ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 126.

An Act for widening and altering *Ouſe* Bridge over the River *Ouſe*, and *Foſs* Bridge over the River *Foſs*, in the City of *York*; for widening, raiſing, and improving certain Streets, Lanes, and Paſſages leading and near to the ſaid Bridges; and for making certain other Improvements in the ſaid City.

[27th *May* 1809.]

WHEREAS the Bridge commonly called *Ouſe Bridge*, over the River *Ouſe* in the City of *York*, is very narrow, and dangerous for the paſſing and repaſſing of Carriages, Horſes, Cattle, and Foot Paſſengers; and it will be for the Benefit and Safety of the Public to widen and enlarge the ſame Bridge; and alſo to widen, raiſe, and render more commodious ſeveral Streets, Lanes, or Ways leading and near thereto, which are at preſent narrow and inconvenient: And whereas the Bridge called *Foſs Bridge*, over the River *Foſs*, leading from *Foſſgate* to *Walmgate* in the ſaid City, is alſo incommodious and dangerous to Paſſengers, Carriages, and Cattle paſſing over the ſame; and Part of the Streets leading thereto at each End thereof are narrow, and much obſtructed by Buildings; and the ſaid laſt-mentioned Bridge, and the Streets or Avenues leading thereto at each End thereof, may be made ſafe and commodious by taking down Part of ſuch Buildings, and widening and improving the ſame Bridge and Avenues: And whereas the ſaid Improvements cannot be effected without the Aid 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 and may be lawful to and for the Mayor and Commonalty of the ſaid City of *York* in Common Council aſſembled, and they are hereby empowered to widen and enlarge the ſaid Bridge over the River *Ouſe* by ſplicing the ſame, adding thereto, or otherwiſe enlarging, altering, or improving the ſame; and alſo to take down, widen, enlarge, or amend the ſaid Bridge over the River *Foſs*; and likewiſe to take down all or any Part of the Buildings or Erections mentioned and deſcribed in the ſeveral Schedules hereunto annexed, and to lay open the Ground on which ſuch Buildings or Erections now ſtand, and the Gardens, Yards, or Grounds appertaining or belonging thereto, or any Part of the ſame, and to repair, maintain, preſerve, and ſupport the ſaid Bridges, and make and erect any temporary Bridge or Bridges acroſs the ſaid Rivers, or either of them, which may be thought neceſſary to be uſed whilſt the ſaid Aterations and Improvements are in hand and unfiniſhed; and alſo to erect and build a good and ſufficient Breaſt or Water-wall on each Side of the ſaid River *Ouſe*, above the ſaid Bridge called *Ouſe Bridge*, extending from the ſame Bridge to the ſeveral Lanes or Paſſages herein-after mentioned and directed to be made or left, leading from *Spurriergate* and *North Street* aforeſaid reſpectively, to the ſaid River *Ouſe*; and alſo to widen, raiſe, and improve the Streets, Lanes, and Avenues or any Part or Parts thereof reſpectively, leading or near to the ſaid Bridges (that is to ſay), the whole of the Street called *Low Ouſegate*, extending from *High Ouſegate* to the Middle of *Ouſebridge* aforeſaid, Part of *Neſſgate*, extending from the Corner of *Low Ouſegate* aforeſaid, towards *Caſtlegate*, for the Length or Space of Twenty Yards, or thereabouts; the whole of *Briggate*, extending from the Middle of *Ouſebridge* aforeſaid to *North Street* and *Skeldergate*; and the ſeveral Entrances into *North Street*, *Skeldergate*, and *Micklegate* from *Briggate* aforeſaid reſpectively (to wit), into *North Street*, as far as the public Lane or Paſſage leading from thence to the River *Ouſe* into *Skeldergate*, as far as the firſt Lane leading from thence to *Biſhophill* and into *Micklegate*, as far as that Street adjoins upon *St. John's* Church Yard there; and to continue or enlarge the ſaid public Lane or Paſſage leading from *North Street* aforeſaid to the ſaid River *Ouſe*, or to make another Lane or Paſſage in lieu thereof; and to make, alter, or continue a Lane or Paſſage leading from *Spurriergate* aforeſaid, along Part of the Church Lane, and from thence nearly in a direct Line to the ſaid River *Ouſe*, and alſo to widen, raiſe, and improve the Streets or Ways leading to the ſaid Bridge called *Foſs Bridge*, at each End thereof for the Space of Fifty Yards, or thereabouts, from the Centre of the ſame Bridge each Way; and to make ſuch and ſo many Drains or Water-Sewers under all or any of the aforeſaid Streets or Ways as ſhall be neceſſary.

Mayor and Commonalty of York authorized to widen or alter Ouſe Bridge, and execute other Works.

II. And be it further enacted, That the ſaid Mayor and Commonalty in Common Council aſſembled ſhall and they are hereby authorized and empowered to deſign, lay out, and determine how and in what Manner the ſaid Bridge over the ſaid River *Ouſe*, or any Part thereof, ſhall be ſpliced, widened, or altered, and what Steps or Landing-Places ſhall be made to or from the ſame; and likewiſe in what Manner the ſaid Bridge over the River *Foſs* ſhall be rebuilt, improved, or altered, and how and in

Mayor and Commonalty to deſign and lay out Improvements, &c.

in what Manner the aforesaid Ways, Streets, and Passages to and from and near the same Bridges respectively, shall be widened, raised, enlarged, or improved, and to do all Matters and Things for carrying on and effecting the Purposes aforesaid; provided that nothing in this Act contained shall extend or be construed to extend to permit the said Mayor and Commonalty to take down and rebuild the said Bridge over the River *Ouse*, or to undertake or execute any Plan or Work save such as may be necessary or expedient for the widening the same Bridge, and rendering the same more commodious.

Mayor and Commonalty empowered to purchase Houses, &c.

III. And be it further enacted, That it shall and may be lawful to and for the said Mayor and Commonalty in Common Council assembled and they are hereby empowered, at any Time or Times within the Space of Seven Years from the First Day of *July* One thousand eight hundred and nine, to treat and agree with the several Owners and Occupiers of and other Persons interested in the Messuages, Buildings, Lands, Tenements, or Hereditaments mentioned, described, or referred to in or by several Schedules herein-after mentioned, or hereunto annexed (whether named in such Schedules or not), for the Purchase of the said Messuages, Buildings, Lands, Tenements, and Hereditaments, or of such and so many of them, and such Part or Parts thereof, as the said Mayor and Commonalty shall think fit and necessary for the Purposes of this Act; and upon Payment of such Sum or Sums of Money as shall be agreed upon for such Purchase or Purchases, the said Mayor and Commonalty are hereby authorized to appoint Workmen to pull down such Houses and Buildings, and to remove, sell, or dispose of the Materials thereof, and to lay out and appropriate the Ground thereof, or any Part thereof, for such Improvements as aforesaid, and otherwise to apply and dispose of the same, or any Part thereof, according to the Purposes of this Act.

Bodies Politic, &c. empowered to sell their Property for the Purposes of this Act, &c.

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 and other Uses, and all other Trustees and Feoffees, Guardians and Committess of or for Lunatics and Idiots, Executors, Administrators and Guardians 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 whatsoever, 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, Houses, Buildings, Lands, Tenements, or Hereditaments, mentioned or described, or referred to in or by the said Schedules or either of them, to sell and convey, assign or surrender all or any such Messuages, Houses, Buildings, Lands, Tenements, or Hereditaments, or any of them, or any Part thereof, and all their Estates and Interests therein, to the said Mayor and Commonalty; and that all Contracts, Agreements, Bargains, Sales, Conveyances, Assignments, Surrenders, and Assurances, which shall be made by such Persons as aforesaid, shall be good and valid in Law to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim and Demand whatsoever, of their several and respective *Cestuique* Trusts, whether Infants or Issue unborn,

Lunatics,

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 Matter or Thing whatſoever to the contrary thereof in anywiſe notwithſtanding; and that all ſuch Perſons ſo conveying as aforeſaid are and ſhall be indemnified for what they ſhall do by virtue of or in purſuance of this Act, notwithſtanding any Omiſſion or Miſtake of Matter or Form whatſoever; and if it ſhall happen that any Perſon or Perſons, Bodies Politic, Corporate or Collegiate, or other Perſon or Perſons ſeiſed or poſſeſſed of or intereſted in any ſuch Meſſuages, Buildings, Lands, Tenements, or Hereditaments, as aforeſaid, or as ſhall or may be affected or injured by the ſaid Alterations or Improvements, ſhall refuſe to treat or agree, or by reaſon of any Diſability cannot agree, with the ſaid Mayor and Commonalty in Common Council aſſembled, for the Sale and Conveyance of their reſpective Eſtates and Intereſts therein, or for any ſuch Injury as aforeſaid, by or by reaſon of any ſuch Alterations or Improvements as aforeſaid, or ſhall not produce and evince a clear Title to the Premiſes they are in Poſſeſſion of, or to the Eſtate or Intereſt they claim therein, to the Satisfaction of the ſaid Mayor and Commonalty in Common Council aſſembled, then and in every ſuch Caſe it ſhall and may be lawful to and for the Mayor and Commonalty of the ſaid City in Common Council aſſembled, or to and for the Mayor or any Two or more Aldermen of the ſame City, to be named or authorized by the ſaid Mayor and Commonalty in Common Council aſſembled, and they are hereby reſpectively empowered and authorized to iſſue a Warrant or Warrants, Precept or Precepts, directed to the Sheriff of the County of *York*, or his Under Sheriff, who is and are hereby authorized, directed, and required accordingly to empannel, ſummon and return a competent Number of ſubſtantial and diſintereſted Perſons qualified to ſerve on Juries in the ſaid County of *York*, not leſs than Forty-eight, nor more than Seventy-two, and out of ſuch Perſons ſo to be empannelled, ſummoned and returned, a Jury of Twelve Perſons ſhall be drawn by the ſaid Sheriff or Under Sheriff, or by ſome Perſon to be appointed by the Court, in ſuch or the like 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 empannelled, ſummoned, and returned as aforeſaid, are hereby required to come and appear before the Juſtices of the Peace for the ſeveral Ridings of the County of *York*, or any of them, at ſome ſpecial Seſſions of the Peace to be holden at the Caſtle of *York* for the ſaid County, or ſome Adjournment thereof, to be ſpecified in ſuch Warrant or Warrants, Precept or Precepts, and to attend the ſaid Court from Day to Day until diſcharged from ſuch Attendance; 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 them, are hereby authorized, empowered, and required by Precept or Precepts, from Time to Time as Occaſion ſhall require, to call before them all and every Perſon or Perſons whomſoever who ſhall be thought proper or neceſſary, by or on the Behalf of either Party, to be examined as Witneſſes on his, her, or their Oath or Oaths touching and concerning the Premiſes; and the ſaid Court of Juſtices of Peace, or any Two or more of them, ſhall and may, if applied to by either Party for that Purpoſe, order and authorize the ſaid Jury to view the Place or Places in

queſtion in ſuch Manner as they ſhall direct, and alſo ſhall have Power to adjourn ſuch Court or Meeting 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 ſhall be ſummoned ſhall be concluded; and the ſaid Jury upon their Oaths (which Oaths, as alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Juſtices are hereby empowered and required to adminiſter, or cauſe to be adminiſtered in their Preſence) ſhall inquire of the true and juſt Value of ſuch Meſſuages, Houſes, Buildings, Lands, Tenements, and Hereditaments, and of the reſpective Eſtate and Intereſt of every Perſon ſeiſed or poſſeſſed thereof, or intereſted therein, or of or in any Part thereof, and ſhall aſſeſs and award the Sum or Sums to be paid to every ſuch Perſon or Perſons reſpectively for the Purchaſe of their Eſtates and Intereſts; and the ſaid Juſtices before whom ſuch Jury ſhall appear as aforeſaid, or the major Part of them, ſhall and may give Judgement for ſuch Sum or Sums of Money ſo to be aſſeſſed, which ſaid Verdict or Verdicts, and the ſaid Judgements, Decrees, or Determinations thereupon (Notice in Writing being given to the Perſon or Perſons intereſted or claiming to be intereſted at leaſt Fourteen Days before the Time of ſuch Aſſeſſment, declaring the Time and Place of the Meeting of the ſaid Juſtices and Jury as aforeſaid, by leaving Notice at the Dwelling-houſe of ſuch Perſon or Perſons, or at his, her, or their uſual Place or Places of Abode, or with ſome Tenant or Occupier of the ſaid Meſſuages, Houſes, Buildings, Lands, Tenements, or Hereditaments reſpectively intended to be valued and aſſeſſed) ſhall be binding and concluſive to all Intents and Purpoſes whatſoever, as well againſt the King's Majeſty, His Heirs and Succeſſors, as againſt all Bodies Politic and Corporate, and all and every Perſon and Perſons claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt in, to, or out of the ſaid Meſſuages, Houſes, Buildings, Lands, Tenements, or Hereditaments, and Premiſes, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, as well Infants and Iſſue unborn, Lunatics, Idiots, and Femes Coverr, 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 ſaid Verdicts, Judgements, Determinations, and Decrees, 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 and ſealed by the Town Clerk of the ſaid City, or by Two or more of the ſaid Juſtices then and there preſent; and in caſe it ſhall ſo 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, Houſes, Buildings, Lands, Tenements, or Hereditaments, or as ſuch proportional Value as aforeſaid, ſhall not exceed the Sum or Sums of Money which the ſaid Mayor and Commonalty in Common Council aſſembled, or any Perſon or Perſons authorized by them ſhall have previouſly offered to pay as and for ſuch Value, Recompence, and Satisfaction, then and in every ſuch Caſe all the reaſonable Coſts, Charges, and Expences of cauſing and procuring ſuch Value and Recompence 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 other Perſon or Perſons ſo ſeiſed or poſſeſſed of or intereſted in ſuch Meſſuages, Houſes, Buildings, Lands, Tenements, or Hereditaments, and ſo refuſing to treat or agree as before mentioned reſpectively;

tively; and the ſaid Mayor and Commonalty in Common Council aſſembled are hereby authorized and empowered to deduct and retain the ſaid Coſts, Charges, and Expences out of the Sum and Sums of Money ſo to be aſſeſſed or awarded as aforeſaid, or out of any Part thereof; but in caſe the Sum or Sums ſo to be aſſeſſed by ſuch Jury, ſhall be more than that or thoſe reſpectively offered by the ſaid Mayor and Commonalty, then and in every ſuch Caſe reſpectively the Coſts and Expences of empannelling and ſummoning the ſaid Jury and Witneſſes, and neceſſarily incident to the hearing and determining ſuch Caſes reſpectively, ſhall be paid and diſcharged by the ſaid Mayor and Commonalty out of the Monies to ariſe or be raiſed by virtue of this Act.

Juſtices may fine the Sheriff, Jury, &c. for Defaults.

V. And be it further enacted, That the ſaid Juſtices ſo hereby authorized to act at ſuch Seſſions as aforeſaid ſhall have Power from Time to Time to impoſe any reaſonable Fine not exceeding the Sum of Ten Pounds, on any ſuch Sheriff or his Under-Sheriff or Deputy, Bailiffs, or Agents, reſpectively making Default in the Premiſes, and on any of the Perſons who ſhall be ſummoned and returned on any ſuch Jury or Juries who ſhall not appear, or who 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 the Matters aforeſaid, and ſhall not attend, or ſhall refuſe to be ſworn, or who being ſworn ſhall refuſe to give his, her, or their Evidence, and alſo on any other Perſon or Perſons who ſhall in any other Manner wilfully neglect his or their Duty in the Premiſes contrary to the true Intent and Meaning of this Act, and from Time to Time to cauſe ſuch Fine or Fines to be levied by Order of the ſaid Juſtices aforeſaid, by Diſtreſs and Sale of the Offender's Goods wherever the ſame ſhall be found, together with the reaſonable Charges of every ſuch Diſtreſs and Sale, returning the Overplus, if any, to the Owner, or by eſtreating and returning ſuch Fine or Fines into His Majeſty's Court of Exchequer at *Weſtminſter*, in like Manner as Fines and forfeited Recognizances are eſtreated and returned at any ſuch Seſſions as aforeſaid; and all ſuch Fines ſhall be applied to the Purpoſes of this Act.

Upon Payment of the Purchaſe Money, Houſes, &c. to become the Property of the Mayor and Commonalty.

VI. And it is hereby further enacted and declared, That upon Payment of ſuch Sum or Sums of Money ſo to be aſſeſſed, awarded, and adjudged, after ſuch Deduction as aforeſaid, to the Perſon or Perſons to whom the ſame ſhall be ſo awarded for the Purchaſe of the ſaid Houſes, Buildings, Lands, Tenements, or Hereditaments, or for the Purchaſe of any Eſtate or Intereſt therein, or depoſiting the ſame as in this Act is directed, then and in ſuch Caſe the ſame Houſes, Buildings, Lands, Tenements or Hereditaments, ſhall veſt in and become the Property of the ſaid Mayor and Commonalty for the Purpoſes of this Act.

In caſe of not making out Titles, or if Perſons cannot be found, Purchaſe Money to be paid into the Bank.

VII. And be it further enacted, That in caſe the Perſon or Perſons to whom any Sum or Sums of Money ſhall be awarded for the Purchaſe of any Houſes, Lands, Rights, 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 Mayor and Commonalty, 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 Houſes, Lands, Rights Tenements, or Here-

ditaments, be not known or discovered, then and in every such Case it shall be lawful for the said Mayor and Commonalty to order the said Sum or Sums of Money so awarded as aforesaid to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account to the Credit of the Parties interested in the said Houses, Lands, Rights, Tenements, or Hereditaments [*describing them*], subject to the Order, Controul, and Disposition of the said Court of Chancery, which said Court of Chancery 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 thereto, and to make such 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.

Verdicts, Orders, Receipts, &c. to be entered among the Records, &c.

VIII. And be it further enacted, That all such Verdicts, Judgements, Decrees, Orders, and other Proceedings of the said Mayor and Commonalty, or Justices and Juries respectively, as relate to or concern any of the Cases before mentioned, shall be entered in the Books or Registers and among the Records of the said Mayor and Commonalty, or General Quarter Sessions of the Peace respectively, as the Case shall happen to be; and the said Verdicts, Judgements, Decrees, and Orders, and other Proceedings, shall be deemed and taken to be Records to all Intents and Purposes whatsoever, and the same or true Copies thereof shall be deemed and taken to be good and effectual Evidence and Proof in any Court or Courts of Law or Equity whatsoever, and all Persons shall and may have recourse to the same, and take Copies thereof, paying for every Search One Shilling, and for every Copy not exceeding Two Hundred Words, One Shilling, and so proportionably for any greater or less Number of Words; and immediately after such Verdicts, Judgements, Decrees, Orders, and other Proceedings of the said Mayor and Commonalty, or of the said Justices and Juries as aforesaid respectively, and Payment into the Bank of *England* as aforesaid, and after such Receipt or Receipts of the said Cashier or Cashiers as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand in Law and Equity, of the Person or Persons for whose Use such Money shall be paid in, to, and out of the said Houses, Buildings, Lands, Tenements, Hereditaments, and Premises to be purchased as aforesaid, shall vest in the said Mayor and Commonalty, and they shall be deemed in Law to be in the actual 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 enrolled, Feoffment with Livery of Seisin, Fine, Recovery, or any other legal Conveyance 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

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the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, in Reversion or Remainder, and the Issue and Issues of such Person and Persons, and every Person claiming under them, as effectually as a Fine or Recovery would do if levied or suffered by the proper Parties in due Form of Law.

No Premises to be taken, without Consent of Owner, but those mentioned in Schedules.

IX. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Mayor and Commonalty to purchase or take down any other Messuages, Lands, Tenements, or Buildings in the said City of *York*, for carrying the said Improvements into Effect, save and except such as are particularly mentioned and described in the several Schedules to this Act annexed and made Part thereof, without the Consent of the Owner or Proprietor thereof for the Time being.

Application of Compensation Money when exceeding £200.

X. And be it further enacted, That if any Money shall be agreed or awarded to be paid for any Messuages, Cottages, Gardens, Lands, Tenements or Hereditaments, purchased, taken or used by virtue of this Act, for the Purposes thereof, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as in this Act particularly mentioned, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account *ex parte* the said Mayor and Commonalty, 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 Lands, Tenements, or Hereditaments, in the Purchase of Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances or Parts thereof, as the said Court shall authorize to be paid, affecting the same Messuages, Cottages, Gardens, Lands, Tenements, or Hereditaments, or affecting other Messuages, Cottages, Gardens, Lands, Tenements, or Hereditaments, standing settled therewith to the same or the like Uses, Intents, or Purposes; or when such Money shall not be so applied, then the same shall be laid out and invested under the Direction and Approbation of the said Court, in the Purchase of other Messuages, Cottages, Gardens, Lands, Tenements, and 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, Cottages, Gardens, Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid, stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking Effect; and in the mean Time and until such Purchase shall be made, the said Money shall, by Order of the Court of Chancery, 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

the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents, Issues, and Profits of the Lands, Tenements, or Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application when the Compensation does not exceed £200, nor less than £20.

XI. Provided always, and be it further enacted, That if any Money so agreed or awarded to be paid for any Messuages, Cottages, Gardens, Lands, Tenements, or Hereditaments purchased, taken or used for the Purposes aforesaid, and belonging to any Corporation, or to any Person or Persons under Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in any such Case the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in Manner herein-before directed, or otherwise the same shall be paid at the like Option to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Mayor and Commonalty, (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon, may be applied in Manner as herein-before directed, so far as the Case be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Application where the Money is less than £20.

XII. Provided also, and be it further enacted, That where such Money so agreed or awarded to be paid as last before-mentioned, shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Hereditaments so purchased, taken or used, for the Purposes of this Act, in such Manner as the said Mayor and Commonalty 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.

Where any Question shall arise touching the Title to Money to be paid, the Person who shall be in the Possession of the Lands, &c. entitled.

XIII. Provided always, 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 Court of Chancery, in pursuance of this Act, for the Purchase of any Messuages, Cottages, Gardens, Lands, Tenements, and Hereditaments, or of any Estate, Right, or Interest in any Messuages, Cottages, Gardens, Lands, Tenements, and Hereditaments, to be purchased in pursuance of this Act or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest of any such Bank Annuities, the Person or Persons who shall have been in Possession of such Messuages, Cottages, Gardens, Lands, Tenements, and 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 law-

fully entitled to such Messuages, Cottages, Gardens, Lands, Tenements, and Hereditaments, according to such Possession, until the contrary shall be shewn to the Satisfaction of the said Court of Chancery; and the Dividends or Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the same Court, that such Possession was a wrongful Possession, and that such other Person or Persons was or were lawfully entitled to such Messuages, Cottages, Gardens, Lands, Tenements, and Hereditaments, or to some other Estate or Interest therein.

Court of Chancery may order reasonable Expenees of Purchases to be paid by the Trustees,

XIV. Provided also, 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, Cottages, Gardens, Lands, Tenements, and Hereditaments, to be purchased under the Authority of this Act, the Purchase Money of the same shall be required to be paid into the Court of Chancery, and to be applied in the Purchase of other Messuages, Cottages, Gardens, Lands, Tenements, and 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 of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, to be paid by the said Mayor and Commonalty out of the Monies to be received by virtue of this Act, who shall from Time to Time pay such Sums of Money, for such Purposes as the said Court shall direct.

Notice to be given to Tenants and Owners to quit Possession.

XV. Provided always, and be it further enacted, That no Person or Persons in Possession of any such Houses, Buildings, Lands, Tenements, or Hereditaments, or any Part thereof, which shall be purchased by the said Mayor and Commonalty as aforesaid, shall be obliged or be by any Means compelled or compellable contrary to his, her, or their free Will and Consent, to part with or give up the Possession thereof, or of any Part thereof, without having such previous Notice given to or left for him, her, or them respectively to quit such Possession, as is or are herein-after mentioned (that is to say), if such Person or Persons shall have no greater Interest in the Premises than as Tenant or Tenants thereof from Year to Year, the said Mayor and Commonalty, or such Person as the said Mayor and Commonalty, in Common Council assembled shall appoint to take Possession of the said Premises, shall give or cause to be given to such Tenant or Tenants as last aforesaid, or leave or cause to be left for him, her, or them respectively upon the Premises, Notice in Writing to quit the same, such Notice to be given or left at least Eight Calendar Months previous to the Sixth Day of *April* in any Year to be specified therein; and if such Person or Persons so in Possession shall be the Owner or Owners of the Premises in his, her, or their Possession, or have any greater or other Estate or Interest therein than as Tenant thereof from Year to Year, then and in every such Case the said Mayor and Commonalty, or such Person so to be by them appointed as last aforesaid, shall give or cause to be given to such Person or Persons so being Owner or Owners of, or having such greater Estate or Interest in the Premises than as Tenant thereof from Year to Year, or leave or cause to be left for him, her, or them respectively at or upon the Premises, Notice in Writing to quit the same, and every such last-mentioned Notice shall be so given or left at least Fourteen Calendar Months previous to the Sixth Day of

April in any Year to be ſpecified therein; and in caſe any ſuch Notice or Notices as aforeſaid reſpectively ſhall be given, then and in every ſuch Caſe every ſuch Perſon or Perſons in Poſſeſſion, to or for whom ſuch Notice ſhall be given or left, ſhall at the Time or Times to be expreſſed in ſuch Notice or Notices reſpectively ſo to be given as aforeſaid, or ſo ſoon after as he, ſhe, or they ſhall be required, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes to the ſaid Mayor and Commonalty, or any Perſon or Perſons authorized by the ſaid Mayor and Commonalty in Common Council aſſembled to take Poſſeſſion thereof, and that in caſe any ſuch Perſon or Perſons ſo in Poſſeſſion as aforeſaid ſhall refuſe to give ſuch Poſſeſſion as aforeſaid, then it ſhall and may be lawful to and for the ſaid Mayor and Commonalty, or any Two of the ſaid Juſtices for the ſaid City to iſſue their Precept or Precepts to the Sheriffs of the ſaid City, to deliver Poſſeſſion of the Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Precepts be nominated to receive the ſame; and the ſaid Sheriffs are hereby required to deliver ſuch Poſſeſſion accordingly of the ſaid Premiſes, and to levy ſuch Coſts as ſhall accrue or be occaſioned for or by reaſon of 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.

Mortgagees may aſſign their Mortgages.

XVI. And be it further enacted, That all and every Perſon and Perſons who ſhall have any Mortgage or Mortgages on ſuch Houſes, Buildings, Lands, Tenements, and Hereditaments as aforeſaid, not being in Poſſeſſion thereof by virtue of ſuch Mortgage or Mortgages, ſhall on the Tender of the Principal Money and Intereſt due thereon, together with a further Advance of Six Months Intereſt of the ſaid Principal Money by the ſaid Mayor and Commonalty in Common Council aſſembled, or by ſuch Perſon or Perſons as they ſhall appoint, immediately transfer or aſſign ſuch Mortgage or Mortgages to the ſaid Mayor and Commonalty, or to ſuch Perſon or Perſons as the ſaid Mayor and Commonalty in Common Council aſſembled ſhall appoint, in Truſt for them; or in caſe ſuch Mortgagee or Mortgagees ſhall have Notice in Writing from or by Order of the ſaid Mayor and Commonalty in Common Council aſſembled, that they will pay off and diſcharge the Principal and Intereſt which ſhall be due on the ſaid Mortgage or Mortgages, at the End or Expiration of Six Months, to be computed from the Day of ſerving ſuch Notice, that then at the End of the ſaid Six Months, on Payment of the Principal and Intereſt ſo due, ſuch Mortgagee or Mortgagees ſhall transfer or aſſign their Intereſt in the Premiſes to the ſaid Mayor and Commonalty, or to ſuch Perſon or Perſons as the ſaid Mayor and Commonalty in Common Council aſſembled ſhall appoint, in Truſt for them; and in caſe ſuch Mortgagee or Mortgagees ſhall refuſe ſo to transfer or aſſign as aforeſaid on ſuch Tender or Payment, that then all Intereſt on every ſuch Mortgage ſhall ceaſe and determine.

On Payment of Mortgage Money Eſtate of the Mortgagee to veſt in the Mayor and Commonalty.

XVII. And be it further enacted, That upon Payment of the Principal Money and Intereſt due on any Mortgage as aforeſaid, into the Bank of *England*, at the End of Six Months from giving ſuch Notice as aforeſaid, for the Uſe of the Mortgagee or Mortgagees, the Caſhier or Caſhiers of the ſaid Bank ſhall give a Receipt or Receipts for the ſaid Money, in like Manner as is herein-before directed in caſes of other Payments into the ſaid Bank, and thereupon all the Eſtate, Right, Title, Intereſt, Uſe,

Uſe, Truſt, Property, Claim, and Demand of the ſaid Mortgagee or Mortgagees, and every Perſon or Perſons in Truſt for him or them, ſhall veſt in the ſaid Mayor and Commonalty, in Truſt for the Purpoſes of this Act, and they ſhall be deemed to be in the actual Poſſeſſion of the Premiſes compriſed in ſuch Mortgage or Mortgages to all Intents and Purpoſes whatſoever.

Monies in Diſcharge of any Mortgage, &c. if not accepted, to be paid into the Bank.

XVIII. And be it further enacted, That all Sums of Money or other Conſideration, Recompence, or Satisfaction to be paid and made purſuant to any Agreement or Verdict, or in Diſcharge of any ſuch Mortgage as aforeſaid, ſhall be paid or tendered to the Party or Parties entitled to the ſame, or paid into the Bank of *England* as aforeſaid, before the ſaid Mayor and Commonalty in Common Council aſſembled, or any Perſon or Perſons authorized by them, ſhall proceed to pull down any Houſe or Houſes, or other Erections and Buildings, or to uſe the Ground for the Purpoſes of this Act.

Mayor and Commonalty are entitled to certain Tolls for paſſing over Ouſe Bridge.

XIX. And whereas the ſaid Mayor and Commonalty now are entitled to certain Tolls for the Paſſage of Waggons, Wains, Carts, or Carriages, over the ſaid Bridge called *Ouſe Bridge*, and the ſaid Mayor and Commonalty are willing that the ſaid Tolls ſhould be given up and aboliſhed without any Conſideration or Recompence being paid or given to or retained by the ſaid Mayor and Commonalty for the ſame; therefore, be it further enacted, That all ſuch Tolls as laſt aforeſaid ſhall be given up, and the ſame are by this Act aboliſhed without any Recompence or Satisfaction being required, had, or taken by the ſaid Mayor and Commonalty for the ſame.

Mayor and Commonalty to have Compenſation for the Buildings, &c. neceſſary to improve Ouſe and Foſs Bridges.

XX. Provided always, and be it further enacted, That the ſaid Mayor and Commonalty ſhall have, receive, and be entitled to a full, fair, and juſt Compenſation and Satisfaction for all the Buildings, Lands, Grounds, and Hereditaments belonging to them, as the ſame are compriſed or mentioned in the Schedules hereunto annexed, which ſhall or may be taken down or uſed for or by reaſon of the widening, altering, or improving the ſaid Bridges, or the ſaid Streets or Ways at each End thereof, or any Part of the ſame, or relating thereto reſpectively, and that ſuch Compenſation and Satisfaction ſhall be aſcertained, aſſeſſed, and awarded from Time to Time, by ſuch and the ſame Ways and Means, and in ſuch Manner as herein-before is mentioned, provided, and declared, for eſtimating, aſſeſſing and awarding the Value of the Houſes, Buildings, Hereditaments, and Premiſes to be purchaſed for the Purpoſes of this Act as aforeſaid, which ſhall for the Time being belong to ſuch Perſon or Perſons, Bodies Politic, Corporate or Collegiate, as ſhall refuſe or be unable by reaſon of any Diſability to treat or agree as aforeſaid, and the Price and Purchaſe Money for the ſame, and the Sum or Sums ſo to be eſtimated, aſſeſſed, or awarded, for or in reſpect of any ſuch Buildings, Lands, Grounds, and Hereditaments belonging to the ſaid Mayor and Commonalty, ſo to be taken down or uſed as aforeſaid, ſhall and may be had, received, paid, or retained to or by the ſaid Mayor and Commonalty for their own Uſe, ſo far as reſpects the ſaid *Ouſe Bridge*, by or out of the Tolls herein-after mentioned, and hereby authorized to be taken and collected, or by or out of any Money to be borrowed or raiſed in purſuance

ſuance or by virtue of this Act, any Thing herein contained to the contrary notwithſtanding.

Mayor and Commonalty to ſell the Houſes, &c. not neceſſary to be laid into the Street.

XXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Mayor and Commonalty in Common Council aſſembled, and they are hereby authorized and required to ſell and diſpoſe of or cauſe to be ſold and diſpoſed of, for the beſt Price and Prices that can be reaſonably had or gotten for the ſame, all or any Part or Parts of the Houſes, Buildings, Lands, Tenements, Hereditaments and Premiſes ſo to be purchaſed as aforeſaid, as may not be neceſſary to be laid into any Streets, Ways, or Paſſages intended to be ſet out purſuant to this Act, to ſuch Perſon or Perſons as ſhall be willing to purchaſe the ſame, and to apply the Money to ariſe by ſuch Sale for and towards the Charges and Expences of the ſaid Alterations and Improvements of the ſaid Bridge called *Ouſe Bridge*, and the Streets adjoining or near thereto, and for no other Purpoſe whatſoever: Provided always, that the ſaid Mayor and Commonalty, before they ſhall ſell and diſpoſe of any Piece or Parcel of Ground, or any Houſes, Buildings, Lands, Tenements, or Hereditaments as aforeſaid, do and ſhall offer the ſame to the Perſon or Perſons, Bodies Politick, or Corporate, from whom the ſame ſhall have been purchaſed, and in caſe ſuch Perſon or Perſons, Bodies Politic or Corporate reſpectively, ſhall not then and thereupon agree, or ſhall refuſe (except in reſpect to and on account of the Price thereof, as herein-after mentioned) to purchaſe or repurchaſe the ſame reſpectively, any Affidavit to be made and ſworn before any Maſter or Maſter Extraordinary in the High Court of Chancery, or before One of His Majeſty's Juſtices of the Peace for any Riding of the ſaid County of *York*, (who are hereby empowered to take the ſame), by ſome Perſon or Perſons no way intereſted in the ſaid Pieces or Parcels of Ground, Houſes, Buildings, Lands, Tenements, or Hereditaments, ſtating that ſuch Offer was made by or on the Part and Behalf of the ſaid Mayor and Commonalty, and that ſuch Offer was not then and thereupon agreed to, or was refuſed by the Perſon or Perſons, Bodies Politic or Corporate as aforeſaid, to whom the ſame was ſo offered, ſhall in all Courts whatſoever be ſufficient Evidence and Proof that ſuch Offer was made and not agreed to, or was refuſed by the Perſon or Perſons, Bodies Politic or Corporate as aforeſaid, to whom ſuch Offer was made (as the Caſe may be); and in caſe ſuch Perſon or Perſons, Bodies Politic or Corporate, ſhall be deſirous of repurchaſing the ſame, and he, ſhe, or they, and the ſaid Mayor and Commonalty, ſhall differ, and not agree with reſpect to the Price thereof, then the Price or Prices thereof ſhall be aſcertained by a Jury in Manner as in this Act is directed with reſpect to diſputed Value of Premiſes to be purchaſed by the ſaid Mayor and Commonalty as aforeſaid, 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 ſuch Purchaſes made by the ſaid Mayor and Commonalty *mutatis mutandis*; and the Money to ariſe by the Sale or Sales thereof ſhall be applied to the Purpoſes of this Act as before mentioned: Provided always, that ſuch Sum or Value ſhall in no Caſe be leſs than any other Perſon or Perſons is or ſhall be ready to give for the *bona fide* Purchaſe thereof, or any Part thereof.

Mayor and Commonalty to direct how the Fronts of the new Houſes ſhall be built.

XXII. Provided always, and be it further enacted, That it ſhall and may be lawful, to or for the ſaid Mayor and Commonalty in Common Council aſſembled, to deſign, lay out, and direct how and in what Manner any new Houſes and Buildings to be erected upon the ſaid Part or Parts of the ſaid Lands, Hereditaments, and Premiſes ſo to be ſold by the ſaid Mayor and Commonalty, as laſt aforeſaid, or any Part thereof, ſhall be erected and built reſpectively, ſo far as relates to the Elevation and Fronts of ſuch new Houſes and Buildings reſpectively next adjoining to the ſaid public Streets ſo to be widened reſpectively, and to annex the ſame to or make the ſame Part of the Conditions of Purchaſe, Sale, or Conveyance, and alſo to deſign, lay out, and direct, of what Breadth and Extent the ſaid ſeveral Streets and Paſſages, and the Drains under the ſame, ſhall be made.

Owner of Houſes, &c to have Satisfaction for Loſſes out of the Monies to be raiſed under this Act.

XXIII. And be it further enacted, That if any Houſes, Tenements, or Buildings ſituate on the South Side of *Low Ouſegate* and *Briggate* aforeſaid or either of them, or at the North and South Ends of the ſaid Bridge called *Foſs* Bridge, on the Eaſt Side of the Streets there, ſhall be depreciated or rendered of leſs Value by the raiſing of the ſaid Streets immediately oppoſite thereto reſpectively, in a greater Degree than the ſame Houſes, Tenements, or Buildings, or the Ground or Scite thereof reſpectively, ſhall be benefited by the widening and improving of the ſame Streets, and the Bridge called *Ouſe* Bridge reſpectively, then and in every ſuch Caſe the Owners and Proprietors of and Perſons intereſted in ſuch Houſes Tenements, or Buildings reſpectively, (other than and except Tenants at Rack Rent, holding at Will, or for any Term or Terms of Years, not exceeding Three Years), which ſhall or may be ſo depreciated or rendered of leſs Value as aforeſaid, ſhall be entitled to have and receive a fair and juſt Compenſation and Satisfaction for the Loſs and Injury to be occaſioned thereby, and the ſame ſhall and may, with reſpect to the ſaid Houſes, Tenements, or Buildings, ſituate in *Briggate* and *Low Ouſegate* aforeſaid, be paid by or out of any Monies to be raiſed and received under or by virtue and for the Purpoſes of this preſent Act; and as to the ſaid Houſes, Tenements, or Buildings, ſituate at the North and Eaſt Ends of the ſaid *Foſs* Bridge, and on the Eaſt Side of the Streets there ſhall be paid by or out of any Monies to be raiſed by voluntary Donations, or otherwiſe, for carrying the ſaid Improvements at *Foſs* Bridge aforeſaid, or near thereto, into effect, due regard (in eſtimating the Amount of ſuch Loſs or Injury) being had to the Benefit which may be derived or accrue by reaſon of the widening of the ſaid Streets and Bridges, or any of them, ſuch Compenſation and Satisfaction to be ſettled and aſcertained by voluntary Agreement, by and between the Perſon or Perſons ſo intereſted and the ſaid Mayor and Commonalty; or where that ſhall not be ſo done, then ſuch Compenſation and Satisfaction ſhall be aſcertained, aſſeſſed, awarded, adjudged, determined, ordered, levied, recovered, paid, placed out, and applied by and before ſuch Jury and other Perſon or Perſons, in ſuch Manner, by ſuch or the like Ways and Means, and with, under, and ſubject to ſuch and the like Rules, Orders, Reſtrictions, Coſts, and Penalties in all reſpects, as herein-before is mentioned and provided in reſpect to the Purchaſe of any Houſes, Buildings, Lands, Tenements, or Hereditaments of or belonging to any Perſon or Perſons, Bodies Corporate or Collegiate, who ſhall be unwilling or unable to treat or agree as aforeſaid, and hereby authorized to be purchaſed, and for the Payment of the Purchaſe

Money for the ſame, and Coſts relating thereto, and ſuch Compenſation and Satisfaction for ſuch Loſs and Injury, is or are herein or hereby directed to be aſcertained, aſſeſſed, awarded, adjudged, determined, ordered, levied, recovered, paid, placed out, and applied accordingly, or as near thereto, as may be, and Circumſtances will permit.

Mayor and Commonalty to raiſe 60,000*l.*

XXIV. And whereas the making, completing, and finiſhing ſuch Alterations and Improvements at *Ouſe* Bridge and the Streets near thereto as aforeſaid, in Manner aforeſaid, will be attended with conſiderable Expence, and the ſaid Mayor and Commonalty have propoſed to contribute thereto by a voluntary Donation of Two thouſand Pounds, and to pay the Sum of Two hundred Pounds *per Annum* ſo long as any Tolls ſhall continue to be collected, and alſo to collect and receive ſuch other Sums of Money as ſhall be voluntarily given, granted, or advanced by any other Perſon or Perſons for the like Purpoſe, and likewiſe to borrow at Intereſt upon the Credit of the Tolls and Duties to be created and made payable by the Authority of this Act as herein-after is mentioned, ſuch Sum and Sums of Money as, together with ſuch voluntary Donations, Gifts, Grants, and Advances, ſhall be neceſſary and ſufficient for the ſaid Purpoſes; be it therefore further enacted, That after contributing and appropriating the ſaid Sum of Two thouſand Pounds from and out of the Common Chamber of the ſaid City, and alſo ſuch other Sum and Sums of Money as ſhall be ſo voluntarily given, granted, advanced, collected, and received as aforeſaid, towards the Expences to be incurred by reaſon of ſuch Alterations and Improvements, it ſhall and may be lawful to and for the ſaid Mayor and Commonalty in Common Council aſſembled, from Time to Time to raiſe and borrow at Intereſt, upon the Credit of the ſaid Tolls and Duties, ſuch Sum and Sums of Money as they ſhall think neceſſary, not exceeding in the whole the Sum of Sixty thouſand Pounds, but at ſuch Times and in ſuch Manner as that not more than the Sum of Twenty five thouſand Pounds, Part thereof, ſhall be due and owing at any One Time, and to fix and ſettle how and in what Manner, and by and to whom the Mortgages, Bonds, or other Securities for ſuch Sum and Sums of Money ſo to be raiſed and borrowed ſhall be given and granted, all which Sum and Sums ſo to be raiſed and borrowed ſhall be applied for and towards the ſaid Alterations and Improvements, or otherwiſe for the Purpoſes of this Act.

Tolls granted for carrying the Purpoſes of this Act into Execution.

XXV. And, in order the better to enable the ſaid Mayor and Commonalty to execute the ſeveral Powers and Authorities aforeſaid, and to carry the ſeveral Purpoſes of this Act into Execution according to the true Meaning hereof, and particularly to pay off and diſcharge the ſaid ſeveral Sum and Sums of Money ſo to be raiſed and borrowed at Intereſt as aforeſaid, and the Intereſt thereof, be it further enacted, That it ſhall and may be lawful to and for the ſaid Mayor and Commonalty in Common Council aſſembled, and they are hereby authorized and empowered to take and receive or cauſe to be taken and received, at or near the Bridge called *Ouſe* Bridge, and not elſewhere, in the Nature of a Toll or Duty for the Paſſage over the ſame Bridge, as well during the widening or altering the ſaid Bridge as afterwards, any Sum which the ſaid Mayor and Commonalty in Common Council aſſembled ſhall order or direct, not exceeding the following Rates, Tolls, or Duties, and if no ſuch Order or Direction ſhall be given to the contrary, then the whole of the ſame Rates, Tolls, or Duties; (that is to ſay),

For

Tolls

For every Coach, Chariot, Landau, Berlin, Chaiſe, Calaſh, Phaeton, Vis-a-Vis, Diligence, Hearſe, Litter, or Caravan, or other ſuch Carriage, drawn by more than Four Horſes, Mares, Geldings, Mules, or Beaſts of Draught, the Sum of Four Shillings; and drawn by Four Horſes, Mares, Geldings, Mules, or Beaſts of Draught, the Sum of Two Shillings and Eight-pence; and drawn by Three Horſes, Mares, Geldings, Mules, or Beaſts of Draught the Sum of Two Shillings; and drawn by Two Horſes, Mares, Geldings, Mules, or Beaſts of Draught, the Sum of One Shilling and Four-pence:

For every Chaiſe, Chair, Taxed Cart, or other Carriage of the like nature generally uſed for the Conveyance of any Perſon or Perſons, and drawn by One Horſe, Mare, Gelding, Mule, or Beaſt of Draught, the Sum of Eight-pence:

For every Waggon drawn by Seven or more Horſes, Beaſts or Cattle, the Sum of Two Shillings and Eight-pence; and drawn by Five or Six Horſes, Beaſts or Cattle, the Sum of Two Shillings; and drawn by Four Horſes, Beaſts or Cattle, the Sum of One Shilling and Four-pence; and drawn by Three Horſes, Beaſts or Cattle, the Sum of One Shilling; and drawn by any leſs Number of Horſes, Beaſts or Cattle, the Sum of Eight-pence:

For every Cart, Car, Wain or Dray, drawn by Three or more Horſes, Beaſts or Cattle, the Sum of One Shilling; and drawn by Two Horſes, Beaſts or Cattle, the Sum of Eight-pence; and drawn by One Horſe or Beaſt, the Sum of Four-pence:

For Bulls, Oxen, Cows, Stirks, Heifers, or Neat Cattle, One Shilling *per* Score; and ſo in proportion for any greater or leſs Number:

For Calves, Hogs, Sheep or Lambs Sixpence *per* Score; and ſo in proportion for any greater or leſs Number:

For every Horſe, Mare, Gelding or Mule, laden or unladen, and not drawing, the Sum of Two-pence.

Tolls may be levied by Diſtreſs and Sale.

And the ſaid Mayor and Commonalty in Common Council aſſembled are hereby empowered, by any Perſon or Perſons to be by them duly authothorized as herein after mentiond, to levy the Tolls or Duties hereby required to be paid upon any Perſon or Perſons who ſhall after Demand thereof made neglect or refuſe to pay the ſame, or obſtruct and hinder any Paſſage over the ſaid reſpective Bridges until Payment thereof, which ſaid Tolls or Duties ſhall and may be levied by Diſtreſs of any Carriage, Horſe or Horſes, or other Cattle or Goods, upon or in reſpect of which ſuch Tolls or Duties are by this Act impoſed, or upon any other of the Goods and Chattels of ſuch Perſon or Perſons as ought to pay the ſame, and all ſuch Carriages, and the Horſes and Cattle drawing the ſame, and alſo all ſuch other Horſes or Cattle, or Goods reſpectively, may be detained until ſuch Tolls or Duties, with the reaſonable Charge of ſuch Diſtreſs, ſhall be paid; and it ſhall be lawful for the Perſon or Perſons ſo diſtraining, after the ſpace of Four Days next after any ſuch Diſtreſs made or taken, to ſell the Cattle or other Goods or Chattels ſo diſtrained for Payment of the ſaid Tolls or Duties, rendering to the Owner or Owners the Overplus upon Demand, after Satisfaction of the ſaid Tolls or Duties, and the reaſonable Charges in and about making ſuch Diſtreſs and Sale and keeping the ſame: Provided always, that no Rate, Toll, or Duty whatſoever, ſhall be taken or received for or in reſpect of any Paſſage over the Bridge called *Foſs Briage*.

XXVI. Provided

For Reduction of Tolls.

XXVI. Provided always, and be it further enacted, That if in any Year during the Collection of the ſaid Tolls, (the firſt Year thereof being reckoned from the Day on which they commenced), the clear Amount or Rent thereof, together with the Compoſitions which ſhall be made under the Proviſions of this Act, ſhall be equal to the Sum of Three thouſand Five hundred Pounds, then and in ſuch Caſe the ſaid Tolls ſhall for the next enſuing Year be diminiſhed, by lowering them as near as may be One Seventh of their then Rate, without cauſing the Fraction of One Halfpenny; and if they ſhall in any ſuch Year amount to Four thouſand Pounds, then and in ſuch Caſe they ſhall be ſimilarly lowered One Quarter of their then Amount; and in caſe they ſhall amount to Four thouſand Five hundred Pounds in any Year, then and in ſuch Caſe they ſhall be ſimilarly diminiſhed, as near as may be, One Third; and in caſe they ſhall amount to Five thouſand Pounds in any ſuch Year, then and in ſuch Caſe they ſhall be ſimilarly diminiſhed Two Fifths; which ſaid Diminution ſhall be ſimilarly and proportionally increaſed on every Increaſe of Five hundred Pounds beyond the ſaid Sum of Five thouſand Pounds.

Two Oxen or Heifers drawing to be conſidered equal to One Horſe only.

XXVII. And be it further enacted, That in computing the Tolls or Duties to be paid as aforeſaid, for the paſſing of any Waggon, Cart, Car, Wain, Dray, or Rully, or in eſtimating the Number of Horſes or Beaſts of Draught drawing the ſame, whether compounded for or not, Two Oxen, or Heifers, drawing the ſame ſhall be conſidered equal to One Horſe only, and the like Sum, and no more, ſhall be taken for Two Oxen or Heifers drawing as aforeſaid, as is herein authorized to be taken for or in reſpect of One Horſe ſo drawing as aforeſaid.

General Exemptions.

XXVIII. Provided alſo, and be it further enacted, That no Perſon or Perſons ſhall be charged or compellable to pay any of the Tolls made payable by this Act for the going, paſſing, returning, or repaſſing of any Waggon, Cart, Wain, Dray, or other Carriage whatſoever, or with or for any Horſe, Mare, Gelding, Ox, Mule, Aſs, or other Beaſt drawing the ſame, which ſhall reſpectively be then ſolely uſed or employed, whether loaded or empty, in the Carriage of any Stone, Timber, Gravel, or other Materials for any of the Purpoſes of this Act, or for the Repairs of any public Highway, or for the Repairs, Alteration, or Improvement of the Cathedral Church of *Saint Peter* in *York*, or any Buildings now or hereafter to be erected, Walls, or Pavements belonging thereto, which have been reſpectively uſually repaired by, with, or out of the Fund appropriated for the Repairs of the ſaid Cathedral Church, or in the Carriage of any Lime, Dung, Mould, Soil or Compoſt of any Kind for the Manuring of any Garden, or other Land or Ground only, or for the going, paſſing or repaſſing of any Horſe, Mare, Gelding, Mule, Aſs, Cow, or other Cattle for the Purpoſe of watering or grazing only, ſo as that no ſuch Horſe, Mare, Gelding, Mule, or Aſs, be at the ſame Time uſed for the Purpoſe of riding elſewhere, or for any other Purpoſe, or for any Horſe, Cattle, or Carriages of whatſoever Deſcription, employed or to be employed in conveying the Mails of Letters and Expreſſes under the Authority only of His Majeſty's Poſtmaſter General, either when employed in conveying, fetching, or guarding the ſame, or in returning back from conveying the ſame, or for the Horſes of Soldiers on their March or on Duty, or Carriages, or Horſes or other Beaſts employed in carrying the Arms or Baggage of ſuch Soldiers, nor for any Waggon, Wain, Cart,

or other Carriage whatſoever, or the Horſe or Horſes or other Cattle drawing the ſame, which ſhall be employed in conveying any Ordnance, Barrack, or Commiſſariat or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces; or for any Horſe, Mare, or Gelding furniſhed for any Perſon belonging to any Corps of Yeomanay or Volunteer Cavalry, and rode by him in going to or returning from the Place appointed for and on the Days of Exerciſe, provided ſuch Perſons are in the Uniform of their reſpective Corps, and have their Arms, Furniture, and Accoutrements, according to the Regulations provided for ſuch Corps reſpectively at the Time of claiming ſuch Exemptions; or for any Carriage, Horſe, or other Beaſt employed in the Conveyance of Vagrants travelling with legal Paſſes.

Half Toll only to be paid for certain Carriages.

XXIX. And be it further enacted, That all Carriages loaded with Grain for the Three Steam Mills erected on the South-Weſt Side of the River *Ouſe* in the ſaid City of *York*, or for any other Mill or Mills which may be hereafter erected on the ſaid South-Weſt Side of the ſaid River *Ouſe*, within the ſaid City or Suburbs thereof, ſhall be allowed to paſs over the ſaid Bridge called *Ouſe Bridge* on Payment of a Sum not exceeding Half the Amount of the Toll which ſuch Carriages would otherwiſe have been liable to pay under the Scale of Tolls then directed to be taken by the Mayor and Commonalty in Common Council aſſembled under the Authority of this Act; and that any Carriage, having delivered Corn at any of the ſaid Mills, and returning empty the ſame Day, ſhall, on the Driver producing a Certificate of ſuch Delivery from the Occupier of ſuch Mill, be ſuffered to paſs Toll-free.

Owners or Drivers of Waggons in the Service of His Majeſty, not ſubject to Penalties for Overweight, &c.

XXX. And be it further enacted, That no Perſon owning or driving or cauſing to be driven any Waggon, Wain, Cart or other Carriage provided for the Service of His Majeſty's Forces, or conveying any Ordnance, Barrack or Commiſſariat, or other Public Stores of or belonging to His Majeſty, or for the Uſe of His Majeſty's Forces, ſhall be ſubject to any Penalty or Forfeiture for Overweight, nor ſhall any ſuch Waggon, Wain, Cart or other Carriage be ſtopped or detained by reaſon of any Weight in any ſuch Waggon, Wain, Cart, or other Carriage, or of being drawn by any Number of Horſes or Oxen; but it ſhall be lawful for any Owner or Driver of any ſuch Waggon, Wain, Cart, or other Carriage to put any Number of Horſes or Oxen to ſuch Waggon, Wain, Cart, or other Carriage; any Thing in any Act or Acts of Parliament relating to Highways or Turnpike Roads, or in this Act contained, to the contrary notwithſtanding.

The Mayor and Commonalty may compound for Tolls of Carts, &c.

XXXI. And be it further enacted, That the ſaid Mayor and Commonalty in Common Council aſſembled ſhall and may and they are hereby authorized and required, from Time to Time to compound or agree by the Year with any Perſon or Perſons for paſſing over the ſaid *Ouſe* Bridge with his, her, or their Carts, Car or Cars, Dray or Drays, Rulley or Rulleys, to be drawn or uſed by or with his, her, or their own reſpective Horſe or Horſes, Cattle or Beaſts of Draught only ſo as ſuch Compoſition be not leſs than Six Pounds Six Shillings *per Annum* for each ſuch Cart, Car, Dray, or Rulley ſo paſſing, and at any Time drawn by Four Horſes, Cattle, or Beaſts of Draught; nor leſs than Five Pounds *per Annum*

if drawn by Three Horſes, Cattle, or Beaſts of Draught only; nor leſs than Three Pounds Fifteen Shillings *per Annum* if drawn by Two Horſes, Cattle, or Beaſts of Draught, or One Horſe or Beaſt of Draught only; and ſo as that the Owner of each ſuch Cart, Car, Dray, or Rulley, do put, place, or affix, and continue on ſome conſpicuous Part thereof, ſuch Plate or Mark with ſuch Inſcription thereon as the ſaid Mayor and Commonalty ſhall direct or appoint to denote ſuch Exemption, and without which no Exemption ſhall be claimed or allowed, and all ſuch Compoſition Money ſhall inſtantly be paid to ſuch Perſon or Perſons as the ſaid Mayor and Commonalty ſhall appoint to receive the ſame.

and for Brick and Tile Yards.

XXXII. And be it further enacted, That if any Perſon or Perſons being the Owner or Owners, Tenant or Tenants, Occupier or Occupiers of any Brick and Tile Yard, or Brick Yard or Tile Yard only kept or uſed for making Bricks and Tiles, or either of them, for Sale, ſhall think fit to compound or agree with the ſaid Mayor and Commonalty for the Paſſage of all Waggons, Carts, and Carriages whatſoever over the ſaid *Ouſe* Bridge, and in which any ſuch Bricks or Tiles ſhall be led or carried, when and whilſt the ſame reſpectively ſhall be ſolely employed or uſed for the Purpoſe of fetching, carrying, or delivering any ſuch Bricks or Tiles, it ſhall be lawful for ſuch Perſon or Perſons to make ſuch Compoſition on paying the Sum of Six Pounds Six Shillings *per Annum* to the ſaid Mayor and Commonalty for or in reſpect of each ſuch Yard; and on Payment thereof the ſaid Waggon, Carts, and Carriages, when and whilſt the ſame reſpectively ſhall be ſo employed or uſed as laſt aforeſaid, but not otherwiſe, and the Horſes and Cattle drawing the ſame, and the Drivers thereof, ſhall, during the Space of One Year, to be computed from each ſuch Payment, be freed and exempt from the Tolls or Duties which otherwiſe would have become due or payable by virtue of this Act, for or in reſpect thereof.

Compoſitions to be conſidered as Tolls ariſing from Ouſe Bridge.

XXXIII. Provided always, and be it further enacted, That all ſuch Compoſition Money ſhall be and be conſidered as Tolls or Duties ariſing from the ſaid Bridge called *Ouſe* Bridge, or for paſſing over the ſame, and be eſtimated and accounted for accordingly.

Penalty for paſſing the Toll-houſes or doing other Acts to evade or leſſen the Tolls.

XXXIV. And be it further enacted, That if any Perſon or Perſons ſhall forcibly or wilfully paſs by or through any Toll-houſe, Toll-Gate, Bar, or Chain reſpectively to be erected, put, or made in purſuance of this Act, with any Carriage, Horſe, or other Cattle, or ſhall, when or before he, ſhe, or they ſhall come to any ſuch Toll-houſe, Toll-Gate, Bar, or Chain, take off or from any Carriage liable to or charged with any of the ſaid Tolls, or not exempted therefrom by any ſuch Compoſition as aforeſaid, or permit or ſuffer to be taken off or from ſuch Carriage any Horſe or Horſe, Ox or Oxen, or any other Beaſt or Beaſts drawing the ſame, or ſhall put on or add, or permit or ſuffer to be put or added any Horſe or Horſes, Ox or Oxen, or any other Beaſt or Beaſts of Draught, to any ſuch Carriage, after the ſame hath paſſed by or through any ſuch Toll-houſe, Toll-Gate, Bar, or Chain, or ſhall do any other Act with Intent to evade or leſſen the Payment of any of the ſaid Tolls, Duties, or Compoſitions reſpectively, or of any Part thereof, or whereby the Payment thereof, or of any Part thereof reſpectively ſhall any ways be evaded or leſſened, then and in every ſuch Caſe every Perſon ſo offending, being thereof convicted by his own Confeſſion, or upon the Oath of One or more credible Witneſs

Witneſs or Witneſſes, before any One or more Juſtice or Juſtices of the Peace for any of the Ridings of the ſaid County of *York*, ſhall for every ſuch Offence forfeit any Sum not exceeding Forty Shillings, nor leſs than Ten Shillings, beſides Coſts, whereof one Moiety ſhall be paid to the Informer or Informers, and the other Moiety of the Sum ſo forfeited ſhall be paid to the ſaid Mayor and Commonalty for the Purpoſes of this Act.

Mayor and Commonalty may appoint Officers and Receivers of Tolls.

XXXV. And be it further enacted, That the ſaid Mayor and Commonalty in Common Council aſſembled, may and they are hereby authorized and empowered from Time to Time to nominate and appoint all ſuch Officers and other Perſons under them as ſhall be deemed neceſſary for and towards the Execution of the Powers and Authorities hereby given to them, and particularly to nominate and appoint ſuch Perſon or Perſons to be Receiver or Receivers, Collector or Collectors of the ſaid Tolls and Duties as they ſhall think fit; and the ſaid Mayor and Commonalty ſhall and may diſplace and remove any Perſon or Perſons ſo to be nominated or appointed, and from Time to Time appoint any other or others, in his, her, or their Place or Stead, as Occaſion ſhall require, and make ſuch Allowance to the Officers and Perſons to be employed under them, for their Care and Pains in the Execution of their reſpective Offices or Employments as they ſhall think reaſonable, and all Perſons by this Act liable to pay the ſaid Tolls or Duties, or any of them, are hereby required to pay the ſame, after the Rates aforeſaid, to ſuch Receiver or Receivers, Collector or Collectors as aforeſaid; and all ſuch Receivers and Collectors are alſo required to pay the ſame into the Hands of ſuch Perſon or Perſons as the ſaid Mayor and Commonalty in Common Council aſſembled ſhall appoint to be Treaſurer or Treaſurers to receive and apply the ſame; and that ſuch Receiver or Receivers, Collector or Collectors, Treaſurer or Treaſurers reſpectively, ſhall upon Oath, to be taken before the Mayor or any Two Aldermen of the ſaid City for the Time being (which Oath the ſaid Mayor or any Two Aldermen of the ſaid City is and are hereby empowered to adminiſter), from Time to Time give in and render to the Perſons to be nominated and appointed as herein-after mentioned in this Behalf, or to any Nine or more of them to be met and aſſembled for that Purpoſe, a true and exact Account in Writing under their reſpective Hands of all Monies which they and every or any of them ſhall have received, paid, and diſburſed by virtue of this Act, or by reaſon of their reſpective Offices, and ſhall pay over to ſuch Perſon or Perſons as ſhall by the ſaid Mayor and Commonalty be nominated and appointed to receive the ſame, all ſuch Sum and Sums of Money and Balances of ſuch Monies as ſhall be then remaining in their Hands reſpectively; and in caſe any ſuch Receiver or Receivers, Collector or Collectors of the ſaid Tolls and Duties, or Treaſurer or Treaſurers as aforeſaid, or any of them, ſhall not make and verify ſuch Account upon Oath, and alſo make ſuch Payment as aforeſaid by this Act is directed, then and in ſuch Caſe the Mayor or any other Juſtice or Juſtices of the Peace for the ſaid City of *York* for the Time being, ſhall commit ſuch Party or Parties refuſing or neglecting ſo to do to His Majeſty's Gaol or to the Houſe of Correction of the ſaid City, there to remain for the Space of Six Calendar Months, or until he, ſhe, or they ſhall have rendered ſuch Account, and made ſuch Payment as aforeſaid, or compounded for the ſame with the ſaid Mayor and Commonalty in Common Council aſſembled, by and with the Conſent and Approbation of the Perſons ſo authorized as aforeſaid to examine,

ſettle or audit ſuch Acounts, or any Nine or more of ſuch Perſons, in Writing under their Hands, in full Satisfaction for all Money that ſhall be then due from ſuch Perſon or Perſons.

Diſputes to be ſettled by a Juſtice.

XXXVI. Provided always, and be it further enacted, That all Differences and Diſputes between the ſaid Mayor and Commonalty, or their Collectors, Receivers, and Treaſurers of the ſaid Tolls or Duties, and any Perſon or Perſons chargeable or charged therewith, touching or concerning the Amount of ſuch Tolls ſo to be charged or demanded, or any Claim or Claims of Exemption therefrom, or in anywiſe relating thereto, or the Recovery thereof, and any Coſts, Charges, or Expences attendant thereon, ſhall be ſettled and determined in a ſummary way, by One or more Juſtice or Juſtices of the Peace of and for any of the Three Ridings of the County of *York*, by the Oath of the Parties concerned, or of other Witneſſes (which Oath he and they are hereby authorized to adminiſter), or by other good and legal Proof, and which Determination touching the Premiſes ſhall be final and concluſive.

Collectors &c. to be competent Witneſſes.

XXXVII. And be it further enacted, That in caſe any Diſpute, Suit, or Litigation ſhall ariſe touching or in anywiſe relating to the ſaid Tolls or Duties, or any of them, the Perſon or Perſons appointed to collect the ſame, or any other Perſon or Perſons acting by or under the Authority of the ſaid Mayor and Commonalty, ſhall not be incompetent to give Evidence in any ſuch Suit or Litigation, by reaſon of his, her, or their being ſo employed to collect the ſaid Tolls or Duties, or by reaſon of his, her, or their acting by or under the Authority of this Act.

Mayor and Commonalty may erect Toll-houſes, &c.

XXXVIII. Provided always, and be it further enacted, That it ſhall and may be lawful for the ſaid Mayor and Commonalty, at any Time or Times after the paſſing of this Act, to erect or cauſe to be erected any Toll-houſe or Toll-houſes, Gate or Gates, Chain or Chains, Bar or Bars, upon or acroſs or near to the ſaid Bridge called *Ouſe Bridge*, for the Purpoſe of collecting the ſeveral and reſpective Tolls and Duties hereby made payable, and from Time to Time to remove or alter the ſame as they ſhall think fit, and the Right and Property thereto and thereof, whilſt the ſame Bridge ſhall be widening, altering, or repairing, and when and after the ſame ſhall be widened, altered, or repaired as aforeſaid, and the Right and Property of and to the Materials provided for repairing the ſaid Bridges, Toll-houſes, Gates, and Chains reſpectively, ſhall be and are hereby veſted in the ſaid Mayor and Commonalty, and their Succeſſors, and they are hereby empowered to bring or cauſe to be brought any Action or Actions, or to prefer any Indictment or Indictments againſt any Perſon or Perſons who ſhall be liable thereto reſpectively, or diſturb them in the Poſſeſſion thereof, or ſhall take or retain or hold the Poſſeſſion thereof being required to deliver up the ſame by the ſaid Mayor and Commonalty, or any Perſon to be appointed by them for that Purpoſe.

Penalty for deſtroying, &c. the Bridges, Toll houſes, &c.

XXXIX. And for preventing the wilful and malicious damaging or deſtroying the ſaid Bridges, or either of them, or any Part thereof reſpectively, or hindering or interrupting the altering the ſame, or the damaging or deſtroying any ſuch temporary Bridge or Bridges as aforeſaid, or any Toll-houſe, Bar, Gate, or Chain which ſhall be erected, made, or ſet up in

purſuance hereof, be it enacted, That if any Perſon or Perſons ſhall either by Day or Night wilfully or maliciouſly pull down, pluck up, throw down, level, or deſtroy the ſaid Bridges, or any Part thereof reſpectively, or ſuch temporary Bridges, or either or any of them, or any Part thereof reſpectively, or any Toll-houſe or Houſes, Bar, Gate, or Chain, or any Guard or Fence to be erected, fixed, or ſet up for the Purpoſe of collecting any Toll or Duty hereby authorized or directed to be levied, received, or paid, or for the Purpoſe of preventing Paſſengers, Carriages, or Cattle from paſſing without paying the ſame, or for the Safety or Protection of ſuch Paſſengers, or any Part of ſuch Toll-houſe, or Houſes, Bar, Gate, Chain, Guard or Fence, or ſhall wilfully, unlawfully, and maliciouſly cauſe or procure the ſame Bridges or any of them, or any Part thereof reſpectively, to be proſtrated or pulled down, whereby the Lives of the Paſſengers over the ſame ſhall be endangered, that then and in each and every or any of the ſaid Caſes every Perſon ſo offending, being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and ſhall ſuffer as a Felon by being tranſported for any Term not exceeding Seven Years, or by being committed to Priſon for any Time not exceeding Three Years, at the Diſcretion of the Judge or Court before whom ſuch Offence ſhall be tried.

Tolls, &c. not to be aſſeſſed to any Taxes.

XL. And be it further enacted, That the Tolls, Rates, Duties, and Compoſition Money payable or to be received by this Act, ſhall not, nor ſhall any of them or any Part thereof reſpectively, be rated or aſſeſſed for or towards any Parochial Rate, Aſſeſſment, or Impoſition whatſoever.

Tolls may be let from Year to Year.

XLI. And be it further enacted, That it ſhall be lawful for the ſaid Mayor and Commonalty, from Time to Time if they ſhall think fit, to leaſe or let by Auction the ſaid Tolls, or any Part or Parts of ſuch Tolls unto any Perſon or Perſons from Year to Year, for the beſt Rent that can be gotten for the ſame, payable at ſuch Times, and under ſuch Covenants, and to ſuch Perſon or Perſons, as they the ſaid Mayor and Commonalty ſhall direct or appoint, and the Monies ariſing thereby ſhall be applied in ſuch Manner as the Tolls to be ſo leaſed are hereby directed to be applied.

Water-pipes, &c. may be removed without unneceſſary Delay, &c.

XLII. And be it further enacted, That if in the Execution of the Powers hereby given or any of them, it ſhall be thought neceſſary to take up or remove any Water-pipes, Conduits, Cocks, or Works laid or placed in or acroſs the ſaid Streets and Bridges, or any of them, for the Paſſage or Conveyance of Water from the Water-works in the ſaid City, the ſame ſhall and may be lawfully taken up and removed, ſo and in ſuch Manner that no wilful or unneceſſary Damage, Inconvenience, Obſtruction, or Delay ſhall be done or occaſioned thereby, and all ſuch Damage or Injury as ſhall or may be immediately done or committed to the ſaid Pipes, Conduits, or Works, by taking up or removing the ſame, or any Part thereof as aforeſaid, ſhall from Time to Time, with all convenient Speed afterwards, be repaired and made good by and out of the Tolls and Duties hereby rated or made payable, by laying down good and ſufficient Pipes of the like nature, in the Room or Stead of thoſe which ſhall be ſo removed or taken away, and after the Removal or taking away of

the Pipes or Works now lying on or contiguous to the ſaid Bridges, or either of them, the Proprietors of the ſaid Water-works ſhall have liberty and they are hereby authorized, by themſelves or their Servants or Agents, from Time to Time to amend or repair, as Occaſion ſhall require, all Pipes and Works which ſhall thereafter be placed or laid down on or contiguous to the ſaid Bridges and temporary Bridges, or either of them, by the ſaid Mayor and Commonalty as aforeſaid, or by the Proprietors of the ſaid Water-works, in ſuch Manner as the ſaid Mayor and Commonalty ſhall direct, ſo as that the Pavement to be taken up or removed for the doing thereof be repaired and made good with proper Paving Stones and Gravel, and not otherwiſe.

When Council Chamber is taken down, Mayor and Commonalty may meet at the Guildhall.

XLIII. And whereas the Council Chamber and other Rooms upon or adjoining to *Ouſe Bridge* aforeſaid, wherein the ſaid Mayor and Commonalty have been accuſtomed to meet and tranſact Buſineſs, muſt neceſſarily be taken down and removed for effectuating the Purpoſes of this Act, therefore, be it enacted, That the ſaid Mayor and Commonalty and their Succeſſors ſhall and may from Time to Time meet and aſſemble at or in the *Guildhall* of the ſaid City, or at or in any Rooms or Places adjoining thereon, or being Part thereof or near thereto, or elſewhere within the ſame City, and there conſult and agree, make, do, perform, and execute, and require to be done, performed, executed, and obſerved, all ſuch Bye-laws, Ordinances, Orders, Matters, and Things whatſoever, as the ſaid Mayor and Commonalty or their Succeſſors for the Time being, can or may lawfully make, do, perform, or execute, or require to be done, performed, executed, or obſerved, in ſuch or the like Manner to all Intents and Purpoſes as the ſaid Mayor and Commonalty have been uſed or accuſtomed to do or execute, or might have lawfully done at or in the ſaid Council Chamber and Rooms upon or adjoining to *Ouſe Bridge* as aforeſaid.

Tolls to continue till Money borrowed be paid.

XLIV. And be it further enacted, That the Tolls and Duties hereby created or made payable for the Time being as aforeſaid ſhall be payable and have Continuance accordingly, until all the Principal Money which ſhall be raiſed or borrowed by virtue of this Act for the Purpoſes aforeſaid, and the Intereſt thereof, and the Coſts and Charges of borrowing the ſame, ſhall be paid off and diſcharged.

How Ouſe Bridge is to be repaired.

XLV. Provided always, and be it further enacted, That the ſaid Bridge called *Ouſe Bridge*, and the Works and Pavement thereof, ſhall and may be ſupported, repaired, amended, maintained, and lighted by, with, or out of the Tolls and Duties hereby created or made payable, or any Money to be raiſed or borrowed upon the Credit thereof, for the Term of Seven Years next after the ſame Bridge ſhall be widened or altered, finiſhed, and made perfect according to the true Intent and Meaning hereof; and from and after the Expiration of the ſaid Term of Seven Years the ſaid Bridge widened or altered, and the Works and Pavement thereof, the renewed and altered Pavements of the ſame, and of the ſaid ſeveral Streets and Paſſages leading and near thereto reſpectively, ſhall be ſupported, repaired, amended, maintained, and lighted by;

by ſuch and the ſame Perſon or Perſons, Ways or Means, and in ſuch or the like Manner to all Intents as the ſaid Bridge over the ſaid River *Ouſe*, and the Works and Pavement thereof, and of the ſaid Streets and Paſſages, is and are by Law, and the Charters of the ſaid City, or otherwiſe, to be ſupported, repaired, maintained, and lighted, but not further or otherwiſe.

Surplus of Tolls not exceeding £.500 to be paid to the Mayor and Commonalty on account of the additional Repairs of Ouſe Bridge.

XLVI. And whereas by reaſon of the widening or altering the ſaid Bridge called *Ouſe Bridge* as aforeſaid the ſame will be conſiderably enlarged, and the Repairs thereof will hereafter become more expenſive: And whereas after paying and ſatisfying all Debts and Expences to be incurred in the Execution of this preſent Act, ſome Surplus may and probably will remain in the Hands of the ſaid Mayor and Commonalty, or of their Collector or Collectors, Treaſurer or Treaſurers; be it therefore enacted, That the Surplus or Balance, not exceeding in the whole the Sum of Five hundred Pounds, ſhall be retained by the ſaid Mayor and Commonalty, or paid into the Common Chamber of the ſaid City, or otherwiſe as the ſaid Mayor and Commonalty ſhall direct, for the Uſe of the ſaid Mayor and Commonalty, and ſhall veſt in them for the Purpoſe, and in order the better to enable the ſaid Mayor, and Commonalty to ſupport, repair, amend, maintain, and light the ſaid Bridge, and the Works and Pavement thereof as aforeſaid; and that due Care ſhall be had and taken to prevent the ſaid Surplus or Balance from exceeding the Sum of Five hundred Pounds.

Accounts to be kept ſeparate from others.

XLVII. Provided always, and be it further enacted, That all Accounts touching or concerning the ſaid Tolls, Rates, and Duties, or the Collection thereof, and alſo touching or concerning all Works and Buſineſs to be made or done by, with, or out of the ſaid Tolls, Rates, or Duties, or any Money to be borrowed or raiſed on the Credit thereof as aforeſaid, or of or concerning any other Monies to be received and paid in the due Execution of this Act, ſhall be kept and accounted for ſeparately and diſtinctly in all reſpects from any other Accounts of the ſaid Mayor and Commonalty or otherwiſe; and that the ſaid Mayor and Commonalty in Common Council aſſembled, ſhall and may from Time to Time nominate, depute, or appoint Ten Perſons, whether Part of their own Body or not, at their Diſcretion, to be added to or joined with Twenty diſintereſted Perſons, not of or belonging to the Body Corporate of the Mayor and Commonalty of the ſaid City to be appointed as herein-after is mentioned, for the Purpoſe of examining, ſettling, and auditing from Time to Time all ſuch Accounts as aforeſaid, and aſcertaining the Amount of the Sum and Sums of Money which ſhall have been from Time to Time borrowed or raiſed and ſhall be remaining due or owing, and the Account of the Sum or Sums which ſhall be from Time to Time received or collected, or ſhall ariſe from or in reſpect of the ſaid Tolls or Duties reſpectively, under or by virtue of the Powers and Authorities herein contained, or any of them, and of the Application and Expenditure thereof, that it may be be fully and clearly known when the Tolls, Rates, or Duties hereby authorized or directed to be received ſhall reſpectively ceaſe, or be leſſened, diminiſhed, or ſuſpended.

XLVIII. And

Auditors appointed.

XLVIII. And be it further enacted, That the Honourable *Granville Anſon Chetwynd Stapylton*, Sir *Mark Maſterman Sykes* Baronet, Sir *William Strickland* Baronet, the Very Reverend the Dean of *York*, Reverend *Robert Croft*, Reverend *Robert Markham*, Reverend *John Eyre*, Reverend *George Diſmith Kelly*, Clerks, *William Mordaunt Milner*, *John Bacon Sawrey Morritt*, *Stephen Croft*, *Hall Plumer*, *William Carr*, *Thomas Lodington Fairfax*, *Thomas Swann*, *Edward Preſt*, *William Gray*, *John Telford*, *William Tuke*, and *John Prince*, Eſquires, and their Succeſſors to be appointed as herein-after mentioned, together and along with Ten other Perſons, to be ſo from Time to Time nominated, deputed, or appointed by the ſaid Mayor and Commonalty as aforeſaid, ſhall be Auditors of the ſaid Accounts for the Purpoſes herein-before mentioned, and that the major Part of the ſaid Auditors aſſembled at any Meeting to be held in purſuance of ſuch Notice, as they ſhall for the Time being think proper to give, of the Time and Place of their Meetings, ſhall and may act and determine upon all Things hereby authorized or required to be done by the ſaid Auditors, ſo as Nine or more of them be preſent, and conſent thereto, and in caſe of an Equality of Votes at any ſuch Meeting the Chairman ſhall have the caſting Vote.

Power to appoint new Auditors.

XLIX. Provided always, and be it further enacted, That when and as often as any of the ſaid Twenty Perſons herein-before particlarly named and appointed Auditors, or any Perſon or Perſons to be appointed in the Place of them or any of them, as herein-after mentioned, ſhall die, decline, refuſe, or become incapable to act in the Premiſes, then and in every ſuch Caſe ſome other diſintereſted Perſon or Perſons not being a Member or Members of the ſaid Corporate Body, ſhall be from Time to Time nominated or apointed by the others of the ſame Twenty Perſons, and by ſuch new Auditor or Auditors as ſhall have been ſo nominated or appointed in the Place of them, or any of them, or their, or any of their Succeſſors, or by the major Part of the ſaid laſt-mentioned Auditors reſpectively for the Time being, ſo that the Number may be kept up, and the Vacancies as they occur regularly ſupplied from Time to Time in Manner aforeſaid.

Receiver or Collector to render a juſt Account, &c.

and on Neglect or Refuſal to be committed.

L. And be it further enacted, That every Receiver or Collector of any Money payable by virtue of this Act ſhall render a juſt Account thereof, and pay ſuch Balance as ſhall remain in his Hands over and into the Hands of the Treaſurer or Treaſurers to be nominated and appointed as aforeſaid, at ſuch Time or Times, and ſo often as the ſaid Auditors ſhall for that Purpoſe order or direct; and every Surveyor or other Perſon intruſted with the Receipt or Payment of any Money for the Purpoſes aforeſaid ſhall alſo, whenever he ſhall be thereunto required by the ſaid Auditors, pay the Balance in his Hands as aforeſaid; and if any ſuch Receiver or Collector, Surveyor, or other Perſons ſo intruſted, ſhall neglect or refuſe to make ſuch Account and Payment as by this Act is directed, then the Mayor or any other Juſtice of the Peace of the ſaid City ſhall commit ſuch Collector or Receiver, Surveyor or other Perſon ſo neglecting and refuſing as aforeſaid, to His Majeſty's Common Gaol, or to the Houſe of Correction in the ſaid City, there to remain without Bail or Mainprize, for and during any Time not exceeding the Space of Six

Calendar Months, unleſs he ſhall before the Expiration of that Time have made a true Account and Payment as aforeſaid, or compounded for the ſame with the ſaid Mayor and Commonalty with the Conſent of the ſaid Auditors, or any Nine or more of them, at ſome or one of their Meetings or Adjournments thereof, and paid the Money ſtipulated by every ſuch Compoſition, which Compoſition the ſaid Mayor and Commonalty with ſuch Conſent as aforeſaid, are hereby authorized from Time to Time to make and receive in full Satisfaction for the Monies which ſhall be ſo due and unaccounted for.

Books to be kept by the Treaſurer, &c.

LI. And be it further enacted, That there ſhall be provided and kept by ſuch Treaſurer or Treaſurers as aforeſaid, One or more Book or Books, in which all the Receipts and Diſburſements of the Monies to ariſe and be received by virtue of this Act, ſhall from Time to Time be fairly ſet down and entered, wherein ſhall be truly expreſſed the Times when, and the Names of the Perſons reſpectively from whom the ſame were ſo received, and to whom and for what Uſes or Purpoſes the ſame ſhall have been diſburſed, and an Account of ſuch Receipts and Payments ſhall be fairly ſtated and ſigned by the ſaid Treaſurer or Treaſurers, when and as often as the ſaid Auditors, or any Nine or more of them, ſhall direct or appoint, (not being oftener than Once in Three Calendar Months) and delivered by him or them (on Oath as aforeſaid, if thereunto required) to the ſaid Auditors, or any Nine or more of them, at any ſuch Time and Place as they ſhall from Time to Time appoint for that Purpoſe; and the ſaid Auditors are hereby empowered from Time to Time to inſpect, examine, and audit ſuch Account, and to ſettle, adjuſt, and approve of the ſame, if it ſhall appear to them to be juſt and reaſonable, but if it ſhall not ſo appear then and in ſuch Caſe they are hereby authorized and required to diſallow the ſame, and to aſſign and ſet down in Writing their Reaſons for diſallowing the ſame, or any Charge or Article therein, and after every ſuch Audit ſhall be made, the ſaid Book or Books ſhall be lodged in the Office of the Town Clerk of the ſaid City, for the Uſe and Inſpection of the ſaid Mayor and Commonalty and for the Inſpection of any other Perſon or Perſons at any reaſonable Hour, deſiring to ſee the ſame; provided that any Perſon or Perſons deſiring ſuch Inſpection who ſhall not be a Member of the Corporation of the ſaid City, or an Auditor by virtue of this Act, ſhall for every ſuch Inſpection pay the Sum of One Shilling.

Accounts to be publiſhed.

LII. And be it further enacted, That the ſaid Mayor and Commonalty ſhall and they are hereby required, Once in every Year during the Continuance of the ſaid Tolls, to publiſh in each of the *York* Newſpapers an exact Statement of the Accounts relative to the Receipt and Expenditure of the ſaid Tolls, as the ſame ſhall have been examined and ſettled by the ſaid Auditors, at their Audit next preceding ſuch annual Publication, the ſame to be ſo publiſhed during the Months of *May* and *June*, or one of them.

Expences of the Act, &c. to be paid.

LIII. And be it further enacted, That all Expences preparatory to and of obtaining and paſſing this Act ſhall and may be paid out of the Monies to

to be raiſed, collected, borrowed, and received as aforeſaid, under and by virtue of this Act.

How Penalties and Forfeitures are to be levied and applied.

LIV. And it is hereby enacted, That all Penalties and Forfeitures by this Act impoſed (the Manner of recovering and levying whereof is not hereby otherwiſe particularly directed), ſhall be recovered and levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of One or more Juſtice or Juſtices of the Peace of the County, City, or Place where the Offence ſhall be committed, or the Offender found, which Warrant ſuch Juſtice or Juſtices are hereby empowered and required to grant, upon the Confeſſion of the Party or Parties, or upon Information of One or more credible Witneſs or Witneſſes, upon Oath (which Oath ſuch Juſtice or Juſtices is and are hereby empowered to adminiſter), and ſuch Penalties and Forfeitures, when recovered, after rendering the Overplus (if any there be) upon Demand to the Party or Parties whoſe Goods and Chattels ſhall be diſtrained and ſold (the Charges of ſuch Diſtreſs and Sale being firſt deducted), ſhall be paid to the ſaid Treaſurer or Treaſurers for the Time being, and be applied, one Half thereof to the Informer, and the other Half towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, then it ſhall and may be lawful to and for any ſuch Juſtice or Juſtices to commit ſuch Offender to the Houſe of Correction, without Bail or Mainprize, for any Space not exceeding Sixty Days.

Diſtreſs not unlawful for want of Form.

LV. 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, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect, Default, or want of Form in any Proceeding relating thereto, nor ſhall the Party or Parties be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining.

Mayor and Commonalty to make good Deficiencies of Taxes, &c.

LVI. And whereas by reaſon of pulling down the Houſes and making the Alterations in purſuance of this Act there may be Deficiencies in the Produce of the Land Tax, Church, Poor Rates, and the Rates for lighting the Streets within the Pariſhes of *Saint Michael Spurriergate*, and *Saint John Micklegate*, in the ſaid City of *York*, be it therefore further enacted, That the ſaid Mayor and Commonalty ſhall from and after the paſſing of this Act, or until the ſaid ſeveral Works, Alterations, and Improvements ſhall or may be completed and finiſhed, out of the Tolls, Rates, and Duties by this Act impoſed, make good to the ſaid Pariſhes of *Saint Michael Spurriergate* and *Saint John Micklegate*, ſuch Deficiences of and in ſuch Taxes and Rates as ſhall from Time to Time happen and be occaſioned in ſuch Pariſhes reſpectively, by reaſon of the making and carrying on of the Alterations and Improvements aforeſaid, ſuch Deficiencies to be eſtimated according to and upon the Scale of the Rates, Taxes, and Aſſeſſments which have been or ſhall be rated, laid, and aſſigned in the ſaid Pariſhes reſpec-

tively from the Fifth Day of *April* One thouſand eight hundred and eight, to the Fifth Day of *April* One thouſand eight hundred and nine.

Proceedings not to be vacated for want of Form nor removed by Certiorari.

LVII. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders againſt this Act, or any Order made, or any other Matter or Thing to be done or tranſacted in or relating to the Execution of this Act, ſhall be vacated or quaſhed for want of Form only, or be removed or removable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, any Law or Statute to the contrary notwithſtanding.

Power of Appeal.

LVIII. Provided always, and be it further enacted, That any Perſon or Perſons thinking himſelf, herſelf, or themſelves aggrieved by the Order or Determination of any Juſtice or Juſtices of the Peace under this Act, may appeal to the Juſtices of the Peace at a Special Seſſions of the Peace to be held at the Caſtle of *York*, in and for the ſaid County of *York*, before any Two or more Juſtices of the Peace of and for any of the Three Ridings of the ſaid County of *York*, upon giving Notice in Writing within One Calendar Month next after ſuch Order or Determination ſhall have been made or given of his, her, or their Intention to appeal (ſpecifying therein the Cauſe or Cauſes of Complaint), to the Party intereſted therein or intended to be affected by ſuch Complaint, at leaſt Ten Days before ſuch Seſſions ſhall be held, and the ſaid Juſtices ſhall in a ſummary Way hear, adjudge, and determine ſuch Appeal at ſuch Seſſions, and ſhall or may award Coſts, or not, as to them ſhall ſeem proper.

24 G. 2. for rendering Juſtices of the Peace more ſafe in Execution of their Office extended to this Act.

LIX. And be it further enacted, That the Statute made in the Twenty-fourth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for rendering Juſtices of the Peace more ſafe in the Execution of their Office, and for indemnifying Conſtables and others acting in Obedience to their Warrants*, ſo far as the ſaid Act relates to rendering Juſtices of the Peace more ſafe in the Execution of their Office, ſhall extend and be conſtrued to extend to the ſaid Juſtices reſpectively acting under the Authority of this Act; and no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance or under Colour of this Act, until Fourteen Days Notice ſhall be thereof given in Writing, or after ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought, and every ſuch Action ſhall be brought, laid, and tried in the City or County where the Cauſe of Action ſhall ariſe, and not elſewhere; and that the Defendant or Defendants in ſuch Actions or Suits, and every of them, may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial or Trials which ſhall be had thereupon, and that the Matter or Thing for which ſuch Action or Actions, Suit, or Suits, ſhall be ſo brought, was done in purſuance and by the Authority of this Act; and if the ſaid Matter or Thing ſhall appear to have been ſo done, or if it ſhall appear that ſuch Action or Suit was

General Iſſue.

brought

brought before Fourteen Days Notice given as aforesaid, and that a sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County or Place than as aforesaid, then the Jury or Juries shall find for the Defendant or Defendants therein, and if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become Nonsuited, or suffer Discontinuance thereof, or if Judgement shall be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for Recovery of the same, as any Defendant or Defendants hath or have for Costs in any other Cases by Law. Treble Costs.

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

The First SCHEDULE

Mentioned or referred to in or by the above Act, and thereunto annexed;

Specifying the ſeveral Meſſuages, Lands, and Tenements intended to be purchaſed, taken down, or uſed in purſuance thereof:

And FIRST, as to ſeveral Meſſuages and Buildings on the Eaſt Side of the ſaid River Ouſe, and fronting the Street called Low Ouſegate, in the City of York.

No. 1 & 2.—A Meſſuage or Tenement, formerly in Two, and now uſed as a Dwelling-houſe and Bankers Shop, with the Yard and Appurtenances, being the Corner Houſe next Spurriergate, and all belonging to Meſſrs. John Raper, Thomas Swann, John William Clough, Robert Swann, and Henry Bland, of the ſaid City, Bankers.

No. 3.—One other front Meſſuage or Dwelling-houſe lying towards the Weſt of and near adjoining No. 2, with the Appurtenances, and now belonging to Mr. William Davies, and in the Tenure or Occupation of the ſaid William Davies.

No. 4.—One other front Meſſuage or Dwelling-houſe lying towards the Weſt of and next adjoining on No. 3, with the Appurtenances; and alſo a Back Workſhop or Warehouſe adjoining the Church Lane, and formerly purchaſed diſtinct from the ſaid Meſſuage, and all now belonging to Robert Hick, Tallow-chandler, or his Aſſigns, and in the Occupation of the ſaid Robert Hick and of Ann Ledger.

No. 5.—One other front Meſſuage or Dwelling-houſe and Kitchen, and a Stable behind the ſame, with the Appurtenances lying towards the Weſt of and in part next adjoining on the Meſſuage deſcribed in No. 4, and all now belonging to and in the Occupation of Robert Hick, Butcher, or his Aſſigns.

No. 6.—One other front Meſſuage or Dwelling-houſe, with the Buildings and Appurtenances thereto belonging, lying towards the Weſt of and next adjoining on No. 5, and now belonging to Andrew Race, and in the Occupation of William Nicholſon or his Aſſigns.

No. 7.—One other front Meſſuage or Dwelling-houſe, and other Buildings, Stable Yards, and Soil Hole behind the ſame, lying towards the Weſt of and next adjoining in part on No. 6 and No. 4, and now belonging to and in the Occupation of Robert Dent or his Aſſigns.

No. 8.—One other front Meſſuage or Dwelling-houſe, and a Warehouſe, Stable, Buildings, and Yard behind the ſame, with their Appurtenances, lying towards the Weſt of and next adjoining in part on No. 7. and all now belonging to George Waud, and occupied by him and his Tenants, William Leedle, George Smith, and George Stones, or their Aſſigns.

No. 9.—Two other front Meſſuages or Dwelling-houſes, with the Buildings, Workſhop, Yards and Appurtenances behind the ſame or belonging thereto, lying towards the Weſt of and chiefly next adjoining on No. 8, and all now belonging to William Bewlay, and in the Poſſeſſion of Thomas Hick, Francis Clarkſon, and Joſeph Fiſher, or his or their Aſſigns.

No. 10.—Two other front Meſſuages or Dwelling-houſes, with the Warehouſe, Stable, and Buildings behind the ſame, and the Paſſage, Yard, and Appurtenances thereunto reſpectively belonging, lying towards the Weſt of and chiefly next adjoining on No. 9, and all now belonging to Mr. William Scott and Mr. Robert Hartley, as Deviſees in Truſt under the Will of Mr. Robert Hartley deceaſed, and occupied by Thomas Morrod and Henry Weadley, or their reſpective Agents.

No. 11.—One other front Meſſuage or Dwelling-houſe and Shop, with ſo much of the Yard or Garden behind the ſame as belongs thereto, and other Appurtenances lying towards the Weſt of and next adjoining on No. 10, and all now belonging to Mrs. Frances Clarke and her Son William Stephenſon Clarke, or one of them, and occupied by the ſaid Frances Clarke and William Stephenſon Clarke, or their Aſſigns.

SECONDLY, as to other Lands, Grounds, Tenements, and Buildings, lying on the ſame Side of the ſaid River.

A Piece or Parcel of Ground belonging to the ſaid Mayor and Commonalty of the City of *York*, being the Scite of ſeveral Meſſuages or Tenements purchaſed by or in Truſt for them, and lying in Part towards the Weſt of and next adjoining on No. 11; and certain other Pieces or Parcels of Land lying behind or near the ſame, alſo belonging to the ſaid Mayor and Commonalty, and Part whereof is now occupied by the ſaid Frances Clarke and William Stephenſon Clarke, or one of them.

And likewiſe all the Waſte Ground and Soil belonging to the ſaid Mayor and Commonalty lying between or near to the ſaid Pieces or Parcels of Ground laſt above deſcribed, and the ſaid River, and extending along the Side of the ſaid River to the Lane intended to be made from Spurriergate.

Several Workſhops, Warehouſes, or other Buildings and Erections, with the Yard and Appurtenances thereunto belonging, adjoining upon

the ſaid River Ouſe, or the Bank thereof towards the Weſt, and Part of which extends from thence to the ſaid Church Lane, and bounded by the Eſtate of Mr. William Davies towards the North, and all now belonging to Joſeph Wood, and occupied by him and George Surr, George Stones, and George Elliott, or their reſpective Aſſigns.

A Lane, Paſſage, or Piece of Waſte Ground adjoining, upon, or under the Premiſes laſt above deſcribed.

A Stable or Building, with the Appurtenances lying intermixed with or bounded by Numbers 9 and 10, and belonging to Mr. Thomas Hick, and in his Occupation.

Two Stables, or a Building and Yards adjoining to the ſaid Church Lane, towards the Eaſt, and now belonging to Mr. William Davies, and occupied by him and the ſaid Robert Hick, Butcher, or their Aſſigns.

Another Stable, or Building and Yard adjoining upon the ſaid William Davies's Stables or Building towards the North, and upon the ſaid Church Lane towards the Eaſt, and now belonging to and occupied by Daniel Peacock.

A ſmall Part of the Church Yard of or belonging to the Pariſh Church of Saint Michael, Spurriergate, in the ſaid City, of the Length of Thirty Feet or thereabouts, beginning at the North Weſt Corner of the ſaid Church Yard, and being there of the Breadth of Two Feet or thereabouts, and extending from thence Weſtwards, nearly in a direct Line to a Point ſo as to be of the Medium Breath of one Foot or thereabouts; and alſo other Part of the ſame Church Yard the whole Length of the Weſt End thereof, and of the Breadth of Six Feet or thereabouts.

A Tenement or Building, ſuppoſed to have been formerly a Houſe, lying on the South Side of and next adjoining to the ſaid Pariſh Church of St. Michael, Spurriergate, and now belonging to the Feoffees of that Pariſh; which ſaid Tenement or Building is at preſent Part of the ſaid Bankers Shop or Dwelling-houſe, in the Poſſeſſion of the ſaid John Raper, Thomas Swann, John William Clough, Robert Swann, and Henry Bland, and is held by them under a Leaſe for a long Term of Years from the ſaid Feoffees.

The Lane or Paſſage leading from Low Ouſegate into the ſaid Church Lane.

Which Premiſes before deſcribed are intended to compriſe all the Houſes, Buildings, and Grounds fronting Low Ouſegate aforeſaid towards the South, and the Buildings and Grounds behind the ſame, and extending from the ſaid Church and Church Yard to the River Ouſe.

THIRDLY,

THIRDLY, as to certain Meſſuages, Tenements, or Dwelling-houſes and Hereditaments on the Weſt Side of the ſaid River Ouſe, and fronting the Street called Briggate in the City of York towards the South.

No. 12.—A front Meſſuage or Dwelling-houſe and Shop (being the Corner Houſe next North Street), with the Appurtenances thereunto belonging, and now in the Poſſeſſion of Elizabeth Todd, Grocer, as Tenant thereof, to or under Mr. Robert Driffield, Ann Driffield, and Elizabeth Hailſton, Spinſters; and alſo a Warehouſe and Yard, with the Appurtenances, adjoining on the ſaid Meſſuage, and now in the Occupation of the ſaid Elizabeth Todd, and belonging to the Reverend John Hailſtone.

No. 13.—Two other front Meſſuages or Dwelling-houſes, ſtanding together and lying towards the Eaſt of and next adjoining on No. 12, and divers Tenements or Buildings, with the Paſſages, Yard and Garden thereunto reſpectively appertaining, and all now belonging to Mr. Edward Matterſon, and now or late in the Tenure or Occupation of the ſaid Edward Matterſon, and of Robert Wilkinſon, William Thorpe, Robert Champlay, Arabella Beckwith, and John Rodney, or their reſpective Undertenants or Aſſigns.

No. 14.—Two front Meſſuages or Dwelling-houſes, with the Shops, Buildings, and Yard thereto belonging, bounded towards the Weſt and North by No. 13, and all now belonging to Robert Driffield, Gentleman, and Part thereof occupied by Ann Pulleyne.

No. 15.— A front Meſſuage or Dwelling-houſe, with the Appurtenances, lying towards the Eaſt, and next adjoining on No. 14, and bounded towards the North by Part of No. 13, and now belonging to and in the Poſſeſſion of Mrs. Dorothy Newton or her Aſſigns.

No. 16.—Two other front Meſſuages or Dwelling-houſes next adjoining to No. 15, and bounded thereby towards the Weſt and North, which now belong to Edmund Hardman, and are in the Tenure or Occupation of Hannah Snow and the ſaid Edmund Hardman, or their Aſſigns.

FOURTHLY,

Three Dwelling-houſes or Tenements fronting Briggate aforeſaid, belonging to the ſaid Mayor and Commonalty, and all being towards the Eaſt of No. 16, and next to Part of the late Common Gaol of the ſaid City, and Two of them now in the Poſſeſſion of Thomas Moor and Joſeph Leaf, and the other unoccupied; and alſo the Council Chamber, and other Rooms and Buildings belonging to the ſaid Mayor and Commonalty on the North Side of Briggate aforeſaid, and upon or adjoining on Ouſebridge; and alſo the Whole of the ſame, Part of the ſaid Common Gaol lying intermixed with or under the ſaid Dwelling-houſes, Council Chamber, and Rooms and Buildings laſt deſcribed; alſo all the Ground and Soil belonging to the ſaid Mayor and Commonalty next the ſaid River on the Weſt Side thereof, extending from Ouſebridge to the firſt Lane leading from the ſaid River into North-ſtreet.

Several Meſſuages, Tenements, or Dwelling-houſes, and certain Buildings and Ground bounded by the ſaid Lane, leading from North-ſtreet to the ſaid River Ouſe on one Side, and Numbers 12 and 13 on the other Side, and extending from North-ſtreet towards and near to the ſaid River, and all belonging to Mr. John Hopps, and in the ſeveral Tenures and Occupation of the ſaid John Hopps, Frances Hoyland, Michael Jackſon, and William Suggitt, or their reſpective Aſſigns.

Which Premiſes, Thirdly and Fourthly above deſcribed, are intended to compriſe all the Houſes, Buildings, and Ground lying between Briggate aforeſaid and the ſaid laſt mentioned Lane, and extending from North Street aforeſaid to the ſaid River.

FIFTHLY, as to all the other Meſſuages, Buildings, Grounds, and Hereditaments adjoining on any of the Streets or Paſſages leading or near to Ouſebridge, which are neceſſary to be purchaſed, taken, or uſed for widening or improving the ſame Streets, Paſſages, and Bridge, or any of them.

Part of the Church Yard of or belonging to the Pariſh Church of Saint John, Micklegate, in the ſaid City, next the Street called Micklegate, and extending from North-ſtreet, Weſtward, the whole Length of the ſaid Church Yard, of the Medium Width or Breadth of Two Feet or thereabouts, ſo as to make a ſtraight Line or nearly ſo; and alſo other Part of the ſame Church Yard acroſs the Eaſt End thereof, from Micklegate to the Church Corner, of the Medium Width or Breadth of One Foot or thereabouts.

A Meſſuage, Tenement, or Dwelling-houſe, with the Appurtenances, fronting Micklegate aforeſaid, being the Corner Houſe next Skeldergate, belonging to Stephen Collier and John Croſby, and in the Occupation of the ſaid Stephen Collier, John Croſby, and Mary Sedgwick, Widow.

Certain Rooms, formerly a Dwelling-houſe, and alſo ſuch Part of the Warehouſes or Buildings fronting Skeldergate, lying towards the South of and next adjoining on the ſaid laſt-mentioned Meſſuage at one End thereof, and on the Lane leading to Biſhophill at the other End, as the ſaid Mayor and Commonalty ſhall think neceſſary, and now belonging to the ſaid John Croſby, and occupied by him and his Partners, Joſeph Marſhall and John Catton.

All, or that Part fronting the Street only, as the ſaid Mayor and Commonalty or their Succeſſors ſhall think moſt eligible, of the ſeveral Meſſuages, Tenements, or Dwelling-houſes, with their Appurtenances, or any of them, ſtanding and being in Briggate and Low Ouſegate, and extending from Skeldergate to the Corner of Neſſgate, next herein-after mentioned; (that is to ſay),

One Meſſuage or Dwelling-houſe ſituate at the Corner of Briggate next to Skeldergate, and fronting the Street, belonging to John Leatham, and in his Occupation.

Another

Another front Meſſuage or Dwelling-houſe next adjoining on the laſt-mentioned Meſſuage on the Eaſt End thereof, belonging to John Dodſworth, John Newton, and John Middleton, as Feoffees of the Pariſh of Saint John Micklegate, in the ſaid City; and in the Occupation of Robert Mountain.

Another front Meſſuage or Dwelling-houſe adjoining on the Eaſt on the laſt-mentioned Dwelling-houſe, and belonging to Thomas Owſton, and in his Occupation.

Another front Meſſuage or Dwelling-houſe, held by Mr. John Newton, under Leaſe from Univerſity College, Oxford, adjoining on the Eaſt upon the laſt-mentioned Meſſuage, and in the Occupation of Robert Cocker.

Another front Meſſuage or Dwelling-houſe held by Leaſe, from the ſaid Univerſity College, Oxford, by Sarah Scruton, Widow, on the Eaſt End of the laſt-mentioned Meſſuage, and in her Occupation.

Another front Meſſuage or Dwelling-houſe adjoining on the Eaſt End of the laſt-mentioned Dwelling-houſe, belonging to the ſaid Mayor and Commonalty, and in the Occupation of Thomas Gibſon.

Another front Meſſuage or Dwelling-houſe, or Part thereof, adjoining on the Eaſt on the laſt-mentioned Dwelling-houſe, belonging to Mary Lamb, Widow, and in the Occupation of Mary Mills, Widow.

Another front Meſſuage or Dwelling-houſe adjoining on the Eaſt on the laſt-mentioned Meſſuage, belonging to Matthew Walker, and in his Occupation.

The whole of the Building, late the Debtors Side of the Common Gaol of the ſaid City, or ſo called, and the whole of the Dwelling-houſe, Tenement, and Room formerly occupied by the Gaoler or Keeper thereof for the Time being.

The Site of Three Dwelling-houſes belonging to the ſaid Mayor and Commonalty, and adjoining on the ſaid Building, late the Debtors Side of the Gaol.

Three Meſſuages, Tenements, or Buildings, with the Appurtenances, ſtanding upon the South Side of Ouſebridge, at or near the Eaſt End thereof, belonging to the ſaid Mayor and Commonalty, and in the Tenure or Occupation of John Singleton, Hannah Clifford, George Lund, and John Rawdon.

A Meſſuage or Dwelling-houſe ſituate on the South Side of Low Ouſegate, and adjoining on the Eaſt End of the laſt-mentioned Meſſuage, belonging to Mr. Thomas Sanderſon, and in his Occupation.

Another Meſſuage or Dwelling-houſe adjoining on the Eaſt End of the laſt-mentioned Dwelling-houſe, belonging to the ſaid Thomas Sanderſon, and in the Occupation of Benjamin Fletcher.

Another Meſſuage or Dwelling-houſe belonging to Wilfred Pyemont, William Davies, Thomas Jennings, Matthew Browne, and Matthias Wiſker, as Feoffees of the Pariſh of Saint Michael, Spurriergate, and held under Leaſe by Mrs. Frances Clarke, and Ann Metcalfe, and in the Occupation of Thomas Killm.

Another

Another Meſſuage or Dwelling-houſe ſituate on the Eaſt End of the laſt-mentioned Meſſuage, belonging to Jonathan Leppington Hay, and in the Occupation of John Cautley.

Another Meſſuage or Dwelling-houſe on the Eaſt End of the laſt-mentioned Meſſuage, belonging to Mr. Thomas Bewlay, and in the Occupation of Mr. John Emmerſon.

Another Meſſuage or Dwelling-houſe adjoining on the laſt-mentioned Houſe, now veſted in Joſeph Newmarch, as ſurviving Truſtee under the Will of Ann Ward, deceaſed, and in the Occupation of Robert Hick, Grocer.

Another Meſſuage or Dwelling-houſe adjoining on the Eaſt End of the laſt-mentioned Dwelling-houſe, belonging to Mr. George Healey, and in the Occupation of Mr. Thomas Bewlay.

One other Meſſuage or Dwelling-houſe adjoining on the Eaſt End of the laſt-mentioned Meſſuage, belonging to John Harriſon and Nicholas Chicken, and in the Occupation of the ſaid Nicholas Chicken.

One other Meſſuage or Dwelling-houſe adjoining on the Eaſt End of the laſt-mentioned Meſſuage, belonging to the ſaid John Harriſon and Nicholas Chicken, and in the Occupation of the ſaid John Harriſon.

One Meſſuage or Tenement in the Poſſeſſion of Elizabeth Thiſtlethwaite, held by Leaſe from the Sub-chantor and Vicars Choral of the Cathedral Church of York.

One other Meſſuage or Tenement adjoining thereon, belonging to and in the Poſſeſſion of Elizabeth Barker.

One other Meſſuage or Dwelling-houſe (being the Corner Houſe) belonging to Mr. Stephen Hartley, and in the Poſſeſſion of Robert Swift.

And Two other Meſſuages or Dwelling-houſes belonging to George Fowler, and in the Poſſeſſion of Robert Blanchard and George Spurr, or howſoever otherwiſe the ſaid Premiſes or any of them are or is known or deſcribed.

SIXTHLY, as to the ſeveral Meſſuages, Lands, and Tenements intended to be purchaſed, taken down, altered, or uſed in purſuance of the ſaid Act, for the Alteration at Foſs Bridge.

A Meſſuage or Tenement known by the Sign of the Three Cups, at the South End of Foſs Bridge, and on the Weſt Side of the Street, with the Yards and Appurtenances thereunto belonging, the Property of the ſaid Mayor and Commonalty, and leaſed or let by them to John Kilby, Eſquire, and now in the Occupation of William Buttle.

Seven other Meſſuages or Tenements, ſituate, ſtanding, and being between the ſaid laſt-mentioned Meſſuage and the South End of the ſaid Foſs Bridge, all belonging to the ſaid Mayor and Commonalty, and in the ſeveral Occupations of Nathaniel Fountayne, Ann Robinſon, Joſeph Hoult, Edward Hare, Hannah Marſhall, James Leadley, and Roger Oldham, or their Aſſigns.

Two front Meſſuages or Dwelling-houſes at the North End of the ſaid Foſs Bridge, with the Workſhops or Buildings behind the ſame, belonging to the ſaid Mayor and Commonalty, and leaſed or let by them to Mr. Robert Welburn Hotham, deceaſed, now in the Occupation of James Finley and Ann Barker.

Another Meſſuage or Tenement on the North Side of the ſaid laſt-mentioned Meſſuages or Tenements, now belonging to Mr. William Batty, and in the Occupation of George Hope.

A Meſſuage or Dwelling-houſe known by the Sign of the King's Arms, with the Yard, Stables, and Appurtenances thereunto belonging, lying on the Back of the ſame Meſſuage, belonging to the ſaid William Batty, and in his Occupation.

A ſmall Piece of Ground adjoining on the North End of the ſaid Foſs Bridge, belonging to the ſaid Mayor and Commonalty, and in the Occupation of James Bromley.

A Meſſuage or Dwelling-houſe, with the Yard thereunto belonging, or ſome Part thereof, on the Eaſt Side of the Street called Foſſgate, and fronting the ſame at the North End of the ſaid Foſs Bridge, belonging to the ſaid James Bromley, and in his Occupation.

Another front Meſſuage or Dwelling-houſe, or ſome Part thereof, adjoining on the North End of the ſaid laſt-mentioned Meſſuage, and belonging to Elizabeth Hodgſon, and in her Occupation.

A Paſſage or Gateway, or Part thereof, adjoining on the North End of the ſaid Elizabeth Hodgſon's Houſe, belonging to the ſaid William Batty, and in his Ocupation.

Another front Meſſuage or Dwelling-houſe, or Part thereof, adjoining on the North Side of the ſaid Gateway, belonging to the ſaid William Batty, and in the Occupation of Elizabeth Batty, Widow.

Another front Meſſuage or Dwelling-houſe, or Part thereof, adjoining on the North End of the ſaid laſt-mentioned Meſſuage, belonging to John Smith, and now in the Occupation of William Draper Cooper.

Another front Meſſuage or Dwelling-houſe, or Part thereof, adjoining on the North End of the laſt-mentioned Meſſuage, belonging to Mr. John Ward, and in his Occupation.

A Building uſed as an Hoſpital and School, or Part thereof, ſituate on the South End of the ſaid Foſs Bridge, and on the Eaſt Side of the Street, and which ſaid Hoſpital is veſted in Thomas Norcliffe, George Telford, William Richardſon, Charles Beſt, Chriſtopher Morritt, and James Walker, Eſquires, as Truſtees under the Will of Dorothy Wilſon, deceaſed; and the ſaid School-room is uſed by Mr. John Peckett.

A front Meſſuage or Dwelling-houſe, or Part thereof, on the South End of the ſaid Hoſpital, belonging to John Fawcett, and in the Occupation of Thomas Foſter.

Another front Meſſuage or Dwelling-houſe, or Part thereof, on the South End of the laſt mentioned Meſſuage, belonging to Joſeph Mortimer, and in his Occupation.

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