ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

Cap. lxxi.

An Act for amending and enlarging the Powers and Provisions of Two Acts of His present Majesty, for widening, altering, and rebuilding *Ouse Bridge*, in the City of *York*, and for widening certain Streets and making other Improvements in the said City.

[7th *June* 1815.]

WHEREAS an Act was passed in the Forty-ninth Year of the Reign of His present Majesty, intituled *An Act for widening and altering* Ouse Bridge *over the River* Ouse *and* Fos Bridge *over the River* Fos, *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:* And whereas another Act was passed in the Fiftieth Year of His said Majesty's Reign, intituled *An Act for altering and amending an Act passed in the last Session of Parliament, for widening and altering* Ouse Bridge *over the River* Ouse, *and* Fos Bridge *over the River* Fos, *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:* And whereas by the said last recited Act, the Mayor and Commonalty of the City of *York* were empowered to take down the Bridge over the River *Ouse*, called *Ouse Bridge*, and to rebuild the same upon a new Plan, Section, or Elevation, and to widen, raise, and improve certain Streets adjoining or near to such new Bridge: And whereas considerable Progress has been made in the said Works, by purchasing and pulling down

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down various Houſes, and by laying the Foundation of ſeveral Piers, and by doing various other Acts and things: And whereas the Funds liable to the Repair and Support of the ſaid Bridge, and provided and allowed by the ſaid Acts, are found inſufficient for the Purpoſes thereof, and unleſs further or additional Funds are granted, the ſaid Works cannot be carried on or completed: And whereas the Erection of a new Bridge over the ſaid River *Ouſe* at the ſaid City of *York*, and the widening the Avenues leading thereto, will be of great Utility and Advantage to the Public in general, but more particularly to the Inhabitants of the City of *York* and County of the ſame, and the ſeveral Ridings and Diſtricts in the County of *York*: And whereas it is expedient that Aid ſhould be granted by Rates, in the Nature of County Rates, to be raiſed from the ſeveral ſeparate and local Juriſdictions within the Three Ridings of the ſaid County of *York*, the City of *York* itſelf, and the Liberty of *Saint Peter* therein, and alſo from the County of the ſaid City, and alſo by a ſpecific Contribution from the Three Ridings of the ſaid County of *York*, in Manner hereinafter mentioned: And whereas it is expedient that the Works by the ſaid Acts authorized to be made, ſhould be completed, and that the ſaid Acts ſhould be amended, and the Powers and Proviſions thereof altered and enlarged; May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Firſt Day of *July* next, ſo much of the ſaid recited Acts as enacts or provides that the Powers, Privileges, Rights, and Authorities under the ſaid Two recited Acts or either of them, ſhould be veſted in or executed by the ſaid Mayor and Commonalty, ſhall be and the ſame is hereby repealed, and ſhall wholly ceaſe and determine, ſo far only as relates to the ſaid *Ouſe Bridge*; and that the ſaid recited Acts, and all the ſaid Powers, Privileges, Rights, and Authorities contained in the ſaid recited Acts, or either of them, as well for the Completion of the ſaid *Ouſe Bridge*, and Improvements of the Avenues leading thereto, as for or concerning any Purpoſe connected therewith, ſhall (except ſo far as the ſame are altered or varied by this Act) be and continue in full Force and Effect with reſpect to the ſaid *Ouſe Bridge*, and, together with the Powers, Privileges, and Authorities granted by or contained in the preſent Act, ſhall from and after the Firſt Day of *July* next be veſted in and executed by His Majeſty's Juſtices of the Peace for the Time being, for the Three Ridings of the County of *York*, One of His Majeſty's Juſtices of the Peace for the ſaid City and County of the ſame, to be from Time to Time nominated by the ſaid Mayor and Commonalty, the reſident Reſidentiary for the Time being of the Cathedral and Metropolitical Church of *Saint Peter* of *York*, Sir *William Mordaunt Milner* Baronet, and the chief Magiſtrate of each local Juriſdiction contributing to the Charges impoſed by this Act; and they and their Succeſſors ſhall be and they are hereby appointed Commiſſioners for carrying the ſaid recited Acts and this Act into Execution.

Power to appoint a Commiſſioner for the Ainſty in

II. And be it further enacted, That if the ſaid Sir *William Mordaunt Milner*, or any ſucceeding Commiſſioner, to be appointed in Manner next hereinafter directed, ſhall happen to die, or ſhall ceaſe to be poſſeſſed of the Qualification in Amount of Property hereinafter required, or ſhall become

become incapable of acting in the Execution of the Powers of the said recited Acts and of this Act, before the same are fully executed and fulfilled, it shall and may be lawful for the Commissioners under this Act for the Time being, and they are hereby required, as soon as conveniently may be after such Death, Disqualification, or Incapacity, at any Meeting of the said Commissioners, or any Seven or more of them, to be held under this Act, to nominate and appoint some other Person resident within the *Ainsty* of *York*, and possessed for his own Use and Benefit of an Estate for Life, or in Fee Simple, of and in Lands, Tenements, or Hereditaments within the said *Ainsty*, of the Yearly Value of Five hundred Pounds or upwards, to be a Commissioner under this Act, in the Room of the Person who shall die or become disqualified or incapable of acting in the Execution of the said aforesaid Powers, to the Intent that at all Times until the Powers and Provisions of the said recited Acts and of this Act are executed and fulfilled, there may continue to be a Commissioner so qualified as aforesaid, in respect of Lands and Tenements in the said *Ainsty*, and capable of acting in the Execution of the Powers of the said recited Acts and of this Act. Case of a Vacancy.

III. And be it further enacted, That the First Meeting of the said Commissioners for the Execution of the Powers vested in them by this Act, shall be held at the Castle of *York*, on the First *Thursday* in the next Assizes held for the said County of *York*, at Twelve of the Clock at Noon: Provided that if Seven Commissioners do not appear together before the Hour of One of the Clock the same Day, or if the Seven Commissioners being met do not proceed to execute the Powers vested in them by this Act, or any of them, then and in either of such Cases such First Meeting for executing the Purposes of this Act shall be held on the next Day, at the same Place and Hour, or on the First *Wednesday* on which Seven Commissioners being met at the same Place and Hour, shall proceed in the Execution of this Act; and such First Meeting, or any other Meeting of the said Commissioners named to execute this Act, may be adjourned from Time to Time, and to any other House or Place in the City of *York* or the Vicinity thereof that may be deemed convenient: Provided that whenever any Adjournment of any Meeting shall be made for any longer Time than Ten Days, the Time and Place of such Adjournment shall be inserted in all the *York* Newspapers; and provided that any adjourned Meeting shall be good and valid for executing the Powers of this Act, though one of the Half-yearly or other General Meetings hereinafter mentioned shall intervene between such Adjournment and the Meeting from which such Adjournment shall have been made. Meetings.

IV. And be it further enacted, That Two General Meetings of the said Commissioners shall be held at the Castle of *York*, One on the First *Thursday* in the *Lent* Assizes, and the other on the First *Thursday* in the *Lammas* Assizes for the said County in each Year; at which Meetings an Account of the Disbursements made in the Execution of this Act, and of Monies received by virtue of the Provisions thereof, subsequent to the last Account brought in before any preceding General Meeting shall be stated and audited, which Account shall be made up and balanced to as late a Period, prior to the Day of such General Meeting, as may be found practicable and convenient; and such General Meetings are hereby empowered to reverse or vary the Orders, as well of any prior General Half-yearly Meetings.

General Meeting or any Adjournment thereof, as of any Special Meeting or Adjournment thereof, called together purſuant to the Powers hereinafter granted.

General Meetings may be called.

V. And be it further enacted, That it ſhall and may be lawful for any Fifteen Commiſſioners, by Public Notice affixed Ten Days before on the Door of the *Guildhall* in the City of *York*, and on the Gate of the Caſtle of *York*, and by Ten Day's previous Notice by Advertiſement in all the *York* Newſpapers, to call a Special General Meeting of the Commiſſioners for executing the Powers of this Act and the ſaid recited Acts; which Meeting may be held at ſuch Time and Place as the ſaid Commiſſioners ſhall appoint.

Quorum.

VI. And be it further enacted, That Seven Commiſſioners ſhall be ſufficient to conſtitute any Meeting for carrying into Execution the Powers and Proviſions of the ſaid recited Acts and this Act, and that all Acts, Matters, and Things in the Execution of the ſaid recited Acts or this Act, which ſhall be had or done by the major Part of the Commiſſioners preſent at any Meeting, the Number of Commiſſioners preſent not being leſs than Seven, ſhall be as valid and effectual as if the ſame had been had or done by all the ſaid Commiſſioners: Provided that if on any Occaſion the Number of Perſons (including the Chairman) voting for or againſt any Queſtion ſhall be equal, the Chairman of the Meeting (which Chairman each and every Meeting, whether original or adjourned ſhall have power to appoint) ſhall have a caſting Vote, in addition to the Vote he ſhall have originally given.

Power to depute Three Commiſſioners to act.

VII. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, or ſuch of them as ſhall be aſſembled at any General Meeting, to depute Three or more Commiſſioners the Power of doing any Act or Thing, or Acts or Things, which by virtue of the Proviſions of this Act the Commiſſioners themſelves, or any Meeting of them, is or are competent to do; and that ſuch Three or more Commiſſioners, ſo deputed, ſhall have full Power to act accordingly, ſubject to the Reviſion or Controul of the next or any ſubſequent General Meeting.

Clerk to be appointed, and Commiſſioners may ſue and be ſued in his Name.

VIII. And be it further enacted, That at the Firſt or ſome other Meeting to be held by the Commiſſioners for executing this Act, they ſhall chuſe a Clerk to be their Officer during Pleaſure, in whoſe Name they may ſue or be ſued in any Action at Law or Suit in Equity, and who may, if it be deemed convenient, be ſtated as the Owner or Proprietor of any of the Goods or Chattels belonging to the ſaid Commiſſioners by virtue of the Proviſions of this Act or the ſaid recited Acts, in caſe of any Indictment, or other criminal Proceeding, touching, or concerning the ſame: Provided that if ſuch Clerk be himſelf a Perſon who either alone or together with others is involved in any criminal Charge, or againſt whom either alone or jointly with any other, any Action at Law or Suit in Equity ſhall be brought or entered into reſpecting any ſuch Goods and Chattels, then and in ſuch Caſe it ſhall be lawful in any Action at Law, Suit in Equity, or other Proceeding, to lay the Property in any ſuch Goods or Chattels as being that of any Two of the ſaid Commiſſioners; Provided that no Action, Suit, or other Proceeding at Law or in Equity, ſhall

shall abate by reason of the Death or Removal of any such Clerk, or by the Death or Removal of any of the Commissioners in whose Name or Names any such Action or Suit shall have been commenced.

Property, &c. under former Acts vested in the Commissioners.

IX. And be it further enacted, That the Lands, Tenements, and Hereditaments, and all the Rights, Possessions, and Property of whatever Kind, Real, and Personal, and also all Rights of Action at Law, or Suit in Equity concerning the same or arising out of any Injury committed, or concerning such Property now vested in the said Mayor and Commonalty, as Trustees under the said recited Acts, or either of them, or as Agents for completing the said Purposes and Improvements shall immediately on the Commencement of the Powers so granted to the said Commissioners, by virtue of this Act, be vested in the said Commissioners appointed or to be appointed by virtue of this Act, so that the said Commissioners so appointed or to be appointed Commissioners for the Purposes of this Act, shall be enabled to Act with respect to such Property, and all Things connected therewith, as the said Mayor and Commonalty were before the passing of this Act authorized to do, or would be hereafter so authorized, had the Rights and Powers aforesaid been continued vested in them, and that without any Transfer, Assignment, or other Act or Deed whatever to be done by the said Mayor and Commonalty, or any other Person: Provided that if any Action at Law or other legal Proceeding be commenced by or on Behalf of the said Mayor and Commonalty, and be still pending on the said First Day of *July* next, then and in such Case such Action or other Proceeding may be carried on and concluded by the Commissioners in this Act appointed, in the Name of the said Mayor and Commonalty.

Monies to be advanced out of the County Rates, for erecting and completing the Bridge.

X. And for the more effectually enabling the said Commissioners to erect, make, and complete the said *Ouse Bridge*, and improve the Avenues leading thereto, and by way of a specific Aid and Contribution towards effecting the Purposes aforesaid; be it further enacted, That, from and after the passing of this Act, it shall and may be lawful to and for the Justices of the Peace for the Three several Ridings of the said County of *York*, and they are hereby authorized, directed, and required, by, with, or out of the County Rates or Public Stock of the same Ridings respectively, to pay to the Commissioners for executing this Act, or the major Part of them assembled at any Meeting to be held in pursuance of this Act, or to such Person or Persons as they shall appoint, the Sum of Thirty thousand Pounds; which Sum shall be paid by Five equal yearly Instalments of Six thousand Pounds each, the First of which Instalments shall become due and be paid on the First Day of *December* next after the passing of this Act, and the Second and every other Instalment to be paid on the First Day of *December* in each succeeding Year; and which said yearly Instalments of Six thousand Pounds shall be raised by the said Three several Ridings, in the Proportions following; that is to say, by the West Riding of the said County of *York*, the Sum of Two thousand seven hundred and eighty-seven Pounds and Ten Shillings, by the North Riding of the said County the Sum of One thousand eight hundred and sixty-two Pounds and Ten Shillings, and by the East Riding of the said County, the Sum of One thousand three hundred and fifty Pounds; such Proportions as aforesaid being the same in which the said Three several Ridings have for many

Years paſt contributed and do now contribute towards the Repairs of the Caſtle of *York*, the Salaries of the Officers attending the ſame, the Maintenance of the Priſoners therein, and ſuch other Expences as are chargeable upon the County at large.

Commiſſioners empowered to raiſe a Sixth annual Inſtalment, if neceſſary.

XI. And whereas the ſaid Sum of Thirty thouſand Pounds, together with the other Sums by this Act directed to be raiſed, and by the ſaid recited Acts payable for the Tolls, Rates, and Duties thereby granted, may not be ſufficient for completing the ſaid Bridge and the Improvements in the Avenues thereof; be it further enacted, That it may and ſhall be lawful for the ſaid Commiſſioners for executing this Act, at their Diſcretion and if they judge it expedient ſo to do, to order to be raiſed and levied as aforeſaid, a Sixth annual Sum or Inſtalment of Six thouſand Pounds; in which Caſe the Juſtices of the Peace of the Three ſeveral Ridings of the ſaid County of *York* ſhall raiſe and levy the ſaid Sum accordingly, in like Manner, Shares, and Proportions, as the ſaid Five Inſtalments or annual Sums are directed to be raiſed: Provided always, that in caſe it ſhall be judged expedient by the ſaid Commiſſioners, and ſo declared at any of their Meetings held in the Fifth Year of the Execution of the ſaid Act, to raiſe a Sixth annual Sum or Inſtalment of Six thouſand Pounds, then and in that Caſe Notice ſhall be given by the ſaid Commiſſioners in ſuch of the Newſpapers publiſhed in the ſaid City and County of *York*, as ſhall be thought neceſſary by the ſaid Commiſſioners, of a Meeting of the ſaid Commiſſioners, to be held for the expreſs Purpoſe of conſidering and determining upon the Propriety of raiſing ſuch Sixth Inſtalment, at leaſt one Month before the holding of ſuch Meeting.

County not to advance more than Thirty or Thirty-ſix thouſand Pounds.

XII. Provided always, and it is hereby expreſsly enacted and declared, That no further or other Sum beyond the ſaid Sum of Thirty thouſand Pounds, or the Sum of Thirty-ſix thouſand Pounds, as the Caſe may be, ſhall at any Time or Times, upon any Account or Pretext whatſoever, be levied, or aſſeſſed, or paid, or attempted to be levied, aſſeſſed, or paid, upon or by the ſaid Three ſeveral Ridings of the ſaid County of *York*, or upon or by either of them, or any Part thereof reſpectively, for or towards the Purpoſe of erecting, making, or completing any Bridge over the River *Ouſe*, or widening or improving the Avenues leading thereto, or erecting, or making, or completing any Buildings, Works or Improvements connected with ſuch Bridge or Avenues, and whether ſuch Bridge, Buildings, Works, or Improvements ſhall have been undertaken to be erected, made, and completed under the Powers and Authorities of the ſaid recited Acts and this Act, or any or either of them, or under any other Powers or Authorities whatſoever; but that from and immediately after the full Payment of the ſaid Sum of Thirty thouſand Pounds, or the Sum of Thirty-ſix thouſand Pounds, as the Caſe may be, by the Inſtalments and in the Proportions hereinbefore mentioned, the ſaid Three ſeveral Ridings of the County of *York* and every of them, and every Part thereof reſpectively, ſhall from Time to Time and at all Times thenceforth be fully and abſolutely exempted, exonerated, and diſcharged, to all Intents and Purpoſes whatſoever, of and from any Payments and Contributions towards and Liability to pay or contribute towards the Expences of erecting, making, or completing ſuch Bridge, Buildings, Works, or Improvements as aforeſaid, or of repairing or rebuilding the ſame, or any Part or Parts thereof reſpectively,

ively, at any Time or Times after the ſame ſhall have been erected, made, and completed.

For eſpecially aſſeſſing ſuch Diſtricts as do not contribute to the General County Rate.

XIII. And whereas there are ſeveral Diſtricts within the ſaid Ridings of the County of *York*, which are Parts of the ſaid County, but are under the Juriſdiction of diſtinct Magiſtrates of their own, which either do not at all contribute to the General County Rate of any of the ſaid Ridings, or which contribute thereto only for ſome Parts of ſuch Diſtricts: And whereas it is expedient that ſuch Parts of ſuch Diſtricts as do not contribute to any General County Rate of any Riding, ſhould be ſpecially aſſeſſed, by their own Magiſtrates, towards the Expences to be incurred in completing the ſaid Bridge over the *Ouſe* at *York*; be it therefore further enacted, That the Magiſtrates of every ſuch Diſtrict, any Part of which does not contribute to the General County Rate of any of the ſaid Three Ridings, may and ſhall, for the Term of Five Years annually, and for a Sixth Year, provided a Sixth Inſtalment ſhall be raiſed by the Three Ridings of the ſaid County, as is hereinbefore provided or allowed, at their *Midſummer* Quarter Seſſions, or ſome Adjournment thereof, or at ſome Seſſions ſpecially to be called for that Purpoſe, lay and aſſeſs a County Rate, or an Aſſeſſment in the Nature of a County Rate, on every Part and Portion of ſuch Diſtrict not paying to any General County Rate of any of the ſaid Ridings, and that ſuch Aſſeſſment ſhall be after the Rate of Three-eighths of a Penny in the Pound of the Value of the Property therein ſituated, and not contributing to any General County Rate as aforeſaid, eſtimated according to the return of ſuch Property under the Proviſions of an Act, paſſed in the Forty-ſixth Year of the Reign of His preſent Majeſty, intituled *An Act for granting to His Majeſty during the preſent War, and until the Sixth Day of* April *next after the Ratification of a Definitive Treaty of Peace, further additional Rates and Duties on Profits ariſing from Property, Profeſſions, Trades, and Offices, and for repealing an Act paſſed in the Forty-fifth Year of the Reign of His preſent Majeſty, for repealing certain Parts of an Act made in the Forty-third Year of the Reign of His preſent Majeſty, for granting a Contribution on the Profits ariſing from Property, Profeſſions, Trades, and Offices*, Schedule (A.) for the Year ending the Sixth Day of *April* One thouſand eight hundred and fourteen; and the Monies raiſed by ſuch Aſſeſſment ſhall be paid over to the ſaid Commiſſioners in like Manner, and at ſuch Time and Times as is hereinbefore directed with reſpect to Monies to be paid out of the County Rates, or public Stock of the ſaid Three Ridings: And the ſaid Rates or Aſſeſſments, when ſo ordered to be raiſed as aforeſaid, ſhall be raiſed, levied, and collected by all the Ways and Means, and with all the Powers of Diſtreſs, by which any County Rate may be levied: And it ſhall and may be lawful for any Perſon or Perſons who may think himſelf or themſelves aggrieved by any ſuch Rate or Aſſeſſment, to appeal therefrom, in like Manner as in any other Caſe of Appeal from a County Rate.

Separate Juriſdictions not to be charged more than Five or Six Years, as the Commiſ.

XIV. Provided always, and it is hereby expreſsly enacted and declared, That no further or other Sum beyond the Sums hereinbefore provided to be raiſed for the Term of Five Years, or for One Year more, upon the Contingency hereinbefore mentioned, ſhall at any Time or Times, upon any Account or Pretext whatſoever, be levied or aſſeſſed, or

sioners may determine.

or paid, or attempted to be levied, aſſeſſed, or paid upon or by the ſame Diſtricts within the ſaid Ridings of the County of *York*, which are Parts of the ſaid Ridings, but are under the Juriſdiction of diſtinct Magiſtrates of their own, or upon any of them, or upon any Part of any of them reſpectively, for or towards the Purpoſe of erecting, making, or completing any Bridge over the River *Ouſe*, or widening or improving the Avenues leading thereto, or erecting, making, or completing any Buildings, Works, or Improvements connected with ſuch Bridge or Avenues, and whether ſuch Bridge, Buildings, Works, or Improvements, ſhall have been undertaken to be erected, made, and completed under the Powers and Authorities of the ſaid recited Acts and this Act, or any or either of them, or under any other Powers or Authorities whatſoever; but that from and immediately after the full Payment of the Sums hereinbefore directed to be raiſed for the Term of Five Years, or Six Years, as the Caſe may happen, the ſaid ſeveral Diſtricts, and every of them, and every Part of them, ſhall from Time to Time, and at all Times thenceforth, be fully and abſolutely exempted, exonerated, and diſcharged, to all Intents and Purpoſes whatſoever, of and from any Payments and Contributions towards and Liability to pay or contribute towards the Expences of erecting, making, or completing ſuch Bridge, Buildings, Works, or Improvements as aforeſaid, or of repairing or rebuilding the ſame, or any Part or Parts thereof reſpectively, at any Time or Times after the ſame ſhall have been erected, made, and completed.

Rates to be raiſed by the City of York, towards erecting and completing the Bridge.

XV. And be it further enacted, That, for the Purpoſe of enabling the ſaid Commiſſioners to erect, make, and complete the ſaid *Ouſe* Bridge, and improve the Avenues leading thereto, there ſhall be annually raiſed, by way of County Rates, by the City and Suburbs of the City of *York*, (excluſive of the Liberty of *Saint Peter* in the ſame City,) the Sum of One hundred and five Pounds, and by the Liberty of *Saint Peter* in the ſame City, the Sum of Five Pounds; and by the *Ainſty* of *York*, being Part of the County of the ſaid City, the Sum of One hundred and five Pounds; which ſaid ſeveral Sums ſhall be raiſed by Two equal Half-yearly, or by Four equal Quarterly Rates, at the Diſcretion of the Juſtices of the Peace of the ſaid City and County of the ſame, and Liberty of *Saint Peter* reſpectively; the firſt Rates or Payments to be raiſed by virtue of Orders to be made at the reſpective *Midſummer* Quarter Seſſions to be held for the ſaid City and County of the ſame, and for the ſaid Liberty of *Saint Peter*; provided, that if the Juſtices of the Peace of either of the aforeſaid Diſtricts ſhall neglect, at ſuch *Midſummer*, or any other original Quarter Seſſions, to make the due Order for raiſing the Sum or Quota by this Act impoſed on ſuch Diſtrict, then and in ſuch Caſe it ſhall be lawful for the Juſtices of the Peace of the Diſtrict ſo neglecting, to order the ſaid Sum or Quota to be raiſed, at ſome Adjournment of ſuch *Midſummer* or other Quarter Seſſions, or at ſome Seſſions ſpecially called for the Purpoſe of ordering ſuch Sum or Quota, by way of County Rate; and the ſaid ſeveral Sums or Quotas, when ſo ordered to be raiſed as aforeſaid, ſhall be raiſed, levied, and collected, by all the Ways and Means, and with all the Penalties and Powers of Diſtreſs, by which any other County Rate may be levied; and that the ſaid ſeveral Sums ſo raiſed ſhall from Time to Time be paid over to the Commiſſioners for executing this Act, or the major Part of them, at any Meeting

Meeting assembled in pursuance of this Act, or to such Person or Persons as they shall appoint.

Rates to continue in force.

XVI. And be it further enacted, That the Power of raising Money by way of County Rates, upon the said City and County of the same City, and the Liberty of *Saint Peter* aforesaid, shall continue for Five Years: Provided, that if it shall appear expedient to the Commissioners under this Act, to raise a Sixth annual Sum or Instalment on the County at large, then and in such Case the Justices of the Peace of the said City and County of the same, and Liberty of *Saint Peter*, shall in like Manner raise and pay over to the said Commissioners a Sixth annual Sum or Instalment in their respective Districts, equal to each prior annual Instalment: And that when and so soon as the said Works are completed, and all the Expences incurred thereby are fully paid off and discharged, then and in such Case the said Rates shall cease and be no longer paid.

City and Ainsty not to advance more than the Rates for the limited Term granted by this Act.

XVII. Provided always, and it is hereby expressly enacted and declared, That no further or other Sum, beyond the annual Rates or Payments authorized by this Act, shall after the Expiration of the said Term of Five Years (or the said further Term of One Year, as the Case may be) be levied, or assessed, or paid, or attempted to be levied, or assessed, or paid, upon or by the said City and Suburbs of the City of *York*, the Liberty of *Saint Peter* within the said City, and the *Ainsty* of *York*, or upon, or by any of them, or any Part thereof respectively, for or towards the Purpose of erecting, making, or completing any Bridge over the River *Ouse*, or widening or improving Avenues leading thereto, or erecting, making, or completing any Buildings, Works, or Improvements connected with such Bridge or Avenues, whether such Bridge, Buildings, Works, or Improvements shall have been undertaken to be erected, made, and completed, under the Powers and Authorities of the said recited Acts, and this Act, or any or either of them, or under any other Power or Authority whatsoever; but that from and immediately after full Payment of the said Rates hereby authorized, the said City and Suburbs of the said City of *York*, the Liberty of *Saint Peter* within the said City, and the said *Ainsty* of *York*, and every of them, and every Part thereof respectively, shall from Time to Time, and at all Times thenceforth, be fully and absolutely exempted, exonerated, and discharged, to all Intents and Purposes whatsoever, of and from any Payments and Contributions towards, and Liability to pay or contribute towards the Expences of erecting, making, or completing such Bridge, Buildings, Works, or Improvements as aforesaid, or of repairing or rebuilding the same, or any Part or Parts thereof respectively at any Time or Times after the same shall have been erected, made, and completed.

Annual Payment by the Corporation to continue.

XVIII. And be it further enacted, That in lieu of the annual Sum of Two hundred Pounds, now payable by the said Mayor and Commonalty, so long as any Toll shall be taken at or near the said *Ouse Bridge*, the annual Sum of Four hundred Pounds shall be paid by the said Mayor and Commonalty to the Commissioners for executing this Act, on the First Day of *December* in each Year, so long as the said

annual Sums by this Act granted shall continue to be raised by way of County Rates upon the said City and County of the same, and Liberty of *Saint Peter;* and when the said annual Sum of Four hundred Pounds shall cease to be raised, then from that Period the annual Sum of Two hundred Pounds shall be paid by the said Mayor and Commonalty to the said Commissioners so long as any such Tolls shall be continued to be paid.

Surplus Money to be applied in Part Discharge of Debt.

XIX. And whereas it may happen that after the said Bridge, and the Improvements in the Avenues thereof are completed, and the Monies borrowed by virtue of the Provisions of this Act are repaid, the said Commissioners may have a Sum or Sums of Money remaining in their Hands unapplied to the Purposes of the said Improvements; be it enacted, That in such Case the said Sum or Sums shall be paid in Part Discharge of the Debt then remaining due on the Tolls.

Power to borrow Money.

XX. And be it further enacted, That it shall be lawful for the said Commissioners, or any Seven or more of them, at any Meeting assembled, to borrow Money on the Credit of the Monies to be raised by virtue of this Act, on and from the said several Ridings and Districts, and the said City and County of the same, on such Terms and Conditions as to them, or any Seven of them, at such Meeting as aforesaid shall seem good; and for any Sum or Sums of Money so borrowed, Security shall be given under the Hands and Seals of any Seven of the said Commissioners; and such Securities so given, shall from Time to Time be assignable by Indorsement on the Back thereof, by the Person or Persons to whom they are granted, or by some one lawfully by them thereunto authorized; and the Person or Persons to whom such Security is so indorsed, may in his, or her, or their own Name, bring any Action, or commence any Suit thereon: Provided always, the Monies borrowed on such Securities, for the Purpose of completing the said Bridge, and improving the Avenues thereto, and for other Purposes in this Act mentioned, shall not at any Time exceed the Sum of Ten thousand Pounds; provided also, that when and so often as any Person or Persons, holding any Security so to be granted by the said Commissioners, shall have obtained any Judgment at Law, or Decree in Equity for the Payment of the same, or any Part thereof, it shall be lawful for such Person or Persons to give Notice thereof to the Treasurer of any of the said Ridings or Districts, who shall pay the Amount of the Sum for which such Judgment shall be entered, or Decree made, to such Person or Persons, out of the next Monies which shall come to his Hands by virtue of the Provisions of this Act; and every such Payment shall be deemed and taken to be a Payment to the said Commissioners.

Provision respecting Tolls.

XXI. And be it further enacted, That the several and respective Tolls, Rates, and Duties granted or made payable by virtue of the said recited Acts, shall continue and remain payable, and shall be paid to and received by the said Commissioners for executing this Act, and the said recited Acts, with the same Powers of Recovery, in case of Non-payment, in the same Manner as the same were payable to, or receivable or recoverable by the said Mayor and Commonalty under the said recited Acts; and all Persons, Horses, Carriages, Cattle, and Things, shall be liable to the Payment thereof, until all the Monies now due by the said

Mayor

Mayor and Commonalty, as Truſtees for executing the Purpoſes of the ſaid recited Acts, or the Monies hereafter to be raiſed by the ſaid Commiſſioners on the Credit of ſuch Tolls, and all the Expences incurred, and to be hereafter incurred in the erecting, making, and completing the ſaid Bridge, and other Improvements, are fully diſcharged and ſatisfied, and no longer: Provided, that all Perſons who have advanced Money on the Credit of the preſent Tolls, or for ſuch Purpoſes as the preſent Tolls were deſigned to anſwer, ſhall have and poſſeſs all ſuch Rights and Remedies againſt the ſaid Commiſſioners, in reſpect to ſuch Tolls ſo to be aſſigned and transferred to them by the Proviſions of this Act, as they now have or are entitled to as againſt the ſaid Mayor and Commonalty, in reſpect of the ſame; and provided always, that the ſaid Commiſſioners ſhall be compellable, as far as the Proceeds of ſuch Tolls ſhall enable them, to fulfil all the Covenants entered into reſpecting or with Reference to the ſame by the ſaid Mayor and Commonalty.

Certain Land, &c.

XXII. And whereas an enlarged and convenient Paſſage for the Accommodation of the Public, has been laid out by the ſaid Mayor and Commonalty along the Weſt End of the Church of *Saint Michael, Spurriergate*, in lieu of the former Paſſage leading along or near the ſame: And whereas ſuch new Paſſage comprizes a Part of the Churchyard of the ſaid Church, purchaſed by the ſaid Mayor and Commonalty, under the Proviſions of the ſaid recited Acts, ſo that a Part of the Ground formerly occupied as a Paſſage is no longer neceſſary to be uſed for ſuch Purpoſe: And whereas it is doubted whether ſuch Part of the Ground, no longer neceſſary for ſuch Purpoſe, is the Soil and Property of the ſaid Mayor and Commonalty in their own Right, or as Truſtees for executing the Purpoſes of the ſaid recited Acts; be it therefore enacted and declared, That ſuch Part of the Ground, no longer neceſſary to be uſed for the Purpoſes of ſuch Paſſage, ſhall be deemed to be the Soil and Property of the ſaid Mayor and Commonalty as ſuch Truſtees, and be veſted in the ſaid Commiſſioners accordingly.

Accounts of Mayor, &c. to be made up.

XXIII. And in order that the Accounts of the ſaid Mayor and Commonality, as Truſtees under the ſaid recited Acts, may be ſpeedily and finally ſettled, and that no Diſputes may exiſt concerning the ſame; be it further enacted, That on the *Wedneſday* next after the before-mentioned Day of the Commencement of the Authority of the ſaid Commiſſioners under the Proviſions of this Act, and before the firſt General Meeting to be held in the *Lammas* Aſſize Week as hereinbefore mentioned, the Auditors appointed for auditing the Accounts of Monies raiſed and diſburſed by virtue of the ſaid recited Acts, ſhall audit the Accounts of the ſaid Mayor and Commonalty, and finally adjuſt the ſame; and alſo determine, without Appeal, either to any Action at Law, or Suit in Equity, what and how much Money, if any, is due to ſuch Mayor and Commonalty, on Account of Diſburſements made by them, or Engagements by them entered into reſpecting the Execution of the Powers in them by the ſaid Two recited Acts, or either of them, veſted: Provided that if a ſufficient Number of Auditors ſhall not meet on ſuch *Wedneſday*, then the ſaid Accounts ſhall be ſo finally audited and adjuſted on the following, or any ſubſequent *Wedneſday*, at which a ſufficient Number of Auditors ſhall be preſent; and provided that ſuch Auditors ſhall have Power to adjourn, and to meet again from Time to Time, until all ſuch Ac-

counts ſhall be finally adjuſted, whether by Adjournment, or by additional original Meeting; and on ſuch Accounts being ſo finally adjuſted the Power of the ſaid Auditors ſhall wholly ceaſe and determine; and then and in ſuch Caſe, all the Books, Papers, and Writings relating to the ſaid Accounts, ſhall be given up to the ſaid Commiſſioners, or to whom they ſhall appoint.

Compoſition for Tolls not to be effected.

XXIV. And be it further enacted, That nothing herein contained ſhall in any Way affect the Compoſitions in lieu of Toll, which ſhall be in Force when the Powers of the ſaid recited Acts ſhall become veſted in the ſaid Commiſſioners in this Act named.

Bridge to be kept in Repair by the Mayor and Commonalty.

XXV. And be it further enacted, That from and after the Completion and entire Finiſhing of a new Bridge over the River *Ouſe* as aforeſaid, the ſame Bridge ſhall from Time to Time, and at all Times for ever thereafter, be put into and kept in complete Repair by the ſaid Mayor and Commonalty.

Power to remove the Grecian Steps.

XXVI. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby fully authorized and empowered, to alter, remove, take down, and take away a certain Paſſage, or Steps, near to the ſaid *Ouſe Bridge*, called the *Grecian Steps*: Provided that the ſaid Commiſſioners ſhall with all convenient Speed provide or make ſome other convenient Way or Paſſage near thereto in lieu thereof.

Commiſſioners to complete Purchaſes agreed for by the Mayor and Commonalty.

XXVII. And be it further enacted, That it ſhall and may be lawful for any Seven or more of the ſaid Commiſſioners, and they are hereby fully authorized, empowered, and required, to carry into Execution all ſuch Contracts and Agreements as have been entered into by the ſaid Mayor and Commonalty under the ſaid recited Acts, or either of them, with any Perſon or Perſons, for the Sale of any Lands, Tenements, or Hereditaments, and to convey and aſſure to ſuch Perſon or Perſons, or to whom he or they ſhall direct or appoint, the Lands, Tenements, and Hereditaments contracted and agreed to be purchaſed by ſuch Perſon or Perſons; and that it ſhall and may be lawful for the ſaid Commiſſioners, or any Seven of them, at any of their Meetings held for the Execution of this Act, to accept and take a Conveyance or Conveyances from ſuch Perſon or Perſons as have agreed to ſell and convey any Houſes, Buildings, Lands, or Tenements to the ſaid Mayor and Commonalty under the ſaid Acts, and from whom no ſuch Conveyance or Conveyances have been taken.

For repealing ſo much of Act 49 G. 3. as limits Time for completing Purchaſes.

XXVIII. And be it further enacted, That ſuch Part of the ſaid Act of the Forty-ninth Year of His preſent Majeſty, as authorizes and empowers the ſaid Mayor and Commonalty to treat and agree, within the Term of Seven Years, from the Firſt Day of *July* One thouſand eight hundred and nine, with the ſeveral Owners and Occupiers of, and other Perſons intereſted in the Meſſuages, Lands, Tenements, or Hereditaments, mentioned, deſcribed, or referred to, in or by the ſeveral Schedules to the ſaid Act annexed, ſhall be, and the ſame is hereby repealed, ſo far as relates to the ſaid *Ouſe Bridge*.

XXIX. And

Purchaſes under former Act, to be completed within Seven Years.

XXIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners hereby nominated and appointed, or any Seven or more of them, and they are hereby empowered, at any Time or Times within the Space of Seven Years from the Firſt Day of *July* next, 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 the ſeveral Schedules in the ſaid Act of the Forty-ninth Year of His preſent Majeſty, thereinafter mentioned or thereunto annexed, for the Purchaſe of ſuch of the ſaid Meſſuages, Buildings, Lands, Tenements, and Hereditaments, as relates to the ſaid *Ouſe Bridge*, as have not already been purchaſed by the ſaid Mayor and Commonalty, and which the ſaid Commiſſioners ſhall think neceſſary for the Purpoſes of the ſaid recited Act or this Act; and upon Payment of ſuch Sum or Sums of Money as ſhall be agreed upon or awarded (in caſe of any Diſpute concerning the Value thereof) by a Jury, in the Manner directed by the ſaid recited Act, for ſuch Purchaſe or Purchaſes, the ſaid Commiſſioners 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, and otherwiſe to apply and diſpoſe of the ſame or any Part thereof, according to the Purpoſes of the ſaid recited Act.

XXX. And whereas it is by the ſaid recited Act of the Forty-ninth Year of His preſent Majeſty enacted, that all ſuch Damage or Injury as ſhould or might be done to any Waterpipes, Conduits, Cocks, or Works for the Paſſage or Conveyance of Water from the Waterworks in the ſaid City, by taking up or removing the ſame or any Part thereof, ſhould from Time to Time be repaired and made good by and out of the Tolls and Duties thereby rated and made payable, by laying down good and ſufficient Pipes of the like Nature, in the Room and Stead of thoſe which ſhall be ſo removed or taken away: And whereas it is by the ſaid Act of the Fiftieth Year of His preſent Majeſty enacted, that the ſaid Mayor and Commonalty ſhall ſupport, maintain, and keep in repair, by and out of the Money to ariſe by and from ſuch Tolls and Duties, all ſuch newly laid Pipes, for and during the Space of Twelve Calendar Months from the Day on which they ſhall be reſpectively laid down, covered, and completed; be it therefore further enacted, That all ſuch Matters and Things relating to the Waterpipes, Conduits, Cocks, and Works for the Paſſage or Conveyance of Water from the ſaid Waterworks, as are by the ſaid recited Acts or either of them required and directed to be done and performed by the ſaid Mayor and Commonalty, ſhall in like Manner be done and performed by the ſaid Commiſſioners for executing this Act; and that the Coſts, Charges, and Expences attending the doing and performing thereof, ſhall be defrayed and paid with and out of the Monies which ſhall ariſe from the Tolls, Duties, and Rates granted or payable under or by virtue of the ſaid recited Acts and this Act.

XXXI. And whereas it may become expedient for the Commiſſioners for executing this Act, to take down or cauſe to be taken down the preſent Bridge over the River *Ouſe*, and to make or cauſe to be made a temporary Bridge over the ſaid River, until the ſaid intended new Bridge ſhall be completed or made paſſable, in which Caſe the Pipes from the ſaid

Waterworks for conveying Water to the Inhabitants ſouthward of the ſaid River will have to be taken up, and a freſh Conveyance of Water will have to be made by Pipes acroſs ſuch temporary Bridge; now be it enacted, That before the Pipes now laid acroſs the ſaid preſent Bridge over the ſaid River for the ſupply of Water from the ſaid Waterworks to the ſaid Inhabitants, ſouthward of the ſaid River, are taken up or removed, a new Conveyance of Water by Pipes of the ſame Diameter or Opening as thoſe taken up, ſhall be made to and acroſs ſuch temporary Bridge as aforeſaid, and from thence continued to the preſent Pipes for conveying Water from the ſaid Waterworks, to the Street called *Micklegate*, in the ſaid City, to the Intent that the ſaid Inhabitants ſouthward of the ſaid River may not ſuffer, or be deprived of their regular and uſual Supply of Water from the ſaid Waterworks by the taking down of the ſaid preſent Bridge and the Erection of ſuch temporary Bridge as aforeſaid, and that the Coſts, Charges, and Expences attending the laying, making, and completing of ſuch new Pipes as aforeſaid, ſhall be defrayed and paid with and out of the Monies which ſhall ariſe from the Tolls, Duties, and Rates granted or payable under or by virtue of the ſaid recited Acts and of this Act.

For preventing Toll Collectors from taking undue Tolls or Miſbehaviour.

XXXII. And be it further enacted, That all and every Toll Collector, being Leſſee of the ſaid Tolls, or appointed by virtue of the ſaid firſt recited Act, or appointed by any ſuch Leſſee or Leſſees to collect the Tolls payable at any Turnpike or Toll Gate erected or continued by virtue of the ſaid recited Acts or this Act, ſhall and he is hereby required to place his Chriſtian and Surname, painted on a Board, in legible Characters in the Front or on ſome other conſpicuous Part of the Toll Houſe or Toll Gate, immediately upon his coming on Duty, each of the Letters of ſuch Name or Names to be at leaſt Two Inches in Length and of a Breadth in Proportion, and painted either in White Letters on a Black Ground, or Black Letters on a White Ground, and ſhall continue the ſame ſo placed during the whole Time he ſhall be upon ſuch Duty; and if any Collector of the ſame Tolls ſhall not place ſuch Board as aforeſaid, and keep the ſame there during the Time aforeſaid, or ſhall demand or take a greater or leſs Toll from any Perſon than he ſhall be authorized to do by virtue of the Powers of the ſaid recited Acts, or of the Orders and Reſolutions of the Commiſſioners made in purſuance thereof, or ſhall demand and take a Toll from any Perſon or Perſons who ſhall be exempt from the Payment thereof, and claim ſuch Exemption, or ſhall refuſe to permit or ſuffer, or ſhall in any ways hinder any Perſon or Perſons from reading ſuch Chriſtian or Surname, or ſhall refuſe to tell his Chriſtian or Surname to any Perſon or Perſons who ſhall demand the ſame, on having paid the ſaid Tolls or any of them, or ſhall in anſwer to ſuch Demand give a falſe Name or Names, or ſhall refuſe or neglect to give a Ticket to denote the Payment of the Toll when demanded, or upon the legal Toll being paid or tendered, ſhall unneceſſarily detain or wilfully obſtruct, hinder, or prevent any Paſſenger or Paſſengers from paſſing through any Turnpike or Toll Gate, or ſhall make uſe of any ſcurrilous or abuſive Language to any Commiſſioner, Treaſurer, Clerk, Surveyor, or other Officer, or any Paſſenger or Paſſengers; then and in every ſuch Caſe every ſuch Toll Collector ſhall forfeit and Pay any Sum not exceeding Five Pounds for every ſuch Offence, as the Juſtice or Juſtices before whom the Information ſhall be laid ſhall adjudge, and ſuch Penalty ſhall be recovered and applied as other Penalties are by this Act directed to be recovered and applied.

XXXIII. And

XXXIII. 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 be raiſed, collected, and borrowed, and received as aforeſaid, under and by virtue of this Act, by the ſaid Commiſſioners. Expences of the Act.

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

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