the Reign of His Majesty King *George* the First, Chapter Thirty-two, and pursuant to the General Orders of the said Court, and without Fee or Reward, according to the Act of the Twelfth Year of the Reign of His Majesty King *George* the Second, Chapter Twenty-four.

If adverse Claims be made, Money to be paid into Bank.

XIX. That if in the Course of distributing the said Sum of Four thousand Pounds Two or more Persons shall claim to be entitled to the same Share or Shares, or to any Part thereof, and such Persons cannot agree as to which of them shall receive such Money, or as to the Manner in which the same shall be disposed of, then and in such Case it shall be lawful for the said Committee, at the Expiration of Six Months from the Day on which the said Sum of Four thousand Pounds shall have been so paid as aforesaid, to pay the Money which shall be payable in respect of the Share or Shares respecting which there shall be such Disagreement, into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there, *ex parte* the Proprietors of the Share or Shares numbered (describing such Shares by their Numbers in the Books of the Company) in the *Foss* Navigation Company, subject to the Control and Disposition of the said Court.

Money paid into the Bank to be invested in Three per Cent. Consols.

XX. That all Money paid into the Bank of *England* in the Name of the said Accountant General under the Authority of this Act shall there remain until the Person entitled or claiming to be entitled thereto shall, upon Petition to be presented to the Court of Chancery in a summary Way, and which such Person is hereby authorized to make at his own Expense, obtain an Order for the Transfer thereof into his own Name or otherwise; and the said Accountant General shall from Time to Time invest the Monies so paid in, and the Dividends from Time to Time to accrue thereon, when the same shall amount to a competent Sum, in the Purchase of Stock in the Three Pounds *per Centum* Consolidated Bank Annuities, for the Benefit of the respective Parties entitled thereto, subject to the Orders and Directions of the said Court; and the said Court, on the Application of any Person making claim for such Sum or Sums of Money, or any Part thereof, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the said Court shall in each Case 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 Estates or Interests of the Persons making claim thereto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable.

XXI. That

Cashier's Receipt a sufficient Discharge to the Committee.

XXI. That in all Cases in which any Money shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, under the Authority of this Act, the Certificate of the said Accountant General, together with the Receipt of One of the Cashiers of the Bank of *England*, to be thereto annexed and therewith filed in the Registrar's Office of the said Court of Chancery, of the Payment into the Bank of *England* by the Committee of the Company of any such Money as aforesaid, or any Office Copy thereof, shall be and be deemed and taken to be a good and sufficient Discharge to the Company, and to the said Committee, and to their respective Heirs, Executors, Administrators, and Assigns, for the same or so much thereof as therein respectively shall be expressed to have been paid; and the Company, or the said Committee, their Heirs, Executors, Administrators, or Assigns, or any of them, shall not afterwards be liable to see to the Application of such Monies, or be answerable or accountable for any Loss, Misapplication, or Non-application of the same.

Money until wanted for Distribution may be invested in Exchequer Bills at Interest.

XXII. That in the meantime and until the said Sum of Four thousand Pounds shall be distributed amongst the Proprietors in the Company or paid into the Bank of *England* in pursuance of the Provisions of this Act, the same, or so much thereof as the Committee of the Company in their Discretion may think expedient, may be invested by them in the Purchase of Exchequer Bills; and the Money so invested, and the Interest which shall arise therefrom, shall be subject to the Directions and Provisions of this Act which would have been applicable to the Money so invested in case such Investment had not been made.

Committee to be chargeable for their own Acts only.

XXIII. That the Committee of the Company or any of them, their or any of their Heirs, Executors, or Administrators, shall not be charged or chargeable with or for any more Monies than they respectively shall actually receive, or than shall come to their respective Hands under or by virtue of this Act; and that no One or more of them the said Committee shall be answerable or accountable for the other or others of them, or for the Acts, Receipts, Neglects, or Defaults of the other or others of them, nor for any Misfortune, Loss, or Damage which may happen to the said Monies or Assets or Securities of the Company in the Execution of this Act or in relation thereto, except the same shall happen by or through their or his own wilful Default respectively; and then and in that Case each Person shall singly and alone be answerable for such Loss or Damage only as shall have arisen from his own Default.

XXIV. That

Committee may retain their Expenses.

XXIV. That it shall be lawful for the Committee, by and out of the Money which shall come to their Hands by virtue of the Provisions of this Act, to deduct, retain, and reimburse to and for themselves respectively, and also to allow to their Colleagues, and to the Executors and Administrators of any deceased Member of the Committee, all Costs, Charges, Damages, and Expenses which they or any of them shall or may suffer, sustain, expend, disburse, lay out, or incur in or about the Execution of the Provisions of this Act or in relation thereto.

The Persons whose Names appear in the Books as Proprietors to be deemed such until the contrary be proved.

XXV. That the several Persons whose Names shall appear in the Books of the Company to be the Proprietors of Shares therein shall, unless the contrary be proved to the Satisfaction of the Committee of the Company, be considered to be Shareholders of the Company for the Purposes of the Distribution of the said Sum of Four thousand Pounds, but subject to Provisions in this Act contained.

Rates, &c. of Company to vest in Corporation.

XXVI. That, subject to the Provisions in this Act contained, all Rates, Tolls, Duties, and other Income which from and after the Completion of the said Purchase would but for the passing of this Act have become due and payable to the Company under and by virtue of the said recited Acts or either of them relating to the said Navigation, shall be due and payable and paid to the Corporation, and shall and may be recovered by the Corporation by the same Ways and Means, and subject to the same Restrictions and Regulations and to the same Penalties in regard thereto respectively, as the same might otherwise have been recovered by the Company if this Act had not passed and the said Navigation had remained vested in the Company.

The Corporation to permit Sewers, &c. to be constructed in the Foss and in any Lands acquired from the Company.

XXVII. That when the Undertaking of the Company shall have become vested in the Corporation, the Corporation shall and they are hereby required to permit the Local Board to construct in the Bed or Banks or in the Towing-path of the said River, between a Point near the Workhouse above *Monk Bridge* and the River *Ouse*, or in any Part of such Bed, Banks, and Towing-path, and also in any Part of the Bed, Banks, or Towing-path of the Part of the said Navigation called *Wormald's Cut*, and in any other Ground now forming Part of the Property of the Company, such Sewers and Drains, in such Lines and of such Sizes, Dimensions, and Construction as the Local Board shall deem necessary, for the Purpose of intercepting all the Sewage which now flows into the said River *Foss*, between a Point near the Workhouse above *Monk Bridge* and the River *Ouse*, or into the said Cut, and also to construct in connexion with such intercepting Sewers or Drains all proper Communications

and

and other Works necessary as a Substitute for the Channels which may be taken away or interrupted by the Disuse of the said River *Foss* and *Wormald's Cut*, for the Reception of the Sewerage now flowing into the same.

Mode of Construction of Sewers in the Foss.

XXVIII. That all Sewers and Drains, and all Communications therewith, to be constructed in the Bed or Channel of the River *Foss* or of *Wormald's Cut*, shall be formed with Pipes of such Material, Size, and Construction as the Corporation shall approve.

The Corporation to lower the Water in the Foss when necessary, to allow Sewers, &c. to be made therein.

XXIX. That, for the Purpose of enabling the Local Board to construct any Sewers, Drains, or Communications therewith in the Bed or Banks of the River *Foss* or of *Wormald's Cut*, below the Level of the Surface of the Water in the said River or Cut, it shall be lawful for the Corporation, and they are hereby required, upon the Application of the Local Board, to cause the Water of the said River and Cut above *Castle Mills Lock* to be lowered to such Depth as shall be necessary to allow the proposed Sewers, Drains, Communications, and Works to be executed, and to maintain the Water at such low Level during such Period as shall be necessary for the Construction and Completion of the said Works.

Notice to be given of the lowering of the Water in the Foss.

XXX. Provided always, That if it shall be necessary to lower the Water in the said River and Cut, so as to interrupt the Use thereof for the Purposes of Navigation, the Corporation shall give Twenty-one Days Notice, in some Two Newspapers published in the City of *York*, of the Day on which the said Navigation will be closed: Provided also, that it shall not be lawful for the Corporation to close or interrupt the Navigation on the said River and Cut below *Monk Bridge* for a longer Period than shall be absolutely necessary for the Completion of the Works which the Local Board may require to execute therein.

Power to construct new Channel or Sewer from Point A. to the River Ouse.

XXXI. And whereas Plans and Sections showing the Line of the said River *Foss* from *Monk Bridge* to the River *Ouse*, and also showing the Line and Levels of the proposed new Channel or Sewer from the Point A to the River *Ouse*, and the Lands proposed to be taken or interfered with for the Purposes thereof, together with Books of Reference to such Plans containing the Names of the Owners or reputed Owners, Lessees or reputed Lessees, and Occupiers of the Lands in or through which the same will be made, have been deposited with the Clerk of the Peace for the County of the City of *York*: Be it enacted, That, subject to the Provisions in this Act and in the Lands Clauses Consolidation Act incorporated herewith contained, it shall be lawful for the Corporation to make and construct a new Channel or Sewer to commence on the *Foss Islands* at

at or near the Point marked A on the said Plans, and proceeding thence outside the City Walls to the River *Ouse* at the Point marked B on the said deposited Plans, together with all convenient Approaches to such Channel or Sewer in the Line of the new Channel, and upon, through, or under the Lands delineated on the said Plans and described in the said Book of Reference, and according to the Levels shown on the said Sections, and to enter upon, take, and use such of the said Lands as it shall in the Opinion of the Council be necessary or expedient to purchase, take, or use for all or any of the said Purposes, such new Channel or Sewer to be used for the Purposes of Drainage and Sewerage only, and not for the Purpose of turning or diverting the Waters of the said River *Foss*.

New Channel or Sewer to be used for the better Drainage of the Foss Islands, &c.

XXXII. That the said new Channel or Sewer, when constructed by the Corporation, shall be used by the Local Board for the Purpose of draining the said Low Lands called the *Foss Islands*, and of carrying off the Waters of the Becks and Streams now flowing through the same; and the Local Board shall also turn into the said Sewer the Sewage of all those Portions of the surrounding and other Districts under the Control of the Local Board which can be most effectually drained by using the said new Channel or Sewer as the Outfall for the Reception of such Sewage.

Errors and Omissions in Plan, &c. may be corrected by Justices, who shall certify the same.

XXXIII. That if any Omission, Mis-statement, or erroneous Description shall have been made of any Lands, or of the Owners, Lessees, or Occupiers of any Lands, described on the said Plan, or in the said Book of Reference, or in the Schedule (A.) to this Act annexed, it shall be lawful for the Corporation, after giving Ten Days Notice to the Owners of the Lands affected by such proposed Correction, to apply to Two Justices for the Correction of such Plan, Book of Reference, or Schedule, as the Case may be; and if it shall appear to such Justices that such Omission, Mis-statement, or erroneous Description arose from Mistake, they shall certify the same accordingly, and they shall in such Certificate state the Particulars of any such Omission, and in what respect any such Matter shall have been mis-stated or erroneously described; and such Certificate shall be deposited with the Clerk of the Peace for the County of the City of *York*, and shall also be deposited with the Parish Clerks of the several Parishes in which the Lands affected thereby shall be situate, and such Certificate shall be kept by such Clerk of the Peace and Parish Clerks respectively along with the other Documents to which they relate, and thereupon such Plan, Book of Reference, or Schedule, as the Case may be, shall be deemed to be corrected according to such Certificate, and it shall be lawful for the Corporation to make the said Works according to such Certificate.

Certificate to be deposited.

XXXIV. That

Power to deviate from Plans to a certain Extent.

XXXIV. That it shall be lawful for the Corporation, in making the said new Channel or Sewer from the Point A to the Point B, to deviate from the Line of the new Channel delineated on the Plans so deposited as aforesaid, provided that no such Deviation shall extend to a greater Distance than the Limits of Deviation delineated upon the said Plans, or into the Lands of any Person, whether Owner, Lessee, or Occupier, whose Name is not mentioned in the said Book of Reference, without the previous Consent in Writing of such Person, unless the Name of such Person shall have been omitted by Mistake, and the Fact that such Omission proceeded from Mistake shall have been certified in manner herein provided for in Cases of unintentional Errors in the said Book of Reference.

Any Land reclaimed by the Works not to be taken without Consent of Commissioners of Woods, &c.

XXXV. That if in the course or by means of the Execution of any of the Works authorized by this Act, or any Act herein recited, any Part of the Shores or Bed of the said River *Foss* belonging to Her Majesty, or to any other Person, shall be inned, gained, or reclaimed from the Water, the said Corporation shall not have or exercise any Right upon the same, or in respect thereof, but such Inning, Gaining, or Reclamation shall enure absolutely for the Benefit of Her Majesty the Queen, Her Heirs and Successors, or of other the Person to whom such Lands belong; and it shall not at any Time afterwards be lawful for the said Corporation to take, enter upon, or interfere with the Lands so inned, gained, or reclaimed, for any Purpose whatsoever, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, Land Revenues, or One of them, or of other the Owner of such Lands.

Corporation not to destroy existing Sewers without providing others.

XXXVI. That if any Person, by means of the Discontinuance of the River *Foss* or of the said Cut for the Reception of the Sewage now running into the same respectively, or by reason of the Alteration or Discontinuance of any Sewer interfered with by the Construction of the Works by this Act authorized, shall be deprived of the Use of any Sewer or Drain which such Person was theretofore lawfully entitled to use, the Corporation or the Local Board shall provide some other Sewer or Drain equally effectual for such Purpose; and if the Corporation or Local Board shall not provide some other Sewer or Drain equally effectual for such Purpose within Thirty Days after Notice in Writing from such Person, then and in every such Case the Local Board shall be liable to a daily Penalty of Ten Pounds for every Day which shall elapse after the Expiration of the said Period of Thirty Days until such sufficient Sewer or Drain shall be provided; and it shall be lawful for the Person so deprived of the Use of any Sewer or Drain which he was theretofore entitled to use, and for which no other Sewer or Drain equally effectual for such Use has been provided by the Corporation or by the Local Board, after the Expiration of

of such Thirty Days, to make such Sewer or Drain into any other Sewer or Drain belonging to the Local Board as may be necessary and most convenient as a Substitute for the Sewer or Drain of which such Person shall have been so deprived; and the Costs of making such Sewer or Drain shall, on Demand, be paid to such Person by the Local Board, and in default may be recovered from the Local Board in the same Manner as any Damages payable by the Local Board may be recovered under this Act.

Power to purchase the Lands comprised in Schedule (A.)

XXXVII. That, subject to the Provisions of this Act, it shall be lawful for the Corporation to enter upon, purchase, and take the said Low Lands called the *Foss Islands*, and other Lands comprised in the Schedule (A.) to this Act annexed, and to raise the same, and to execute such Works in relation thereto as may be necessary for effectually draining such Lands, and preventing the same from being injurious to the Health of the Inhabitants of the said City, and as the Corporation shall think fit; and such Lands, when so purchased by the Corporation, shall be held by them for the Benefit of the City, and be sold or otherwise disposed of for such Benefit in such Manner as the Corporation shall from Time to Time think proper.

Power to purchase other Lands by Agreement.

XXXVIII. That it shall be lawful for the Corporation to purchase by Agreement with the Owners, Lessees, and Occupiers thereof, but not by Compulsion, any Lands forming Part of or held with the said *Foss Islands*, or adjoining the same or the Works by this Act authorized, not exceeding Five Acres, and also any Rights in or over the River *Foss* or the Bed or Soil thereof, which the Corporation may think it necessary or expedient to purchase for better enabling them to carry the Objects and Purposes of this Act into effect, or in relation thereto, or which (if the Corporation shall purchase the said *Foss Islands*) the Owner of the said Islands shall require the Corporation to purchase in connexion therewith.

Compensation to be made to Parties injuriously affected under the Powers of this Act.

XXXIX. That the Corporation in exercising the Powers given to them by this Act shall be subject to the Provisions and Restrictions contained in this Act and in the Lands Clauses Consolidation Act incorporated herewith, and shall make to the Owners, Lessees, and Occupiers of, and all other Parties interested in any Lands taken or used for the Purposes of this Act, or injuriously affected by the Construction or Maintenance of the Works hereby authorized, or otherwise, by the Execution of the Powers of this Act, full Compensation for the Value of the Lands so taken or used, and for all Damage sustained by such Owners, Lessees, or Occupiers, and other Persons, by reason of the Exercise, as to such Lands, of the Powers vested in the Corporation by this Act; and the Amount of such Compensation shall be determined in the Manner provided by the Lands Clauses Consolidation

Consolidation Act for determining Questions of Compensation with regard to Lands purchased or taken under the Provisions thereof, and all the Provisions of the said Act shall be applicable to determine the Amount of any such Compensation, and to enforce Payment or other Satisfaction thereof.

Period in which Lands are to be purchased.

XL. That the Powers of the Corporation for the compulsory Purchase of Lands for the Purposes of this Act shall not be exercised after the Expiration of Three Years from the Commencement of this Act.

New Channel and Sewer to be completed within Seven Years.

XLI. That on the Expiration of Seven Years from the passing of this Act, the Powers by this Act, or the Lands Clauses Consolidation Act incorporated herewith, granted to the Corporation and their Successors for constructing the said new Channel and Sewer shall cease to be exercised.

As to depositing Materials during Construction of Works.

XLII. That during the Time any of the Works by this Act authorized are under Construction or Alteration, the Council may order the Materials necessary for such Purposes to be lodged in any Street or public Place near or adjoining such Work, according to their Discretion, and may also stop the Way through that or any adjoining Street so long as shall be absolutely necessary for the Completion of such Work; and if the Way through any Street shall be unnecessarily stopped, or the Stoppage thereof shall be continued during a longer Period than shall be necessary for the Completion of such Works, it shall be lawful for Two Justices, on the Application of any Two Householders of the Street which shall be so stopped, to order the Council to open such Street, and to cause all Materials belonging to the Council lodged therein to be removed, and if the Council fail to comply with such Order the Corporation shall forfeit Five Pounds for every Day that the Council fails so to do.

Power to appropriate Pieces of Ground for Improvement of Streets, &c.

XLIII. That it shall be lawful for the Corporation to cause the Site of any Erection or Building which may have been taken down by them or of any Part thereof, and any Land which may have become vested in them under this Act, and which they may think it expedient should be used for any Street or Thoroughfare within the City, to be respectively thrown into such Street or Thoroughfare for the widening, enlarging, altering, or rendering more commodious the same, or for making any Opening into such Street or Thoroughfare from any other or adjoining Street or Thoroughfare, in such Manner and upon such Terms as the Council shall from Time to Time think expedient.

Ground thrown into Streets to be

XLIV. That the Sites of all Erections and all Pieces of Land or Ground or any Part thereof which may be so laid into any Streets or Thoroughfares

public Highways.

Thoroughfares within the City shall, when and so soon as the same shall be so laid into the said Streets or Thoroughfares, and for ever thereafter, form Part thereof and of the public Highways, and shall be maintained and repaired and kept in repair in such and the same Way and Manner as the other Part of such Streets or Thoroughfares shall for the Time being be by Law maintained, repaired, and kept in repair; and all such Parts of any such Street or Thoroughfare as in consequence of any such Improvement may not be longer wanted for such Street or Thoroughfare shall be vested in the Corporation, freed and discharged from the public Use thereof.

Power to borrow certain Monies on Security of Rates.

XLV. That it shall be lawful for the Corporation to borrow on Mortgage, on the Security of the Rates by this Act authorized, any Sums not exceeding in the whole the Sum of Twenty-two thousand Pounds.

Sum to be set apart as a Sinking Fund for Payment of Mortgages.

XLVI. That the Sum to be set apart and appropriated out of the Sanitary Improvement Rates as a Sinking Fund, to be applied in paying off the Principal Monies which shall have been borrowed on Mortgage of that Rate, shall be in each Year One Thirtieth Part of the Monies from Time to Time so borrowed or secured.

Corporation empowered to contribute towards the Expense of constructing the intercepting Sewers.

XLVII. And whereas the estimated Expense of constructing the Sewers and Drains necessary to intercept the whole of the Sewage now flowing into the River *Foss* and *Wormald's Cut* is Five thousand Pounds: Be it therefore enacted, That it shall be lawful for the Corporation to contribute and pay to the Local Board, out of the Monies which the Corporation are by this Act empowered to borrow upon the Credit of the Rates by this Act authorized, any Sum of Money which the Local Board shall actually expend or become liable to pay for the Construction of the said Works, not exceeding in the whole the Sum of Five thousand Pounds.

Sanitary Improvement Rate.

XLVIII. That for the Purposes of defraying the Costs and Expenses of purchasing and acquiring the said Navigation and Works, and of making the said new Channel or Sewer, and of contributing towards the Expense of constructing the said intercepting Sewers and Drains, and of purchasing, draining, and raising the Lands comprised in the Schedule (A.) to this Act annexed, and of carrying the several Powers by this Act vested in the Corporation into effect, including the Costs and Expenses of and incident to the obtaining this Act, it shall be lawful for the Corporation from Time to Time to make, assess, and levy such equal Rate, to be called "The Sanitary Improvement Rate," as may be necessary for the Purposes aforesaid, not exceeding in any One Year Fourpence in the Pound of the full net annual Value of the Property included in such Rate.

XLIX. And

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

XLIX. And for the Purpose of making, assessing, levying, and recovering Rates made under this Act, be it enacted, That all the Clauses and Provisions of "The Towns Improvement Clauses Act, 1847," with respect to the following Matters, (that is to say,)

With respect to the Construction of this Act, whether incorporated in whole or in part with any other Act, and of any Act incorporated therewith;

With respect to the Manner of making Rates authorized by this or the Special Act, except Section 179. with respect to the rating of unoccupied Property, and except also so much of Section 168 as exempts any Building or Land belonging to the Commissioners from Rates to be made in pursuance of the Special Act;

With respect to the Appeal to be made against any Rate; and

With respect to the Recovery of Rates;

Shall be incorporated with this Act; and such Clauses and Provisions shall apply to the Sanitary Improvement Rates made under this Act, and to the Corporation or the Council on their Behalf, and shall be construed as if the Word "Corporation," or the Expression "the Mayor, Aldermen, and Citizens of the City of *York*," had been inserted therein instead of the Word Commissioners.

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

L. That it shall be lawful for any Justice who shall issue any Warrant of Distress for the Recovery of any Rate payable under this Act to order that the Costs of the Proceedings for the Recovery of such Rate shall be paid by the Person failing to pay the same, and such Costs shall be ascertained by such Justice and levied by Distress, and the Justice shall include in his Warrant of Distress for the Recovery of the said Rate the Amount of such Costs, and shall issue his Warrant accordingly.

Corporation may sell the Fawdington Estate, and apply 5,000*l.* out of Proceeds to the Purposes of this Act,

LI. And whereas the Corporation are seised of an Estate at *Fawdington* in the North Riding of the County of *York* in the Occupation of *Christopher Leckonby* and *Thomas Chapman* as yearly Tenants, which said Estate is distant from the said City, and can at the present Time be advantageously sold, and it would be beneficial to the said City if the Corporation were authorized to lay out the Proceeds of the said Estate in the Purchase of other Lands and Houses in or near the said City: Be it enacted, That it shall be lawful for the Corporation to sell and absolutely dispose of the said Estate, and to apply and dispose of any Part of the Proceeds thereof in the Purchase, raising, and draining the said Lands called the *Foss Islands*, and adjoining Lands, so that the Sum so to be expended out of the Proceeds of the said Estate in purchasing, raising, and draining the said Lands, shall not exceed the estimated Value of the same Lands when so purchased, raised, and drained, and shall not in any Case exceed the Sum of Five thousand Pounds.

LII. That

Residue of Purchase Monies to be paid into the Bank until invested in other Lands.

LII. That the Residue of the Monies produced by the Sale of the said Estate which shall remain after defraying the Costs and Expenses of and incident to such Sale, and after setting aside the Sum of Five thousand Pounds for the Purposes authorized by this Act, shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account, *ex parte* "The Mayor, Aldermen, and Citizens of the City of *York*," pursuant to the Method prescribed by the Act of the Twelfth Year of King *George* the First, Chapter Thirty-two, and the General Orders of the said Court, and without Fee or Reward; and such Monies, when so paid into the Bank, shall there remain until the same be applied in the Purchase of other Lands, Tenements, or Hereditaments to be conveyed to and vested in the said Mayor, Aldermen, and Citizens, as Part of the Corporate Estates of the said City.

In the mean-time the Money may be invested.

LIII. That the Money so paid into the Bank may be applied in the Manner directed by this Act, upon an Order of the Court of Chancery made on the Petition of the Corporation, to be presented to the Court in a summary Way, and until the Money can be so applied it may, upon the like Order, be laid out in some of the Public Funds or in Government or Real Securities, and the Dividends or Interest arising therefrom may be paid to the Treasurer of the said City, to be placed by him to the Credit of the City Fund of the City.

After Contribution out of Corporate Estate, the Power to mortgage to be reduced.

LIV. That if the Corporation shall contribute any Sum out of the Proceeds of Sale of the said Estate to the Purposes authorized by this Act, then after any such Contribution the Power of the Corporation to borrow on Mortgage, on the Security of the Rates by this Act authorized, shall be reduced by the Sum which shall be so contributed to the Purposes of this Act out of the Proceeds of the said Estate.

Corporation not to sell without the Approbation of the Treasury.

LV. That nothing in this Act contained shall enable the Corporation to alienate, incumber, or demise for the Purposes of this Act, without the Approbation of the Commissioners of Her Majesty's Treasury of the United Kingdom of *Great Britain* and *Ireland*, or any Three of them, any Lands, Tenements, or Hereditaments which they could not have sold, alienated, incumbered, or demised without such Approbation before the Commencement of this Act, anything in this Act to the contrary notwithstanding.

Application of Money to be borrowed and of Rates, &c. to be received under Act.

LVI. That all Monies which shall come to the Hands of the Corporation from the said Rate called the Sanitary Improvement Rate shall be applied and disposed of as follows:

Firstly, in defraying the Expenses of obtaining and passing this Act, and incident thereto;

Secondly,

Secondly, in paying the Interest of all Monies borrowed or secured on the Sanitary Improvement Rate;

Thirdly, in purchasing and acquiring the said Navigation and Works, and of upholding and improving any Part thereof, and of making the said new Channel or Sewer, and of purchasing the Lands and executing the other Works by this Act authorized, and in such Order and Manner as the Council shall from Time to Time direct;

Fourthly, in setting apart and appropriating the Sum herein-before directed to be set apart and appropriated in Payment off of the Principal Monies which shall have been borrowed or secured on the Sanitary Improvement Rate;

And lastly, in paying off the Principal of all Monies due on the Credit of the said Rate;

And that all Monies which shall be raised by any Mortgage on Security of the Sanitary Improvement Rate under the Powers of this Act, shall be applied for all or any of the said Purposes firstly, thirdly, and lastly mentioned:

Provided always, that if any Sum of Money which shall be contributed and paid by the Corporation out of the Corporate Funds of the City in aid of the Purposes of this Act shall, at the Time of Payment thereof, be stated as paid for effecting any particular Portion or Portions of the Works and Improvements hereby authorized, or of paying off any particular Portion of the Monies then owing on the Security of the Sanitary Improvement Rate, then and in every such Case the Money so paid by the Corporation shall be applied by the Council for the particular Purpose for which the same at the Time of Payment thereof by the Corporation to the Council shall have been so stated to have been contributed and paid.

Application of Monies arising from Sale of superfluous Lands.

LVII. That all Monies which shall come to the Hands of the Corporation in consequence of the Sale of any superfluous Lands under the Provisions of this Act and the said Lands Clauses Consolidation Act, shall be applied and disposed of in paying off any Principal Monies at the Time due and owing on the Credit of the Sanitary Improvement Rate.

Separate Accounts to be kept of Expenses under Act.

LVIII. That the Corporation shall cause separate and distinct Accounts to be kept of all Monies received, raised, levied, and collected for the Purchase of the said Navigation and the Construction of the Works by this Act authorized or on account thereof, and of the Tolls arising from the said Navigation, and of the Manner in which such Monies and Tolls shall have been applied or disposed of; and such Accounts respectively shall be kept in separate Books, and shall not be complicated or intermixed with the Accounts of any other Monies received, collected, raised, applied, or disposed

of by the Corporation, and such Accounts shall be balanced half-yearly up to and inclusive of the First Day of *March* and the First Day of *September* in each and every Year.

Accounts of Receipts and Expenditure to be audited and published.

LIX. That the several Books containing the Accounts of all Monies received and expended for the Purposes or under the Authority of this Act shall at all reasonable Times be open to the Inspection of any of the Aldermen or Councillors of the City; and all the Accounts, with all Vouchers and Papers relating thereto, shall in the Months of *March* and *September* in every Year be submitted by the Treasurer to the Auditors of the City to be elected under the Provisions of the Act for the Regulation of Municipal Corporations in *England* and *Wales*, or of any other Act amending the same, and to such Members of the Council as the Mayor of the City shall name on the First Day of *March* in every Year, or, in case of extraordinary Vacancy, within Ten Days next after such Vacancy, for the Purpose of being examined and audited from the First Day of *September* in the Year preceding to the First Day of *March*, and from the First Day of *March* to the First Day of *September* in the Year in which the said Auditors were elected and named; and if the said Accounts shall be found to be correct, the Auditors shall sign the same, and after such Accounts shall have been so examined and audited in the Month of *September* in every Year the Treasurer shall make out in Writing, and shall cause to be printed, a full Abstract of the said Accounts for the Year; and a Copy thereof shall be open to the Inspection of every Mortgagee and other Creditor of the Corporation by virtue of this Act, and of all the Ratepayers of the City, and shall be advertised in One or more of the *York* Newspapers, and Copies thereof shall be delivered to all such Persons applying for the same on Payment of a reasonable Price for each Copy, such Price not to exceed Sixpence for every One hundred Words of such Copy.

A Board, with the Name of the Coals, to be fixed on Place where the Coals are sold

LX. That after the First Day of *October* next after the passing of this Act the Owner or Agent of every Waggon Load or other Consignment of Coals which shall be brought into the City by Railway, or otherwise than by Water, and which shall have been delivered into any Yard or Place, for Sale within the City, shall, before such Coals are exposed for Sale, cause a Board, on which the Name of the Coals is written or painted in large Letters, to be placed in the Front of the Heap of such Coals, or in such other Place in such Yard or Place, or in such Manner, as the Inspector of Coals for the Time being appointed by the Local Board under the Powers of the said Act, 6 *Geo.* IV. Chapter 127, shall from Time to Time direct.

LXI. That

Penalty on Owners of Coals for Non-observance of Provisions of this Act.

LXI. That if any Dealer in Coals, or other Person, shall sell and deliver, or expose for Sale, or dispose of, within the City, Coals of One Quality or Sort, for and as Coals of a Quality or Sort which the same really are not, or in case any other Person shall remove, alter, or deface any of such Boards, before the Coals to which the same relate shall be sold and delivered, every such Offender shall for each such Offence be liable to a Penalty not exceeding Ten Pounds.

Penalties on Inspector for Neglect or Fraud.

LXII. That if any Inspector of Coals under this Act shall in any Manner act in collusion with any Person whomsoever, to assist or enable him to counteract, defeat, or evade the Provisions of this Act, every such Offender shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds.

Description Board to be put on Heaps of Coal in Yards and Buildings.

LXIII. That where Coals are sold from any private Coal Yard or Building, the Owner of such Coals shall fix in each Heap of Coals therein a Board descriptive of the Quality or Name of the Coals therein; and every such Owner neglecting so to do shall for each such Offence forfeit and pay any Sum not exceeding Five Pounds.

Regulations as to Weighers and Porters.

LXIV. That the Persons for the Time being appointed to be Weighers of Water-borne Coals brought for Sale within the City, shall also be the Weighers of all Coals brought within the City by Railway, or otherwise than by Water, which the Purchasers may desire to have weighed; and the Rates to be taken by any Persons so appointed as Weighers, Carriers, or Porters, from any Person desiring to employ them for Carriage, Porterage, or weighing Coals brought within the City by Railway, or otherwise than by Water, shall from Time to Time be fixed by the same Persons and in the same Manner as the like Rates for Water-borne Coals brought within the City are fixed and determined; and if any Weigher shall misconduct himself as to the weighing of Coals, or any Porter shall make any Overcharge for or misconduct himself as to the Porterage thereof, such Weigher or Porter shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

Persons buying Coals may have them weighed.

LXV. That if any Person shall think himself aggrieved respecting the Weight of Coals by him purchased, such Person may apply to an Inspector or Weigher to weigh the same, who shall thereupon cause the same to be weighed, and the Charge of such Inspector or Weigher for so weighing such Coals shall be paid by the Seller thereof in case the Weight complained of shall be incorrect, and by the Purchaser in case such Weight shall be correct.

LXVI. That

Penalty on fraudulent Delivery of Coals.

LXVI. That if any Porter or Person employed to carry and deliver Coals within the City shall fraudulently neglect to deliver the same, or wilfully deliver short Weight, such Porter or Person shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Power to Local Board to make Byelaws as to weighing of Coals.

LXVII. That the Local Board may from Time to Time make such Byelaws respecting the weighing of Coals within the City, and the Conduct of the Inspectors and Weighers of Coals within the City, as they shall think expedient, and may from Time to Time, as they shall think proper, repeal or alter any such Byelaws, and may impose such Penalties as they shall think proper, not exceeding in any Case the Sum of Five Pounds for the Breach of any such Byelaws: Provided always, that such Byelaws shall be so framed as to allow the Justices before whom any Penalty imposed thereby shall be sought to be recovered to order the whole or Part only of such Penalty to be paid.

Byelaws to be confirmed in manner required by 12 & 13 Vict. c. 63.

LXVIII. That no Byelaw which shall be made by the Local Board under the Authority of this Act (except such as relate solely to the Officers or Servants of the Local Board and the Management of their own Business) shall be valid or binding, unless the same be made and published, and submitted to and confirmed by One of Her Majesty's Principal Secretaries of State, in the Manner prescribed by "The Public Health Act, 1848," with reference to Byelaws made by the Local Board under the Powers of that Act.

Inspectors, &c. not to be Sellers of Coals.

LXIX. That if any Inspector or Weigher of Coals within the City, appointed or acting under this Act, shall himself either directly or indirectly sell or deal in or be a Purchaser or Agent for or otherwise interested or concerned in the Sale of any Coals whatsoever (except in the Discharge of the Duties of his Office as Inspector or Weigher), every such Inspector or Weigher so offending shall for every such Offence forfeit and pay any Sum not exceeding Fifty Pounds.

Furnaces, &c. to be so constructed as to consume their own Smoke.

LXX. That every Fireplace or Furnace constructed after the passing of this Act, in order to be used within the Limits of this Act, in the working of Engines by Steam, or in any Mill, Factory, Dyehouse, Brewery, Gaswork, or in any Manufactory whatsoever (although a Steam Engine be not used or employed thereon), shall in every Case where the same shall be practicable, be so constructed as to consume the Smoke arising from the Fuel used in such Fireplace or Furnace, and every such Fireplace or Furnace existing within the said Limits at the Date of the passing of this Act, used for the Purposes aforesaid, and not so constructed as to consume the Smoke arising

arising from such Fireplace or Furnace, shall, within Two Years after the passing of this Act, in every Case where the same shall be practicable, be so altered in its Construction as to consume such Smoke; and if after such Period any Person use for any of the Purposes aforesaid any Fireplace or Furnace not so constructed as aforesaid, or if at any Time any Person use any such Fireplace or Furnace constructed after the passing of this Act, and not so constructed as aforesaid, or so negligently use any such Fireplace or Furnace as not to consume the Smoke arising from the Fuel used therein, every Person so offending shall be liable to a Penalty of not exceeding Forty Shillings for every Day during any Part of which such Furnace or Fireplace shall be so used and continued after One Month's Notice in Writing shall have been given to the Owner or Occupier of such Furnace or Fireplace, by the Inspector of Nuisances within the City, to remedy or discontinue the Use of the same: Provided always, that in every Case, before such Notice be given, a Complaint shall have been first made to the Local Board of Health of the said City by Two Inhabitant Householders, giving Proof that the Smoke arising from the Fuel used in the Fireplace or Furnace complained of is not consumed, and the Committee of such Board shall on receiving such Complaint so substantiated, direct such Notice to be given: Provided always, that if it shall appear to the Satisfaction of any Justice that the negligent Use of any Fireplace or Furnace so constructed as aforesaid is attributable to, and has been done or permitted by or under the Authority of some Agent, Servant, or Workman of the Owner or Occupier thereof, and without the Consent, Concurrence, or Knowledge of such Owner or Occupier, it shall be lawful for such Justice to summon or cause to be summoned such Agent, Servant, or Workman before him or some other Justice authorized in that Behalf, to answer for such Offence, and such Agent, Servant, or Workman shall be liable to the Penalty for such Offence herein-before provided; and such Justice may convict such Agent, Servant, or Workman, in lieu of such Owner or Occupier, or such Justice may, if he shall so think fit, direct any Penalty to be divided and paid between the Owner or Occupier, and the Agent, Servant, or Workman, in such Proportions as the Justice of the Case may in his Judgment demand.

Provisions of 10 & 11 Vict. c. 14. extended to the Cattle Markets and Fairs.

LXXI. And whereas the Markets and Fairs of the City for the buying and selling Live Cattle, Beasts, Sheep, Horses, and Pigs, are now held on every alternate *Thursday*, and on certain other Days, in and upon a Piece of Ground called the *Cattle Market*, and on Two adjoining Fields belonging to the Corporation, all situate in the Parish of *St. Lawrence*, on the outer Side of *Walmgate Bar* of the City; and the Corporation have Power from Time to Time to appoint other Days and Times and Places for holding the said

Markets and Fairs: And whereas it is expedient that the Tolls now demandable or taken in the Cattle Markets and Fairs of the City should be altered, and other Tolls taken in lieu thereof, and that further Powers should be granted for the Regulation of the said Cattle Markets and Fairs: Be it therefore enacted, That "The Markets and Fairs Clauses Act, 1847," shall be incorporated with and form Part of this Act; and the Expression "the Market or Fair," and the Expression "the Undertaking," respectively used in the said Act, shall mean the Markets and Fairs for the buying and selling Live Cattle, Beasts, Sheep, Horses, and Pigs, now held within the City, or which the Corporation have Power to direct to be held therein; and the Expression "the Undertakers" shall mean the Corporation; and the Limits within which this Act and the said "Markets and Fairs Clauses Act" shall be put in force, shall be the City as defined by this Act.

Tolls for the Cattle Markets and Fairs.

LXXII. That it shall be lawful for the Corporation from Time to Time, after the Expiration of Forty Days from the passing of this Act, to demand in the Cattle Markets and Fairs, from any Person bringing therein any Cattle or Live Stock specified in the Schedule (B.) to this Act annexed, such Stallages, Rents, or Tolls as the Corporation shall from Time to Time appoint, not exceeding the several Stallages, Rents, or Tolls specified in the said Schedule (B.); and after the Expiration of the said Forty Days the Stallages, Rents, or Tolls now taken in the said Markets or Fairs shall cease to be taken therein, anything in the Charter granted to the City in the Thirty-second Year of the Reign of Her Majesty Queen *Elizabeth* to the contrary thereof notwithstanding.

Repeal of Restriction as to leasing Markets.

LXXIII. And whereas by the said Act of the Third Year of King *William* the Fourth, Chapter Sixty-two, for regulating certain Markets and Fairs held within the City, the Corporation were empowered to demand and receive certain Rents, Stallages, and Sums of Money in respect of the Stalls or Standing Places in the Markets established or regulated under the said Act, but it was thereby provided that it should not be lawful for the Corporation to demise or let the said Market Place, or the Rents, Stallages, Sum or Sums of Money to be collected or to arise from or in respect of the said Markets by virtue of that Act, to any Person or Persons whomsoever: And whereas it is expedient that the said Restrictions should be repealed, and that the Corporation should be enabled to demise or let all or any of the Market and Fair Tolls, Rents, Stallages, and Sums of Money payable to the Corporation: Be it enacted, That after the passing of this Act so much of the said recited Act as restrains the Corporation from demising or letting the said Market Place, or the Rents, Stallages, Sum and Sums of Money to be collected

lected or to arise from or in respect of the said Markets by virtue of that Act, shall be and the same is hereby repealed.

Power to lease Markets and Fairs.

LXXIV. That it shall be lawful for the Corporation to lease all or any of the Rents, Stallages, Sums of Money, and other Market and Fair Tolls, payable to the Corporation in respect of any of the Markets or Fairs held within the City, or of any Stalls, Standings, or other Conveniences in such Market Places, for any Term not exceeding Three Years, and upon such Terms, Covenants, and Conditions as the Corporation shall think proper; and every Lessee shall have the same Powers, Rights, and Remedies for recovering and enforcing Payment of the Rents, Stallages, Sums of Money, and Tolls granted by such Lease as are by this and the said Markets and Fairs Clauses Act incorporated with this Act vested in the Corporation for that Purpose.

Lease to be granted by Tender, and after Notice has been given.

LXXV. That before any Lease of the said Market or Fair Tolls, Rents, Stallages, or Sums of Money, shall be granted by the Corporation, Ten Days Notice at least shall be given in Two of the Newspapers published in the City of *York*, of the Intention of the Corporation to let the same, and inviting any Person willing to take the same to make Proposals for that Purpose to the Corporation; and the Corporation shall accept the Proposal which, upon a View of all the Circumstances, shall appear to them to be most advantageous, and shall take Security for the Payment of the Rent to be reserved by such Lease, at such Times, and either in advance or otherwise, as the Corporation shall think proper.

When Poor Rate an unfair Criterion, Local Board may adopt the Assessments for the City Rate.

LXXVI. And whereas under or by virtue of "The Public Health Act, 1848," and of "The Public Health Supplemental Act, 1850," and the Provisional Order of the General Board of Health, confirmed by the said last-mentioned Act, the several Rates authorized to be levied by the Local Board upon Property assessable to any Rate for the Relief of the Poor within the City are required to be assessed upon the full net annual Value of such Property ascertained by the Rate (if any) for the Relief of the Poor made next before the making of the respective Assessments under the said Acts: And whereas in some of the Parishes within the City the Rate made for the Relief of the Poor is not a fair Criterion by which the Rates levied by the Local Board should be made: Be it therefore enacted, That in every Case in which the Rate for the Time being for the Relief of the Poor of any Parish within the City shall in the Judgment of the Local Board be an unfair Criterion by which the Rates authorized to be levied by the Local Board should be made, it shall be lawful for the Local Board from Time to Time, as they shall think necessary, to adopt the Valuation or Assessments of the rateable Property within the City, or

within

within any One or more of the Parishes within the City upon which the City Rate of the City is for the Time being made or authorized to be made; and after the Adoption by the Local Board of such Valuation or Assessments the Rates made by the Local Board shall be made upon such Valuation or Assessments until they shall think it expedient again to adopt the Valuation upon which the Property in such Parishes shall be assessed to any Rate for the Relief of the Poor within the same.

Premises subject to Special District Rates not to be exempt from General District Rates.

LXXVII. And whereas by "The Public Health Act, 1848," the Local Board are authorized to levy Special District Rates for the Purpose of paying the Expenses of making, enlarging, altering, arching over, covering, or inclosing any Sewer and other Works of a permanent Nature executed for the Benefit of any District or Part of a District under the said Act, and are authorized to levy General District Rates for defraying such of the Expenses of carrying the Act into execution, and not otherwise expressly provided for, as they may think proper; and the Local Board are by the said Act authorized to divide their District, or any Street therein, into One or more Parts, for all or any or either of the Purposes of the said Act, and to make a separate Assessment upon any such Part for and in respect of all or any of the Purposes for which the same is formed; and it is declared that every such Part, so far as relates to the Purposes in respect of which such separate Assessment is made, shall be exempt from any other Assessment under the said Act: And whereas the general Expenses of Drainage and of repairing the Sewers and Drains in the City are defrayed out of the General District Rate, and in consequence thereof Doubts have been raised whether the said Rate is chargeable upon Parts of the District which are subject to Special District Rates levied for the Purpose of making, enlarging, altering, arching over, covering, or inclosing any Sewer or other Work executed for the Benefit of such District; and it is expedient that such Doubt should be removed: Be it therefore enacted, That nothing in "The Public Health Act, 1848," shall exempt or be deemed or construed to exempt the Premises in any District or Part of a District of the City at any Time subject to the Payment of any Special District Rate from the Payment of any General District Rates already levied or hereafter to be levied within the City, which the Local Board shall think it reasonable to levy and shall direct to be levied on the Premises subject to any such Special District Rate as aforesaid, but in every Case in which the Local Board shall so direct such Premises shall be subject to the General District Rates as well as the Special District Rates charged thereon.

Special District Rates not to be

LXXVIII. Provided always, That nothing in this Act contained shall authorize the Local Board to levy a Special District Rate upon any

any District within the City, for the Purpose of defraying the Costs and Expenses of the new Channel or Sewer by this Act authorized.

levied for Works under this Act.

Certain Provisions of 10 & 11 Vict. c. 34. extended to Local Board, &c.

LXXIX. That the several Sections and Clauses and Provisions of "The Towns Improvement Clauses Act, 1847," following, (that is to say,)

Section 53, authorizing the Commissioners to cause public Streets, not previously paved or flagged, to be paved and flagged at the Expense of the Occupiers of adjoining Lands;

Section 71, requiring Doors, Gates, and Bars in future to be made to open inwards;

Section 72, authorizing Doors, Gates, or Bars opening outwards to be altered;

Section 73, requiring Coverings for Cellar Doors to be made by Occupier;

All the Clauses with respect to ruinous or dangerous Buildings; and

All the Clauses with respect to Precautions during the Construction and Repair of the Sewers, Streets, and Houses;

Shall, so far as the same are not varied by the Provisions of this Act, be incorporated with this Act, and shall apply to the several Objects and Purposes provided for by such Sections and Clauses and to the Local Board, and shall be construed as if the Expression the "Local Board of Health of the City of *York*" had been inserted therein instead of the Word "Commissioners."

Byelaws to be confirmed.

LXXX. That no Byelaw made 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 Corporation), 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 Corporation, 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 City; and if at any Time within the Period of Forty Days Her Majesty, with the Advice of Her Privy Council, shall disallow the same Byelaws or any Part thereof, such Byelaws, or the Part thereof disallowed, shall not come into operation: Provided also, that it shall be lawful for Her Majesty, if She think fit, at any Time within the said Period of Forty Days, to enlarge the Time within which any Byelaw (if allowed) shall come into force, and no such Byelaw shall in that Case come into force until after the Expiration of such enlarged Time.

Evidence of Byelaws.

LXXXI. That a Copy of any such Byelaw under the Seal of the Corporation, with a Declaration thereon, signed by the Mayor of the City, 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 Byelaw, and of the sending and publishing thereof as aforesaid, in all Courts of Law and Equity, and before all Justices.

Byelaws to be printed and published.

LXXXII. That all Byelaws made in pursuance of this Act or any Act incorporated herewith, except such as relate only to the Officers and Servants of the Corporation, 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; and Copies of such Byelaws shall be delivered by the Town Clerk to any Person who may apply for the same, on the Payment of such Sum as the Council shall think fit to fix as the Price of such Byelaws.

Penalty on Town Clerk refusing to give Copies of Byelaws.

Penalty on Persons refusing Inspection of Byelaws affixed in Police Office.

LXXXIII. That if the Town Clerk shall not, upon the Payment or Tender of such Sum as the Council 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 Byelaws made 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, shall not permit the printed Copy of any Byelaws 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.

Service of Notice on other Persons.

LXXXIV. That any Notice which by this Act may be required to be given to any Person may lawfully be served by delivering the same to such Person, or by delivering the same to his Wife or Servant or any Inmate at his usual or last known Place of Residence or Business.

Newspapers for Advertisements.

LXXXV. That the Newspapers in which Advertisements may be published under the Provisions of this Act, or any Act incorporated or partly incorporated herewith, shall be some Newspaper published in the City of *York*.

Recovery of Damages and Penalties.

LXXXVI. And with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, be it enacted, That the Clauses of "The Railways Clauses Consolidation Act, 1845," with respect to the Recovery of Damages not specially provided for, and Penalties, and to the Determination of any other Matter referred to Justices (except

(except the Clauses directing the Application of Penalties), shall be incorporated with this Act, and such Clauses shall apply to the Purposes of this Act, and shall be construed as if the Word "Corporation," or the Words, "Mayor, Aldermen, and Citizens," or the Words "Local Board of Health of the City of *York*," as the Case may require, had been inserted therein instead of the Word "Company."

Penalties how to be applied.

LXXXVII. And with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act, the Application of which is not herein otherwise provided for, be it enacted, That the Justices by whom any such Penalty or Forfeitures shall be imposed shall order the same to be paid to the Treasurer of the City to the Credit and on account of the City Fund.

Provision as to the Rights of the Crown.

LXXXVIII. That nothing whatsoever contained in this Act, or any Act incorporated herewith, shall extend to authorize the Corporation to purchase, take, use, or otherwise interfere with any Land, Soil, Tenements, or Hereditaments, or any Right in respect thereof, belonging to Her Majesty in right of Her Crown, without the Consent in Writing of the Commissioners for the Time being of Her Majesty's Woods, Forests, and Land Revenues, or One of them, first had and obtained for that Purpose, and which such Commissioners or Commissioner are and is hereby authorized and empowered to give, or to divest, prejudice, diminish, alter, or take away any of the Estates, Rights, Privileges, Powers, or Authorities which now are or hereafter may be vested in or enjoyed by Her Majesty, Her Heirs or Successors.

Saving Powers of the Council to make Byelaws.

LXXXIX. That nothing herein contained shall prejudice or affect the Power of the Council to make Byelaws under the Act for the Regulation of Municipal Corporations in *England* and *Wales*, or any Act amending the same, or any other Act now in force within the City of *York*.

Expenses of Act to be paid out of Monies in Hands of Council:

XC. That the Costs, Charges, and Expenses of or incident to the obtaining and passing of this Act shall be paid out of any Monies which shall come into the Hands of the Council by virtue of this Act in such Proportions and in such Manner as they shall think proper.

in the meantime may be advanced out of the City Funds.

XCI. That until the Council shall have or receive by all or any of the Means last mentioned sufficient Money to defray the Costs, Charges, and Expenses of or incident to the obtaining and passing of this Act, it shall be lawful for the Council to advance and pay the whole or any Part of such Costs, Charges, and Expenses out of the City Fund of the said City.

The

The SCHEDULES referred to by the foregoing Act.

SCHEDULE A.

Lands which may be taken for the Purposes of Act.

Parish of Saint Cuthbert in the County of the City of York.

Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
Drain (Tang Hall) -	Her Majesty, or the Lords Commissioners of Woods, Forests, Land Revenues, Works, and Buildings, or Hugo Charles Meynell Ingram.	Hugo Charles Meynell Ingram.	George Drummond, sublet to Thomas Wade.
Field (Foss Island) -	Ditto - -	Ditto - -	Ditto.

SCHEDULE B.

Tolls to be taken in the Cattle Markets and Fairs.

	s.	*d.*
For every Horse or Gelding, and every Mare, with or without a Foal - -	0	1
For every Bull, Ox, or Cow, with or without a Calf - - - -	0	0½
For every Two Heifers, Two Years old or less - - - -	0	0½
For every Ten Sheep - - - - - - - -	0	0½
For every Five Ewes, with their Lambs - - - - -	0	0½
For every Ten Lambs - - - - - -	0	0½
Pigs to be charged after the same Rate as Sheep.		
For every Beast Pen or Sheep Pen - - - - - -	1	6
For single Cattle shown therein, per Head - - - - -	0	3
For Cattle shown in the open Market, and using the Rings or Posts, per Head -	0	2
For Cattle shown in the Market, and afterwards placed within the Inclosure, per Head - - - - - - - -	0	1

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