ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 63.

An Act for enlarging and improving *The Minſter Yard* of the Cathedral and Metropolitical Church of *Saint Peter*, in *York*, and other Places adjacent thereto. [18th *May* 1814.]

WHEREAS the Right Worſhipful *George Markham*, Doctor in Divinity, Dean of the Cathedral and Metropolitical Church of *Saint Peter*, in *York*, and the Chapter of the ſame Church, are ſeiſed of or entitled to the ſaid Cathedral Church (which is a very magnificent Structure), and the Yard or Area thereunto belonging and adjoining, uſually called *The Minſter Yard*; and the ſaid Dean and Chapter are alſo ſeiſed of or entitled to divers Meſſuages, Buildings, Lands, Tenements, and Hereditaments, conſtituting an Eſtate or Fund called *The Fabrick Eſtate*; the Rents and Profits whereof are excluſively applicable to the Repairs, Support, and Improvement of the ſaid Cathedral Church: And whereas the ſaid Minſter Yard, and ſome of the Streets, Paſſages, and Places, adjoining upon or leading into the ſame, are too narrow and confined in their Dimenſions, and it is expedient that ſeveral Meſſuages and other Buildings ſhould be taken down, and the Scites thereof and other Lands contiguous thereto laid into the ſaid Minſter Yard, for the Purpoſe of widening and otherwiſe extending and enlarging the ſame; and it is alſo expedient, that, for the better effecting of the Purpoſes aforeſaid, other Houſes, Lands, and Tenements, adjoining or lying contiguous to the ſaid Cathedral Church and Minſter Yard, ſhould be purchaſed by the ſaid Dean and Chapter, and veſted in them, as Part of ſuch Fabrick Eſtate or Fund,

Fund, as aforeſaid: And whereas the ſaid Dean and Chapter are willing and deſirous of making ſuch Improvements as aforeſaid, and of defraying the Expences thereof out of the ſaid Fabrick Eſtate or Fund, in manner herein-after mentioned, which would tend greatly to the Beauty of the ſaid Cathedral Church, and be of public Utility; but the ſeveral Purpoſes aforeſaid cannot be effected without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall be lawful for the ſaid Dean and Chapter of the Cathedral and Metropolitical Church of *Saint Peter*, in *York*, and their Succeſſors, and they are hereby authorized and empowered to open, widen, and otherwiſe enlarge and extend the ſeveral Streets, Paſſages, and Places, called *The Minſter Yard*, *Peter Gate*, and *Precentor's Lane*, and other Streets, Avenues, and Places, leading into the ſaid Minſter Yard, and in the Pariſhes of *Saint Michael le Belfrey*, and *Saint John Delpike*, in *York*, and to purchaſe and hold any of the Meſſuages, Buildings, Lands, or Tenements, ſpecified or mentioned in the Schedule to this Act annexed, for the Purpoſes of this Act, without being ſubject or liable to the Statutes of Mortmain; ſubject nevertheleſs to the ſeveral Directions, Conditions, Proviſions, Regulations, and Reſtrictions, herein-after contained.

Powers to the Dean and Chapter to enlarge the Minſter Yard, &c.

Dean and Chapter to purchaſe Lands, &c.

II. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Dean and Chapter, and their Succeſſors, and they are hereby empowered to treat and agree with the Owners and Occupiers of, and other Perſons, Bodies Politic, Corporate or Collegiate, intereſted in any of the Meſſuages, Buildings, Lands, Tenements, or Hereditaments, ſpecified or mentioned in the ſaid Schedule, for the Purchaſe of any of the ſaid Meſſuages, Buildings, Lands, Tenements, and Hereditaments; and after Payment of the Sum or Sums of Money which ſhall be agreed upon or aſcertained for ſuch Purchaſe or Purchaſes, the ſaid Dean and Chapter and their Succeſſors are hereby authorized by their Agents, Workmen, and others, to pull down ſuch Meſſuages and Buildings, and remove, ſell, or diſpoſe of the Materials thereof, and to lay ſuch Lands reſpectively into the ſaid Minſter Yard, or otherwiſe apply and diſpoſe of the ſame for any of the Purpoſes of this Act.

No Perſon compellable to ſell Part of his Meſſuages, &c. if willing to ſell the Whole.

III. Provided always, and be it further enacted, That if any Perſon or Perſons, Body or Bodies Politic, Corporate or Collegiate, ſhall be applied to, by or on behalf of the ſaid Dean and Chapter, to treat for, ſell, diſpoſe of, or convey, for any of the Purpoſes of this Act, any Part or Parts of any Meſſuage, Building, Land, Tenement, or Hereditament, in the actual Occupation of one Perſon or of ſeveral Perſons jointly, and ſhall by Notice in Writing to be left at the Deanery Houſe, in the Minſter Yard aforeſaid, within Thirty Days next after ſuch Application, ſignify his, her, or their Inclination or Deſire to treat for, ſell, diſpoſe of, and convey, the Whole of ſuch Meſſuage, Building, Land, Tenement, or Hereditament, ſome Part whereof ſhall be deemed neceſſary to be purchaſed for the Purpoſes of this Act, and it ſhall happen, that the ſaid Dean and Chapter ſhall not think proper or be willing to purchaſe the Whole of ſuch Meſſuage, Building, Land, Tenement, or Hereditament, then and in every ſuch Caſe, nothing in this Act contained ſhall extend, or be con-

ſtrued to extend, to compel the ſeveral Perſons intereſted therein to treat for, ſell, diſpoſe of, or convey Part only or leſs than the Whole of ſuch Meſſuage, Building, Land, Tenement, or Hereditament; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Bodies Politic, &c. empowered to ſell and convey.

IV. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Truſtees and Feoffees in Truſt for Charitable or other Uſes, and all other Truſtees and Feoffees in Truſt whatſoever, Guardians, Committees for Lunatics and Idiots, Executors and Adminiſtrators whatſoever, and not only for or on behalf of themſelves, their Heirs and Succeſſors, but alſo for and on behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, Femes Covert or other Perſons whomſoever, and to and for all Femes Covert who are or ſhall be ſeiſed in their own Right, and to and for all and every Perſon and Perſons whomſoever, who are or ſhall be ſeiſed or poſſeſſed of or intereſted in any Meſſuages, Buildings, Lands, Tenements, or Hereditaments, ſpecified or mentioned in the Firſt Schedule to this Act annexed, to ſell and convey, aſſign or ſurrender, all or any of ſuch Meſſuages, Buildings, Lands, Tenements, or Hereditaments, or any of them, or any Part or Parcel thereof, and all their reſpective Intereſts therein, of what Nature or Kind ſoever, to the ſaid Dean and Chapter, and their Succeſſors, or any Perſon or Perſons in Truſt for them; and that all Contracts, Agreements, Bargains, Sales, Conveyances, Aſſignments, Surrenders, and Aſſurances, which ſhall be made by ſuch Perſons, Bodies Politic, Corporate or Collegiate as aforeſaid, ſhall be good and valid in the Law, to all Intents and Purpoſes, not only to convey the Right, Eſtate, and Intereſt of the Perſon and Perſons, Body or Bodies Politic, Corporate or Collegiate, conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Truſt, Property, Claim, and Demand whatſoever, of their ſeveral and reſpective Heirs, Succeſſors, Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, Femes Covert, or other Perſons whomſoever, and all claiming or to claim by, from, or under them; any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in anywiſe notwithſtanding; and that all ſuch Perſons, Bodies Politic, Corporate or Collegiate, ſo conveying or making ſuch Aſſurances as aforeſaid, ſhall be and are hereby indemnified for what they ſhall do by virtue or in purſuance of this Act, notwithſtanding any Omiſſion or Miſtake of Matter or Form whatſoever.

Miſnomers in the Schedule not to prevent the Execution of the Act.

V. Provided always nevertheleſs, and it is hereby enacted and declared, That if any of the Meſſuages, Lands, or Hereditaments, deſcribed or mentioned in the ſaid Firſt Schedule to this Act annexed, or any of the Perſons ſtated to be the Owners or Occupiers thereof, or of any Part thereof, ſhall happen to be miſnamed or inaccurately deſcribed, ſuch Miſnomer or inaccurate Deſcription ſhall not prevent or retard the Execution of this Act; in caſe it ſhall appear to any Two or more Juſtices of the Peace acting for the North Riding of the County of *York*, and be certified in Writing under their Hands, that ſuch Error or Omiſſion proceeded from Miſtake; but after ſuch Certificate the ſame Premiſes, and every Part thereof, ſhall and may be taken, uſed, purchaſed, aſſeſſed, valued, ſold, conveyed, and diſpoſed of, for the Purpoſes of this Act, as fully and effectually as if the ſame had been accurately deſcribed or mentioned in the ſaid Schedule.

VI. Provided

If Parties refuse to treat, the Value to be ſettled by a Jury.

VI. Provided always, and be it further enacted, That in all Caſes where it ſhall happen that any Bodies Politic, Corporate or Collegiate, or any Perſon or Perſons, ſeiſed or poſſeſſed of or intereſted in any ſuch Meſſuages, Buildings, Lands, Tenements, or Hereditaments, as are authorized to be ſold for the Purpoſes of this Act, ſhall refuſe to treat or agree, or by reaſon of Diſability cannot agree with the ſaid Dean and Chapter, or with any Perſon or Perſons authorized by them, for the Sale and Conveyance of their reſpective Eſtates and Intereſts therein, or ſhall not produce and evince a clear Title to the Premiſes which they are in Poſſeſſion of, or to the Intereſts they claim therein, to the Satisfaction of the ſaid Dean and Chapter, or of the Perſon or Perſons ſo authorized by them, then and in every ſuch Caſe it ſhall and may be lawful to and for any Two or more of His Majeſty's Juſtices of the Peace in and for the ſaid North Riding, and they are hereby empowered and required, to iſſue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff of the ſaid County, or his Under Sheriff, who are hereby reſpectively authorized and required accordingly to impannel, ſummon, and return a competent Number of diſintereſted Perſons qualified to ſerve on Juries, being not leſs than Forty-eight, nor more than Seventy-two, and out of ſuch Perſons ſo to be impannelled, ſummoned, and returned, a Jury of Twelve Men ſhall be drawn by ſome Perſon, to be by any Two or more of ſuch Juſtices then preſent appointed and directed ſo to do, in ſuch Manner as Juries for the Trial of Iſſues joined in His Majeſty's Courts at *Weſtminſter*, are by an Act made in the Third Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for the better Regulation of Juries*, directed to be drawn; which Perſons ſo to be impannelled, ſummoned, and returned as aforeſaid, are hereby required to come and appear before the Juſtices of the Peace for the ſaid Riding, at ſome Court of Quarter Seſſions of the Peace to be holden in and for the ſaid Riding, or ſome Adjournment thereof, or at ſome Special Seſſions of the Peace to be holden at the Caſtle of *York* for the ſaid Riding, or ſome Adjournment thereof, as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be directed and appointed, and to attend the ſaid Court from Day to Day, until diſcharged by the ſaid Court; and in Default of a ſufficient Number of Jurymen ſo returned, the ſaid Sheriff or his Under Sheriff ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured to attend that Service, to make up the Number of Twelve; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not be at Liberty to challenge the Array; and the ſaid Juſtices, or any Two or more of His Majeſty's Juſtices of the Peace in and for the ſaid Riding, are hereby authorized and empowered, by Precept or Precepts from Time to Time, as Occaſion ſhall require, to call before the ſaid Court all and every Perſon and Perſons whomſoever, who ſhall be thought proper and neceſſary to be examined as a Witneſs or Witneſſes, on his, her, or their Oath or Oaths, touching or concerning the Premiſes; and the ſaid Juſtices, or any Two of ſuch Juſtices, if they think fit, ſhall and may, on the Application of either Party, likewiſe authorize the ſaid Jury to view the Place or Places or Premiſes in queſtion, in ſuch Manner as they ſhall direct; and the ſaid Court of Quarter Seſſions, or Special Seſſions, ſhall have Power to adjourn from Day to Day as Occaſion ſhall require, and to command ſuch Jury, Witneſſes, and Parties to attend, until all ſuch Affairs for which they are ſummoned ſhall be concluded; and the ſaid Jury, upon their Oaths (which Oaths, as alſo the Oaths of ſuch

Jury may be challenged.

Jury to aſſeſs the Value on Oath.

Perſon

Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Court is hereby empowered and required to adminiſter) ſhall inquire of the Value of ſuch Meſſuages, Buildings, Lands, Tenements, or Hereditaments, and of the proportionable Value of the reſpective Eſtates and Intereſts of every Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, ſeiſed or poſſeſſed thereof or intereſted therein, or of or in any Part thereof, and ſhall aſſeſs and award the Sum or Sums of Money to be paid to ſuch Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate reſpectively, for the Purchaſe of ſuch Meſſuages, Buildings, Lands, Tenements, or Hereditaments, and of ſuch reſpective Eſtates and Intereſts therein, and the ſaid Court ſhall and may give Judgment for ſuch Sum or Sums of Money ſo to be aſſeſſed; which ſaid Verdict or Verdicts, and the ſaid Judgment and Judgments, Determination and Determinations thereupon, Notice in Writing being given to the Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, intereſted or claiming ſo to be, at leaſt Twenty-one Days before the Time of the Sitting of the ſaid Court, by leaving ſuch Notice with ſuch Perſon or Perſons, or with the head Officer of ſuch Corporation, or at his, her, or their Dwelling or uſual Place of Abode reſpectively, ſhall be binding and concluſive to all Intents and Purpoſes whatſoever, againſt all Perſons, Bodies Politic, Corporate, or Collegiate, claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt, in, to, or out of ſuch Meſſuages, Buildings, Lands, Tenements or Hereditaments, in Poſſeſſion, Reverſion, Remainder, or Expectancy, as well Infants and Iſſue unborn, Lunatics, Idiots, and Femes Covert, and Perſons under any other legal Incapacity or Diſability, as all other Ceſtuique Truſts, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, and againſt all other Perſons whomſoever; and the Verdicts, Judgments, and Determinations, and all other Proceedings of the ſaid Juſtices and Juries, ſo to be made, given, and pronounced as aforeſaid, ſhall be fairly written on Parchment, and ſigned by the Clerk of the Peace of the ſaid Riding, or by Two or more of the ſaid Juſtices then and there preſent for the Time being, and afterwards entered among the Records of the ſaid Court.

Expences of Juries provided for.

VII. And be it further enacted, That in caſe it ſhall happen that the Sum or Sums of Money ſo to be aſſeſſed and awarded, in conſequence of ſuch Refuſal to treat and agree as aforeſaid, as the Value of ſuch Meſſuages, Buildings, Lands, Tenements, or Hereditaments, or as ſuch proportionable Value as aforeſaid, ſhall not exceed the Sum or Sums of Money which the ſaid Dean and Chapter, or any Perſon or Perſons authorized by them, ſhall have previouſly offered to pay as and for ſuch Value, then and in every ſuch Caſe all the reaſonable Coſts, Charges, and Expences of cauſing and procuring ſuch Value to be aſſeſſed and awarded by a Jury as aforeſaid, and of ſo aſſeſſing and awarding the ſame, ſhall be borne and paid by the Bodies Politic, Corporate, or Collegiate, or Perſon or Perſons ſo ſeiſed or poſſeſſed of or intereſted in ſuch Meſſuages, Buildings, Lands, Tenements, or Hereditaments, and ſo refuſing to treat and agree as before mentioned reſpectively; and the ſaid Dean and Chapter are hereby authorized and empowered to deduct and retain the ſaid Coſts, Charges, and Expences out of the Sum or Sums of Money ſo to be aſſeſſed or awarded as aforeſaid, or out of any Part thereof; but in all other Caſes, and particularly where any Perſon ſhall by reaſon of Abſence have been prevented from treating with the ſaid Dean and Chapter, touching the Matters aforeſaid, the whole

of such Costs and Expences shall be borne and paid by the said Dean and Chapter.

The Court may fine Sheriff, &c. not attending.

VIII. And be it further enacted, That the said Court of Quarter Sessions or Special Sessions shall have Power from Time to Time to impose any reasonable Fine, not exceeding the Sum of Ten Pounds, on such Sheriff, his Under Sheriff, Bailiffs or Agents respectively, making Default in the Premises; or on any of the Persons who shall be summoned and returned on any such Jury or Juries, and shall not appear, or shall refuse to be sworn on the said Jury or Juries, or being so sworn, shall not give his or their Verdict; and also on any Person or Persons who shall be summoned to give Evidence touching any of the Matters aforesaid, and shall not attend, or shall refuse to be sworn, or to give his, her, or their Evidence; and on any other Person or Persons who shall in any other Manner wilfully neglect his, her, or their Duty in the Premises, contrary to the true Intent and Meaning of this Act; so that no such Fine be more than Ten Pounds for any One Offence; and from Time to Time to levy such Fine or Fines, by Order of the said Court, by Distress and Sale of the Offenders Goods, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) to the Owner or Owners; and all such Fines shall be paid to the said Dean and Chapter, and applied for the Purposes of this Act.

Purchase Monies how to be paid.

IX. And be it further enacted, That all and every Sum and Sums of Money which shall be agreed for, ascertained, or assessed, as the Consideration of the Purchase of any Messuages, Buildings, Lands, Tenements, or Hereditaments, or of any Estate or Interest therein as aforesaid, shall, after such Deduction (if any) as aforesaid, be paid out of the Monies to be raised by virtue of this Act, either into the Bank of *England* as hereinafter mentioned, or to the Persons or Parties respectively entitled thereto (as the Case may require); and upon Payment thereof, all such Persons and Parties to or for whose Use or Benefit such Consideration Money shall be paid as aforesaid, shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Assignments, and Assurances in the Law, to the said Dean and Chapter, and their Successors, or to such other Person or Persons as they shall appoint, of the Messuages, Buildings, Lands, Tenements, and Hereditaments, or of such Estate or Interest therein for which such Consideration Money shall be paid as aforesaid, and shall procure all other necessary Parties to join in and execute such Conveyances, Assignments, and Assurances, and shall do all other Acts, Matters, and Things, necessary and requisite for making to the said Dean and Chapter, and their Successors, a good, clear, and perfect Title to the Premises; and such Conveyances, Assignments, and Assurances, shall contain all such reasonable and usual Covenants as shall be required on the Part of the said Dean and Chapter, and the same shall be good, valid, and effectual in the Law, notwithstanding the Statutes of Mortmain.

Bargains and Sales to have the Force of Fines and Recoveries.

X. And be it further enacted, That the Conveyance of any Estate or Interest of any Feme Covert to the said Dean and Chapter, or their Successors, or any Person or Persons in Trust for them, by Indenture or Indentures of Bargain and Sale, sealed and delivered by such Feme Covert, in the Presence of and attested by Two credible Witnesses, and inrolled in the High Court of Chancery, within Six Calendar Months after the making thereof,

thereof, ſhall as effectually and abſolutely convey the Eſtate and Intereſt of ſuch Feme Covert in the Premiſes, as any Fine or Fines, Recovery or Recoveries would or could do, if levied or ſuffered thereof in due Form of Law; and further, that all Bargains and Sales whatſoever, to be made of any ſuch Meſſuages, Buildings, Lands, Tenements, and Hereditaments as ſhall be purchaſed by the ſaid Dean and Chapter by virtue of and for the Purpoſes of this Act, and inrolled as aforeſaid, ſhall have the like Force, Effect and Operation in the Law, to all Intents and Purpoſes, as any Fine or Fines, Recovery or Recoveries whatſoever would have had, if levied or ſuffered, as a further Aſſurance of the Premiſes compriſed in ſuch Bargain and Sale, by the Bargainer or Bargainers, or any Perſon or Perſons ſeiſed of any Eſtate in the Premiſes, in Truſt for ſuch Bargainer or Bargainers, in any legal Manner or Form whatſoever.

Regulation as to the Purchaſe of the Houſe No. 32. in the Schedule.

XI. And whereas the Dwelling-houſe, Out-buildings, Yard, and Garden therewith occupied, numbered 32 in the Schedule hereto annexed, belonging to *Jane Salmond*, of the City of *York*, Widow, as Leſſee for Years, under the Prebendary of *Stillington*, is now held by *Mary Fenton Scott* of the ſame City, Widow, by virtue of an Under Leaſe from the ſaid *Jane Salmond*, for a Term of Years which will expire on the Twenty-fifth Day of *March* One thouſand eight hundred and twenty; be it further enacted, That the Power hereby veſted in the ſaid Dean and Chapter and their Succeſſors, to purchaſe the ſaid Dwelling Houſe, Out Buildings, Yard and Garden thereto belonging, ſhall not be exerciſed or put in force during the Continuance of ſuch Under Leaſe thereof as aforeſaid; and that upon the Expiration of the ſame Under Leaſe, in caſe the ſaid Dean and Chapter, and their Succeſſors, ſhall not agree with the ſaid *Jane Salmond*, her Executors, Adminiſtrators, or Aſſigns, for the Purchaſe of her or their Intereſt in the ſaid Dwelling Houſe, Out-buildings, Yard and Garden, now occupied by the ſaid *Mary Fenton Scott* (except that Part of the ſaid Dwelling Houſe occupied by the ſaid *Mary Fenton Scott* which is under a Room upon the Firſt Floor of the Dwelling Houſe occupied by the ſaid *Jane Salmond*), that then the Value of the ſaid *Jane Salmond*'s Intereſt in the ſame Dwelling Houſe, Out Buildings, Yard, and Garden (except as aforeſaid), ſhall at or before the End of Twelve Calendar Months after the Expiration of ſuch Under Leaſe, be aſcertained by a Jury to be impannelled and returned for the Purpoſe, in the Manner, and purſuant to the Proviſions of this Act, in Caſes where Parties refuſe to treat or agree, or by reaſon of Diſability cannot agree; and the Price to be aſſeſſed by ſuch Jury ſhall be paid to the ſaid *Jane Salmond*, her Executors, Adminiſtrators, or Aſſigns forthwith, or paid into the Bank of *England* in Manner directed by this Act, as the Caſe may require, with lawful Intereſt in the mean Time, to be computed from the Expiration of the ſaid Under Leaſe to the ſaid *Mary Fenton Scott* to the Time of Payment.

How Purchaſe Monies belonging to Corporations, &c. are to be applied;

XII. And be it further enacted, That if any Money ſhall be agreed, aſſeſſed or awarded to be paid, for the Purchaſe of any Meſſuages, Buildings, Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed by virtue of this Act, for the Purpoſes thereof, which ſhall belong to any Body Politic, Corporate, or Collegiate, or to any Dignitary, Prebendary, or other Member of the aforeſaid Cathedral Church, in right of his Dignity, Prebend, or Office therein, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Cuardian, Committee, or other Truſtee, or for

of

or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, Ceſtuique Truſt, or to any other Perſon or Perſons under any Diſability or Incapacity whatſoever, ſuch Money, in caſe the ſame amount to or exceed the Sum of Two hundred Pounds, ſhall with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Dean and Chapter of *York*; to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition, to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Meſſuages, Lands, Tenements, or Hereditaments, if this Act had not paſſed, in the Purchaſe or Redemption of the Land Tax, or in the Diſcharge of any Debt or Debts, or ſuch other Incumbrances, or Part thereof, as the ſaid Court ſhall authorize to be paid, affecting the ſame Hereditaments, or affecting other Hereditaments ſtanding ſettled therewith, to the ſame or the like Uſes, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Meſſuages, Lands, Tenements, or Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Meſſuages, Buildings, Lands, Tenements, or Hereditaments, which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited to, for, or upon, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined, or capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Monies ſhall, by Order of the ſaid Court, upon Application thereto, be inveſted by the ſaid Accountant General in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated, or Three Pounds *per Centum* Reduced Bank Annuities; and in the mean Time and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities, ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Meſſuages, Lands, Tenements, and Hereditaments, to be purchaſed by virtue of this Act, in caſe ſuch Purchaſe and Settlement were made.

If amounting to 200l.

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

XIII. Provided always, and be it further enacted, That if any Money ſo agreed, aſſeſſed, or awarded to be paid, for any Meſſuages, Buildings, Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed for the Purpoſes aforeſaid, and belonging to any Corporation, or to any Perſon or Perſons under any Diſability or Incapacity as aforeſaid, ſhall be leſs than the Sum of Two hundred Pounds, and ſhall exceed or be equal to he Sum of Twenty Pounds, then and in all ſuch Caſes, the ſame ſhall, at the Option of the Perſon or Perſons for the Time being entitled to the Rents and Profits of the Meſſuages, Buildings, Lands, Tenements, or Hereditaments, ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, or Lunacy, to be ſignified in Writing under their reſpective Hands, be paid into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant General, and placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the

ſame ſhall be paid, at the like Option, to Two Truſtees, to be nominated by the Perſon or Perſons making ſuch Option, and approved of by the ſaid Dean and Chapter; ſuch Nomination and Approbation to be ſignified by Writing under the Hands or Seals of the nominating and approving Parties, in order that ſuch Principal Money, and the Dividends ariſing therefrom, may be applied in Manner herein-before directed, ſo far as the Caſe ſhall be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

If leſs than 20*l.*

XIV. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed, aſſeſſed, or awarded to be paid as laſt aforeſaid, ſhall be leſs than Twenty Pounds, then and in every ſuch Caſe the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments ſo purchaſed, taken, or uſed for any of the Purpoſes of this Act, in ſuch Manner as the ſaid Dean and Chapter ſhall think fit; or in caſe of Infancy or Lunacy, then to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

In caſe of not making out Titles, or of Refuſal of Money awarded; or if Perſons cannot be found, &c. the Purchaſe Money to be paid into the Bank of England.

XV. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be agreed, aſſeſſed, or awarded to be paid, for the Purchaſe of any Meſſuages, Lands, Tenements, or Hereditaments, to be purchaſed by virtue of this Act, ſhall refuſe to accept the ſame, or ſhall not be able to make a good Title to the Premiſes, to the Satisfaction of the ſaid Dean and Chapter, or of their Counſel in the Law, or to make or procure to be made, good, valid, and legal Conveyances, Aſſignments, or other Aſſurances thereof, to the ſaid Dean and Chapter, or any Perſon or Perſons in Truſt for them; or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid, cannot be found; or if the Perſon or Perſons entitled to ſuch Meſſuages, Lands, Tenements, or Hereditaments, be not known or diſcovered, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Dean and Chapter to order the ſaid Sum or Sums of Money ſo agreed, aſſeſſed, or awarded as aforeſaid, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the ſaid Court of Chancery, to be placed to his Account to the Credit of the Parties intereſted in the ſaid Meſſuages, Lands, Tenements or Hereditaments [deſcribing them] ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery; which ſaid Court, on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, ſhall be and is hereby empowered, in a ſummary Way of Proceeding, or otherwiſe, as to the ſame Court ſhall ſeem meet, to order the ſame to be laid out and inveſted in the Public Funds, and to order Diſtribution thereof, or Payment of the Dividends thereof, according to the reſpective Eſtate or Eſtates, Title, or Intereſt, of the Perſon or Perſons making Claim thereunto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums of Money, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what and for whoſe Uſe the ſame is or are received, to ſuch Perſon or Perſons as ſhall pay any ſuch Sum or Sums of Money into the Bank as aforeſaid.

Immediately after Payment, &c. Premiſes to veſt in the Dean and Chapter.

XVI. And be it further enacted, That from and immediately after Payment into the Bank of *England* of ſuch Sum or Sums of Money, in ſuch Manner and for ſuch Purpoſes as laſt aforeſaid, and after ſuch Receipt or Receipts of the ſaid Caſhier or Caſhiers ſhall be given as before mentioned, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law and Equity, of the Perſon or Perſons to whoſe Credit ſuch Money ſhall be paid, in, to, and out of the Meſſuages, Lands, Tenements, and Hereditaments, to be purchaſed as aforeſaid, ſhall veſt in the ſaid Dean and Chapter, notwithſtanding the Laws and Statutes of Mortmain, and they ſhall be deemed in Law to be in the actual Seiſin or Poſſeſſion thereof, to all Intents and Purpoſes whatſoever; as fully and effectually as if every Perſon having any Eſtate in the Premiſes had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale, inrolled Feoffment with Livery of Seiſin, Fine, Common Recovery, or any other Conveyance or Aſſurance whatſoever; and ſuch Payment ſhall not only bar all Right, Title, Intereſt, Claim, and Demand, of the Perſon or Perſons to whoſe Credit ſuch Payment ſhall have been made, but alſo ſhall extend to and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail, and other Eſtates in Poſſeſſion, Reverſion, Remainder, or Expectancy, and the Iſſue and Iſſues of ſuch Perſon and Perſons, and every Perſon claiming under them, as effectually as Fines or Common Recoveries would do, if levied or ſuffered by the proper Parties in due Form of Law.

Where Queſtions of Title ariſe, how the Purchaſe Money ſhall be paid.

XVII. And be it further enacted, That where any Queſtion ſhall ariſe touching the Title of any Perſon to any Money to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the ſaid Court of Chancery, in purſuance of this Act, for the Purchaſe of any Meſſuages, Lands, Tenements, or Hereditaments, to be purchaſed in purſuance of this Act, or to any Bank Annuities to be purchaſed with any ſuch Money, or to the Dividends or Intereſt of any ſuch Bank Annuities, the Perſon or Perſons who ſhall have been ſo in Poſſeſſion of ſuch Meſſuages, Lands, Tenements, or Hereditaments at the Time of ſuch Purchaſe, and all Perſons claiming under ſuch Perſon or Perſons, or under the Poſſeſſion of ſuch Perſon or Perſons, ſhall be deemed and taken to have been lawfully entitled to ſuch Meſſuages, Lands, Tenements, or Hereditaments, according to ſuch Poſſeſſion, until the contrary ſhall be ſhown to the Satisfaction of the ſaid Court; and the Dividends or Intereſt of the Bank Annuities to be purchaſed with ſuch Money, and alſo the Capital of ſuch Bank Annuities, ſhall be paid, applied, and diſpoſed of accordingly; unleſs it ſhall be made to appear to the ſaid Court that ſuch Poſſeſſion was a wrongful Poſſeſſion, and that ſome other Perſon or Perſons was or were lawfully entitled to ſuch Meſſuages, Lands, Tenements, or Hereditaments, or to ſome Eſtate or Intereſt therein.

The Court may order reaſonable Expences of Purchaſes to be paid by the Dean and Chapter.

XVIII. Provided always, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation, entitled to any Meſſuages, Lands, Tenements, or Hereditaments, to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the ſaid Court of Chancery, and to be applied in the Purchaſe of other Meſſuages, Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes, in purſuance of this Act, it ſhall and may be lawful to and for the ſaid Court to order the Expences of all

all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, together with the neceſſary Coſts and Expences of obtaining ſuch Order, to be paid by the ſaid Dean and Chapter, who ſhall from Time to Time pay ſuch Sums of Money accordingly, for ſuch Purpoſes as the ſaid Court ſhall direct.

Tenants at Will to deliver up Poſſeſſion on Six Months Notice.

XIX. And be it further enacted, That every Tenant at Will, or Leſſee for a Year, or any leſs Period of Time than a Year, or any Perſon or Perſons in Poſſeſſion of the Meſſuages, Lands, Tenements, and Hereditaments, or any Part thereof, which ſhall be purchaſed by virtue and for the Purpoſes of this Act, and who ſhall have no greater Intereſt in the Premiſes than as Tenant at Will, or Leſſee for a Year, or from Year to Year, ſhall deliver up the Poſſeſſion of ſuch Premiſes to the ſaid Dean and Chapter, or to ſuch Perſon or Perſons as they ſhall appoint to take Poſſeſſion of the ſame, upon having Six Calendar Months Notice to quit ſuch Poſſeſſion from the ſaid Dean and Chapter, or from the Perſon or Perſons ſo authorized by them; and ſuch Perſon or Perſons in Poſſeſſion ſhall, at the End of the ſaid Six Calendar Months, whether ſuch Notice be given with reference to the Time or Times of ſuch Tenants Entrance or Holding or not, or as ſoon after as he, ſhe, or they ſhall be required by ſuch Notice, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes to the ſaid Dean and Chapter, or to the Perſon or Perſons authorized by them to take Poſſeſſion thereof; but in all Caſes where ſuch Tenants ſhall be required to deliver up Poſſeſſion as aforeſaid before the End of their current Year, they ſhall receive from the ſaid Dean and Chapter a reaſonable Compenſation or Satisfaction for ſuch Determination of their Intereſt, to be aſſeſſed by a Jury in Manner and ſubject to the Regulations aforeſaid, in caſe the Parties intereſted cannot agree as to the Amount of ſuch Compenſation or Satisfaction; and that in caſe any ſuch Perſon or Perſons as aforeſaid ſhall refuſe to give ſuch Poſſeſſion as aforeſaid, it ſhall be lawful for any Two or more of the Juſtices of the Peace in and for the Liberty of *Saint Peter* in *York*, to iſſue their Precept or Precepts to the Chief Bailiff of the ſaid Liberty, to deliver Poſſeſſion of the ſaid Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Precepts be nominated to receive the ſame; and the ſaid Chief Bailiff is hereby required to deliver ſuch Poſſeſſion accordingly of the ſame Premiſes, and to levy ſuch Coſts as ſhall accrue from the iſſuing and Execution of ſuch Precept or Precepts, on the Perſon or Perſons ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, or their Goods and Chattels, rendering the Overplus (if any) to the Owner or Owners thereof.

Dean and Chapter empowered to ſell any Ground purchaſed and not neceſſary to be retained.

XX. And whereas, in purſuance of the Proviſions of this Act, the ſaid Dean and Chapter may purchaſe Meſſuages, Buildings, Lands, and other Hereditaments, not neceſſary to be made uſe of for the Purpoſes of this Act; be it therefore enacted, That it ſhall and may be lawful to and for the ſaid Dean and Chapter, and their Succeſſors, to ſell or diſpoſe of, or cauſe to be ſold or diſpoſed of, all or any Part or Parts of ſuch Meſſuages, Buildings, Lands, or Hereditaments ſo to be purchaſed as aforeſaid, as may not be neceſſary to be laid into the ſaid Minſter Yard, or to be uſed and applied by the ſaid Dean and Chapter for any other of the Purpoſes of this Act, to ſuch Perſon or Perſons as ſhall be willing to purchaſe the

ſame; and upon Receipt of the Conſideration Money the ſaid Dean and Chapter and their Succeſſors are hereby authoriſed, by any Deed or Deeds in Writing under their Common Seal, to grant, bargain, ſell, enfeoff, releaſe, and convey the ſame, and all their Eſtate, Right, and Intereſt therein, to the Purchaſer or Purchaſers thereof, his, her, or their Heirs and Aſſigns, or otherwiſe, as he, ſhe, or they ſhall, by Writing under his, her, or their Hand or Hands, direct or appoint; and immediately after the Execution of ſuch Conveyance, the Lands, Tenements, and Hereditaments therein mentioned to be thereby conveyed, ſhall be held and enjoyed by the Purchaſer or Purchaſers thereof, his, her, or their Heirs and Aſſigns, in Fee Simple or otherwiſe, according to the Form and Effect of ſuch Conveyance.

Perſons from whom the Buildings, &c. were bought, to have the Preference.

XXI. Provided always, and be it further enacted, That the ſaid Dean and Chapter and their Succeſſors, before they ſhall ſell or diſpoſe of ſuch Meſſuages, Buildings, Lands, or Hereditaments as aforeſaid, ſhall firſt offer to reſell the ſame to the Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, from whom the ſame ſhall have been purchaſed; and in caſe ſuch Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, ſhall not then and thereupon agree, or ſhall refuſe to repurchaſe the ſame, an Affidavit made by ſome Perſon or Perſons not intereſted in the Premiſes, and ſworn before One of His Majeſty's Juſtices of the Peace for the ſaid North Riding, ſtating that ſuch Offer was made by or on the Behalf of the ſaid Dean and Chapter, and that ſuch Offer was not then and thereupon agreed to, or was refuſed by the Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, to whom the ſame was ſo offered, ſhall, in all Courts whatſoever, be ſufficient Evidence and Proof that ſuch Offer was made, and was not agreed to, or was refuſed by the Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, to whom it was made, (as the Caſe may be); and in caſe ſuch Perſon or Perſons, Body or Bodies Politic, Corporate, or Collegiate, ſhall be deſirous of re-purchaſing the ſame, and he, ſhe, or they and the ſaid Dean and Chapter ſhall differ, and not agree with reſpect to the Price thereof, in ſuch caſe the Price or Prices thereof ſhall be aſcertained by a Jury in Manner herein-before directed reſpecting the diſputed Value of Lands or other Hereditaments to be purchaſed by the ſaid Dean and Chapter in purſuance of this Act; and the Expences of hearing and determining ſuch Difference ſhall be borne and paid in like Manner as herein-before directed with reſpect to Purchaſes made by the Dean and Chapter as aforeſaid, *mutatis mutandis*.

Purchaſers not anſwerable for the Application of Money paid by them.

XXII. And be it further enacted, That the Receipt and Receipts of the ſaid Dean and Chapter, and their Succeſſors, under their Common Seal, ſhall be a good and ſufficient Diſcharge and good and ſufficient Diſcharges to any Purchaſer or Purchaſers who ſhall pay or advance any Sum or Sums of Money to the ſaid Dean and Chapter, and their Succeſſors, for the purchaſe of any Lands or Hereditaments which ſhall be ſold in purſuance of this Act; and that ſuch Purchaſer and Purchaſers, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns reſpectively, ſhall not afterwards be anſwerable or accountable for any Loſs that ſhall happen thereto, or for any Miſapplication or Non-application thereof, or of any Part thereof reſpectively.

XXIII. And

Expences how to be paid.

XXIII. And be it further enacted, That all the Coſts, Charges, and Expences incident to or attending the obtaining and paſſing this Act or relative thereto, and all the Expences of executing and making the ſeveral Works and Improvements hereby authorized, and of purchaſing Lands for thoſe Purpoſes, and of executing the ſeveral other Powers, Authorities, Intents, and Purpoſes of this Act, or relative thereto, ſhall be a Charge upon the Lands, Tenements, and Hereditaments veſted in the ſaid Dean and Chapter, for the Repairs, Maintenance, and Support of the ſaid Cathedral Church, and ſhall be paid by and out of the Annual Rents, Iſſues, and Profits of ſuch laſt-mentioned Lands, Tenements, and Hereditaments; and the Money which ſhall be produced by all ſuch Sales as ſhall be made by the ſaid Dean and Chapter in purſuance of this Act, ſhall be applied for the Purpoſes aforeſaid, in Aid of the ſame Rents, Iſſues, and Profits.

Appeal to the Quarter Seſſions.

XXIV. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves, aggrieved by any Act, Matter, or Thing, done in purſuance of this Act, or the Powers hereby given, then and in every ſuch Caſe he, ſhe, or they, ſhall and may appeal to the Juſtices of the Peace at any of the Quarter Seſſions to be holden for the ſaid North Riding, within Six Calendar Months next after any ſuch Cauſe of Appeal ſhall have ariſen, giving Fourteen Days Notice in Writing of ſuch Appeal, and of the Nature and Matter thereof, to the adverſe Party; and forthwith after ſuch Notice, entering into a Recognizance before ſome Juſtice of the ſaid Riding, with Two ſufficient Sureties, in a ſufficient Sum, conditioned to try ſuch Appeal, and abide the Order and Award of the ſaid Court therein; and the ſaid Juſtices are hereby empowered to make ſuch Order therein, as to them or the major Part of them then and there preſent ſhall ſeem meet; and ſuch Order ſhall be final and concluſive upon all Parties concerned, and ſhall not be removed or removable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*.

Perſons giving falſe Evidence guilty of Perjury.

XXV. And be it further enacted, That all and every Perſon and Perſons who, upon any Oath to be taken by virtue or under the Authority of this Act, ſhall ſwear falſely, or take a falſe Oath, and all and every Perſon and Perſons who in any Examination to be taken by virtue or under the Authority of this Act, ſhall give falſe Evidence, ſhall and may be proſecuted for the ſame reſpectively; and upon Conviction thereof, ſhall be ſubject to ſuch Puniſhments and Diſqualifications as any Perſon or Perſons are or may be ſubject to, by any of the Laws or Statutes of *England*.

Diſtreſs not unlawful for Want of Form.

XXVI. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, ſuch Diſtreſs ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or Want of Form in any of the Proceedings relating thereto; nor ſhall the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards committed by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity, ſhall and may receive full Satisfaction for the ſpecial Damage only in an Action on the Caſe.

Proceedings not to be quashed for Want of Form, or removed by Certiorari.

XXVII. And be it further enacted, That no Conviction, or any Order or Determination on any Appeal in pursuance of this Act, shall be quashed or vacated for Want of Form only, or be removed or removable into any of His Majesty's Courts of Record at *Westminster*, by *Certiorari*, or any other Writ or Process whatsoever; any Law, Statute, or Usage, to the contrary notwithstanding.

Limitation of Actions.

XXVIII. Provided also, and be it further enacted, That no Action or Suit shall be brought, commenced, or prosecuted, against any Person or Persons, for any Thing done or to be done by virtue or in pursuance of this Act, after the Expiration of Twelve Calendar Months next after the Fact committed, or the Cause of such Action shall have arisen; and every such Action shall be brought and laid in the said County of *York*, and not elsewhere; and the Defendant or Defendants in every such Action or Suit, shall and may plead, at his, her, or their Election, specially, or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance or by the Authority of this Act; and if, upon the Trial of such Action or Suit, it shall appear to have been so done, or that such Action or Suit shall have been brought before the Expiration of Twenty-one Days next after such Notice shall have been given as aforesaid, or after a sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or be brought or laid elsewhere, then and in every of the said Cases, the Jury shall find a Verdict for the Defendant or Defendants.

General Issue.

Plaintiff not to recover unless Notice be given, or if sufficient Amends offered.

XXIX. Provided always, and be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons, Body or Bodies Politic, Corporate, or Collegiate, for any Thing done in pursuance of this Act, unless Notice in Writing, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such intended Action, shall have been given to the Defendant or Defendants, or left at his or their last or usual Place or Places of Abode, Twenty-one Days at the least before such Action shall be commenced; nor shall the Plaintiff or Plaintiffs recover in such Action, if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order and Judgment shall be had, made, and given, in any such Action, as in other Actions where the Defendant is allowed to pay Money into Court.

Public Act.

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

The SCHEDULE above referred to;

Comprizing a Particular of the Meſſuages, Lands and Tenements, authorized to be purchaſed by the Dean and Chapter.

No.	TENEMENTS.	OWNERS.	OCCUPIERS.
1	A Dwelling Houſe, adjoining Saint Michael le Belfrey Church on the Eaſt - -	The Dean and Chapter of York, and William Nichols & Chriſtopher Newſtead, as their Leſſees for Years - -	Joſeph Johnſon and Sarah Thomſon.
2	A Dwelling Houſe, adjoining No. 1. -	The ſaid Dean and Chapter and Joſeph Marſhall & Martha his Wife, lately Martha Doughty, as ſuch Leſſees -	John Stones and John Coates.
3	A Dwelling Houſe, adjoining No. 2. - -	The ſaid Dean and Chapter, and Tho. Dixon, as ſuch Leſſee - -	Himſelf, Geo. Hopton, Tho. Bottrill, and Wm. Addie.
4	A Dwelling Houſe, adjoining No. 3. - -	The ſaid Dean and Chapter, and Tho. Wharram, as ſuch Leſſee -	Wm. Earle.
5	A Dwelling Houſe, adjoining No. 4. - - -	The ſaid Dean and Chapter and Joſeph Johnſon, as ſuch Leſſee - -	Himſelf, and Mary Clappiſon.
6	A Dwelling Houſe, adjoining No. 5. - -	The ſaid Dean and Chapter, and W. Gowland and Betty his Wife, as ſuch Leſſees - -	Francis Tadman and Jonathan Midgley.
7	A Dwelling Houſe, adjoining No. 6, and lately Part of it - - - - -	The ſame - - -	Mary Ann Thackwray.
8	A Dwelling Houſe, adjoining No. 7. - -	The ſaid Dean and Chapter, and the officiating Deacon for the Time being, and Eleanor Brayſhaw as their Leſſee for Years - -	Herſelf, and Wm. Huſband.

All the above Houſes adjoin on Peter Gate on or towards the South, and on the Minſter Yard on or towards the North.

No.	Tenements.	OWNERS.	OCCUPIERS.
9	A Dwelling Houſe, and Yard adjoining, on Peter Priſon on the Eaſt, and on Petergate on or towards the South - -	The ſaid Dean and Chapter and Ann Hall, as their Leſſee for Years -	Herſelf and John Walker.
10	A Stable adjoining the Dwelling Houſe, belonging to and occupied by John Wood, on the Weſt, and Precentor's Lane on the South	Oſborne Markham, and Henry John Dickens, Eſquires	Wm. Mills and Rich. Drake.
11	A Tenement, adjoining No. 10. - -	The ſame - -	Wm. Mills, Jas. Simpſon.
12	A Dwelling Houſe and Shop, adjoining No. 11.	The ſame - -	Jas. Barra, Mary Peters, and Hannah Langdale.
13	A Warehouſe in the Minſter Yard, adjoining No. 12. - - - -	The ſame - -	Jas. Barra, Eleanor Brayſhaw.
14	Two low Rooms in ditto, adjoining No. 13. -	The ſame - -	Iſabella Acomb, Robt. Braithwaite, otherwiſe Bradwith.
15	Five low Rooms, adjoining No. 14. -	The ſame - -	Peter Coverdale, John Gray, and George Belt.
16	A Yard, for the Uſe of the Occupiers of Nos. 11, 12, 14, and 15. - -	The ſame.	
17	A Garden, adjoining No. 16. - -	The ſame - -	John Wood.
18	Two large Ware-rooms, over Part of No. 12, and over Nos. 13, 14, and 15 - -	The ſame - -	Thos. Beal and Geo. Beal.
19	Two large Rooms, over No. 18, and a Workſhop and Yard adjoining No. 15 & No. 23	The ſame - -	Joſeph Clarke.
20	A Dwelling Houſe and Workſhops in the Minſter Yard, adjoining the North Weſt Corner of the Cathedral - -	The ſame - -	Ann Plowman, Thos. and Geo. Beal.
21	Two Workſhops, and a Wood Shed underneath, adjoining No. 20 - - -	The ſame - -	Thos. and Geo. Beal.
22	A Yard, for the Uſe of the Occupiers of Nos. 15, 18, 19, 20, and 21 - -	The ſame.	
23	A Stable, adjoining No. 19 - - -	The ſame - -	David Winn. Eleanor Watſon.
24	A Warehouſe, adjoining No. 23 - -	The ſame - -	David Winn. Eleanor Brayſhaw.
25	Two Warehouſes, Three Wood Yards, Three Wood Sheds, and a Saw Pit adjoining, in Part on No. 24 - - -	The ſame - -	Thos. and Geo. Beal.
26	An open Yard, for the general Uſe of the Occupiers of Nos. 23, 24, and 25 - -	The ſame.	
27	A Parcel of Ground, on the North Side of the Cathedral, adjoining on Nos. 20 and 21 on the Weſt - - - - -	The Archbiſhop of York, and the ſaid Oſborne Markham and Henry John Dickens, as his Leſſees for 3 Lives	The Dean & Chapter.

No.	TENEMENTS.	OWNERS.	OCCUPIERS.
28	A Parcel of Ground, with Coach-houſes and Stables thereon, adjoining Nos. 25 and 27	The ſame - - -	Eleanor Watſon.
29	A Parcel of Ground, with the Cathedral, Library, and Workſhops thereon, adjoining Nos. 27 and 28 - - - - -	The ſame - - -	The Dean & Chapter.
30	A Garden, or Orchard, adjoining on Nos. 28 and 29 - - - - - - -	The ſame - - -	Margaret Clark. Edward Branton.
31	A Parcel of Ground, or Orchard, adjoining No. 30 on or towards the Weſt, and the City Wall and Rampart on or towards the Eaſt	The ſame - - -	The Dean & Chapter.
	All which ſaid Parcels of Ground, numbered 27, 28, 29, 30, 31, are bounded by Nos. 20, 21, 25, and by Premiſes in the Occupation of Richard Forreſt Clerk, and Francis Bulmer, on or towards the Weſt; by the City Walls and Ramparts on or towards the North; and in Part on or towards the Eaſt, and by the ſaid Cathedral Church and No. 32 on or towards the South.		
32	A Dwelling Houſe, Out-buildings, Yard, and Garden thereto belonging, adjoining Nos. 29. and 31, except that Part which is under a Room in the adjoining Houſe occupied by the ſaid Jane Salmond - -	The Prebendary of Stillington, & Jane Salmond as his Leſſee for Years -	Mary Fenton Scott.
33	A Tenement, uſed as a Dancing School, ſituate in the Minſter Yard, and adjoining the Reſidentiary Houſe on the North -	The Prebendary of Strenſall, and the Repreſentatives of Benjamin Tate, deceaſed, as his Leſſees for Years	Charles Noke.
34	A Dwelling Houſe and Yard, adjoining No. 33.	The ſame -	Ann Mitchell. John Richardſon.
35	A Dwelling Houſe, adjoining No. 34 -	The ſaid Prebendary of Strenſall, and Ann Walton, as ſuch Leſſee -	Robert Pearſon.
36	A Dwelling Houſe (let in Tenements) adjoining No. 35 - - - -	The ſame - -	John Nicholſon. John Clark. Charles Clark.
37	A Front Yard, with a ſingle Coach Houſe on the Weſt Side thereof, and certain Stabling and Out-buildings thereto adjoining, lying betwixt the Minſter Yard and a ſtraight Line to be drawn from the Eaſt End of the ſaid Front Yard, part the Front of the Dwelling Houſe held by Francis Moſs, under William Briggs, as Leſſee of the Prebendary of Strenſall, ſuch Line to be at the Diſtance of Four Feet from the Front of the ſaid Dwelling Houſe, and to be continued unto and through a Six Stall Stable, occupied by the ſaid Francis Moſs. N.B. All preſent Ways over the ſaid Front Yard, to and from the ſaid Dwelling Houſe of the ſaid Francis Moſs, and other remaining Premiſes, with their Appurtenances, held by the ſaid William Briggs under the ſaid Prebendary, are reſerved to the Owners and Occupiers thereof reſpectively for the Time being - - -	The ſaid Prebendary of Strenſall, and William Briggs, as his Leſſee for Years	Francis Moſs.

No.	Tenements.	OWNERS.	OCCUPIERS.
38	A Dwelling Houſe and ſmall Yard, adjoining No. 37. - - - - - -	The ſaid Prebendary of Strenſall, and Anthony Thorpe, as his Leſſee for Years - - -	Ann Belwood.
39	A Dwelling Houſe and ſmall Yard, adjoining No. 38. - - - - - -	The Dean of York and the ſaid Prebendary of Strenſall and the ſaid Anthony Thorpe, as Leſſee for Years, by ſeparate Leaſes from the ſaid Dean and Prebendary -	Himſelf.
40	A Dwelling Houſe and Garden, adjoining No. 39. - - - - - -	The ſaid Dean of York, and Anthony Thorpe, as his Leſſee for Years -	William Gimber.

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