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GEORGIIV. REGIS.

Cap. cxiii.

An Act for the Improvement and Regulation of
Covent Garden Market. [27th June 1828.]

WHEREAS His late Majesty King *Charles* the Second by His Royal Letters Patent, bearing Date at *Westminster* the Twelfth Day of *May* in the Twenty-second Year of His Reign, did, for Himself, His Heirs and Successors, give and grant unto *William* Earl of *Bedford*, his Heirs and Assigns, that he the said *William* Earl of *Bedford*, his Heirs and Assigns, should and might from thenceforth for ever have, hold, and keep a Market within the Parish of *Saint Paul, Covent Garden*, in the County of *Middlesex*, in a certain Place there, then called the *Piazza*, near the Church of *Saint Paul, Covent Garden*, extending from the said Church towards the East Four hundred and twenty Feet of Assize, little more or less, and from the Garden Wall of the said Earl there towards the North Three hundred and sixteen Feet of Assize, little more or less, as well within the Rails there as without, on every Day in every Week throughout the Year (except *Sundays* and the Feast of the Nativity of our Lord), for the buying and selling of all and all Kinds of Fruits, Flowers, Roots, and Herbs whatsoever, together with all Liberties, Free Customs, Tolls, Stallage, Piccage, and all other Profits, Advantages, and Emoluments whatsoever to the like Market in anywise belonging or appertaining, or with the same usually had or enjoyed; to hold the said Market, and all and singular other the Premises by the said Letters Patent granted, unto and to the Use of the said *William* Earl of *Bedford*, his Heirs and Assigns for ever: And whereas such Market hath been held accordingly in the said Place

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called the *Piazza*, and the same, together with the Ground whereon the same is holden, is known by the Name of *Covent Garden Market*, and hath been for many Years and still is a principal Market within the Metropolis, for the buying and selling of all Kinds of Fruit, Flowers, Vegetables, Roots, Seeds and Herbs, and is of great Public Utility: And whereas the Most Noble *John Duke of Bedford* is now seised in Fee Simple of the said Market, and of all other the Premises by the said Letters Patent granted, and of the Ground and Soil whereon the said Market hath been and now is holden: And whereas the great Increase of the Quantity of Articles brought to the said Market for Sale, and of the Number of Persons resorting thereto, has rendered necessary a better and more convenient Arrangement and Distribution of the said Market, and of the Shops, Buildings, Stands, Footpaths, and Gangways therein, and a better Regulation and ordering of the said Market, and of the Persons resorting thereto, as well for the Accommodation of such Persons as to remedy the Inconvenience occasioned to them and to the Inhabitants of the Streets in the Vicinity of the said Market, and to the Public, by the present confused and ill-arranged State of the said Market; and it is also expedient that Provision should be made for the more easy Collection and Recovery of the Rents and Tolls payable in the said Market or in respect thereof: And whereas the said *John Duke of Bedford* is desirous of effecting such Arrangement and Distribution, and of remedying such Inconvenience, and also of giving to the said Market an Appearance suitable to the present improved and improving State of the Metropolis; and in order to effect such Objects it will be necessary to take down the Shops and Buildings now standing in the said Market, and to erect others in lieu thereof of a more convenient and uniform Kind, and to make a regular and convenient Arrangement and Distribution of the Stands, Footpaths, and Gangways in the said Market; but such Measures cannot be carried into Effect without the Expenditure of a large Sum of Money, which the said Duke is willing to incur: And whereas an Act was passed in the Fifty-third Year of the Reign of His late Majesty King *George the Third*, intituled *An Act for regulating Covent Garden Market*; and it is expedient that such Act should be repealed, and that other Provisions should be substituted for the Provisions therein contained: And whereas the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the 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 passing of this Act, the said recited Act of the Fifty-third Year of the Reign of His said late Majesty King *George the Third* shall be and the same is hereby repealed.

53 G. 3. c. 71.

Recited Act repealed.

Plans of the proposed Division and Arrangement of the Market to be deposited with

II. And whereas a Plan of the Scite of the said Market, and of the Scite of the Shops, Buildings, Stands, Footpaths, and Gangways to be erected and made therein, has been made and deposited in the Parliament Office; be it further enacted, That such Plan shall be authenticated by the Signature of the Right Honourable the Speaker of the House of Commons, and One Copy thereof, signed

by the Speaker of the House of Commons, shall be deposited with the Clerk of the Peace of the County of *Middlesex*, and One other Copy thereof, so signed, shall be deposited with the Clerk of the Peace of the City and Liberty of *Westminster*; within Three Months from the passing of this Act, to the end that all Persons may at all seasonable Times have Liberty to inspect and peruse such Copies at their Will and Pleasure, paying the Sum of One Shilling for every such Inspection; and that each of such Copies shall, for all Purposes of Evidence, be deemed and considered an original Plan, and be admitted and received as such by all Judges, Justices, and others, in like Manner as the said Plan so to be deposited in the Parliament Office, and a Copy of either of such Copies, signed by either of the said Clerks of the Peace, shall be admitted and received in Evidence in like Manner as such Copies, without Proof of the Handwriting of the Clerk of the Peace who shall sign the same, and each of the said Clerks of the Peace shall furnish such Copy to any Person applying for the same, on Payment of the Sum of Ten Shillings and Sixpence.

the Clerks of the Peace for *Middlesex* and *Westminster*, and be open to Inspection.

III. And be it further enacted, That from and after the passing of this Act, it shall be lawful for the said John Duke of *Bedford*, his Heirs or Assigns, being Owners of the said Market, and they are hereby authorized and empowered, to take down the Shops, Sheds, Erections, and Buildings now standing and being in the said Market, and to divide, arrange, and appropriate the Scite or Area of the said Market in the Manner delineated or shewn in the said Plan, and herein-after directed; and also to erect and build such Shops and other Buildings as the said Duke, his Heirs or Assigns, being Owners of the said Market, shall think fit, in such Parts of the said Market as are marked with the Letter (A) in the said Plan; and to erect a Terrace at the East End of the said Market, and a Terrace at the West End of the said Market, supported on Pillars, but so nevertheless as such Terraces shall not extend to or be made within Eighteen Feet of the Denter Stone or external Boundary Line of the said Market; and to cover any Part or Parts of the Footpaths, Gangways, and Stands to be made in the said Market, and to erect Piers and Pillars for the Support of such Covering; and to form and make Vaults and Cellars under any Part or Parts of the said Market.

Owners of the Market authorized to take down the present Buildings, &c. and to divide the Market according to the Plan, and to erect other Buildings, &c.

IV. Provided always, and be it further enacted, That for preserving Uniformity in the Erections and Buildings hereby authorized to be made, and preventing the Roofs thereof from being intersected by the Division Walls to be made therein, such Erections and Buildings shall not be subject to the Provisions of an Act passed in the Fourteenth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the further and better Regulation of Buildings and Party Walls, and for the more effectually preventing Mischiefs by Fire, within the Cities of London and Westminster, and the Liberties thereof, and other the Parishes, Precincts, and Places within the weekly Bills of Mortality, the Parishes of Saint Mary-le-bon, Paddington, Saint Pancras, and Saint Luke at Chelsea, in the County of Middlesex; and for indemnifying, under certain Conditions, Builders and other Persons against the Penalties to which they are or may be liable, for erecting Buildings within the Limits aforesaid contrary to Law; and that such*

Buildings authorized to be erected not to be subject to the Provisions of the Building Act, 14 G. 3. c. 78.

Provisions

Provisions, or any of the Clauses contained in such Act, shall not be applied or enforced with respect to such Erections and Buildings.

Authorizing
Hoards to be
erected
during the
Alteration of
the Market.

V. And be it further enacted, That in order to prevent Accidents during the Progress of the Alterations and Improvements hereby authorized to be made in the said Market, and to facilitate the making thereof, it shall be lawful for the said Duke, his Heirs or Assigns, being Owners of the said Market, and they are hereby authorized and empowered, to hoard in and enclose the Parts of the said Market wherein such Alterations and Improvements shall be making, during the Progress of such Alterations and Improvements.

Owners of
the Market
authorized
to let Shops,
&c.

VI. And be it further enacted, That it shall be lawful for the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, and they are hereby authorized and empowered, to let any of the Shops, Buildings, Terraces, Vaults, and Cellars, to be erected, built, or made by the said Duke, his Heirs or Assigns, within the said Market, to any Persons who shall be desirous of taking the same, by the Year or for any shorter Period, and at such Rents, as the said Duke, his Heirs or Assigns, being Owners of the said Market, shall think fit; provided that the said Shops and Buildings (except such of them as shall be let for Public Houses, for the Use and Convenience of the Persons attending the said Market, and except the said Terraces, and any Shop or Shops to be erected thereon,) be used and occupied only by Persons dealing in or selling Fruit, Flowers, Vegetables, Roots, Seeds, or Herbs therein.

Appropriation
of the
Market.

VII. And be it further enacted, That the Remainder of the said Market shall, subject to the Provisions hereinafter contained, be appropriated as follows; *viz.*

Those Parts thereof which are marked respectively in the said Plan with the Letter (B) shall be divided into Stands, which Stands shall be called "The Casual Cart Stands," and shall (except and subject as herein-after mentioned) be exclusively appropriated to the Reception of Waggons and Carts in which Fruit, Flowers, Vegetables, Roots, or Herbs shall be brought to the said Market for Sale, and for the exposing to Sale and selling such Fruit, Flowers, Vegetables, Roots, or Herbs on the Stand to which the same shall be brought, subject to such Tolls or Sums of Money as are in the Schedule to this Act in that Behalf mentioned; and the Growers of Fruit, Flowers, Vegetables, Roots, or Herbs shall be deemed to be the Persons having the preferable Right to resort to such Stands under the Provisions of this Act:

Those Parts of the said Market which are marked respectively in the said Plan with the Letter (C) shall be divided into Stands, which Stands shall be called "The Yearly Cart Stands," and shall (except and subject as herein-after mentioned) be exclusively appropriated to the Reception of Waggons and Carts of or belonging to Growers of Fruit, Flowers, Vegetables, Roots, or Herbs, and to the exposing to Sale and selling the Fruit, Flowers, Vegetables, Roots, or Herbs grown or reared by such Growers, and be let by the said Duke, his Heirs or Assigns, being Owners of the said Market, or their
Tenants

Tenants thereof, by the Year or for any shorter Period, at such yearly or other Rents, and subject to such Tolls or Sums of Money, as are in the Schedule to this Act in that Behalf mentioned; and the Person to whom any such Stand shall be let shall be deemed to be the Holder thereof, and the Person having the preferable Right to resort thereto, under the Provisions of this Act:

Those Parts of the said Market which are marked respectively in the said Plan with the Letter (D) shall be divided into Stands, which Stands shall be called "The Potatoe Stands," and (except and subject as herein-after mentioned) shall be appropriated to the exposing to Sale and selling Potatoes, and may be let by the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, by the Year or for any shorter Period, at such yearly or other Rents, and subject to such Tolls or Sums of Money, as are in the Schedule to this Act in that Behalf mentioned; and the Person to whom any such Stand shall be let shall be deemed to be the Holder thereof, and the Person having the preferable Right to resort thereto, under the Provisions of this Act:

Those Parts of the said Market which are marked respectively in the said Plan with the Letter (E) shall be divided into Stands, and (except and subject as herein-after mentioned) shall be appropriated to the exposing to Sale and selling Fruit, Flowers, Vegetables, Roots, or Herbs, and may be let by the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, by the Year or for any shorter Period, at such yearly or other Rents, and subject to such Tolls or Sums of Money, as are in the Schedule to this Act in that Behalf mentioned, and shall be called "The Fruit Market;" and the Person to whom any such Stand shall be let shall be deemed to be the Holder thereof, and the Person having the preferable Right to resort thereto, under the Provisions of this Act:

Those Parts of the said Market which are marked respectively in the said Plan with the Letters (F and G) shall be divided into Stands, which Stands shall be called "The Yearly Pitching Stands," and shall, except and subject as herein-after mentioned, be exclusively appropriated to the exposing to Sale and selling Fruit, Flowers, Vegetables, Roots, or Herbs, and be may let by the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, exclusively to Growers of Fruit, Flowers, Vegetables, Roots, or Herbs, by the Year or for any shorter Period, at such yearly or other Rents, and subject to such Tolls or Sums of Money, as are in the Schedule to this Act in that Behalf mentioned; and the Person to whom any such Stand shall be let shall be deemed to be the Holder thereof, and the Person having the preferable Right to resort thereto, under the Provisions of this Act:

Those Parts of the said Market which are marked respectively with the Letter (H) shall be divided into Stands, which Stands shall be called "The Flower Stands," and (except and subject as herein-after mentioned) shall be appropriated to the exposing to Sale and selling Flowers or Flower Roots, and may be let by the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, by the Year or for any shorter Period, at such

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yearly or other Rents, and subject to such Tolls or Sums of Money, as are in the Schedule to this Act in that Behalf mentioned; and the Person to whom any such Stand shall be let shall be deemed to be the Holder thereof, and the Person having the preferable Right to resort thereto under the Provisions of this Act :

Those Parts of the said Market which are marked respectively in the said Plan with the Letter (I) shall be appropriated as and for Footpaths :

And those Parts of the said Market which are marked respectively in the said Plan with the Letter (K) shall be appropriated as and for Gangways :

And that such Appropriation shall take place and be made with respect to each Part of the said Market respectively, as and when such Part shall be altered, according to the Division and Arrangement herein-before authorized to be made.

Restriction as to Time of placing or leaving Waggon, &c. on the Casual Cart Stands.

VIII. And be it further enacted, That after the said Parts of the said Market to be divided into the Stands to be called the Casual Cart Stands, shall be altered according to the Division and Arrangement herein-before authorized to be made, no Waggon, Cart, Fruit, Flowers, Vegetables, Roots, Herbs, Bulk, Basket, Package, Hamper, or other Thing shall be placed in or upon any of such Stands before One of the Clock in the Morning nor after Ten of the Clock in the Evening, nor be left thereon after Ten of the Clock in the Evening; and no Waggon or Cart shall remain on any of such Stands longer than One Hour after the same shall have been unladen, and no empty or unladen Waggon or Cart shall be placed on any of such Stands.

Regulations as to the Yearly Cart Stands.

IX. And be it further enacted, That after the said Parts of the said Market to be divided into the Stands to be called the Yearly Cart Stands, shall be altered according to the Division and Arrangement herein-before authorized to be made, no Waggon, Cart, Fruit, Flowers, Vegetables, Roots, Herbs, Bulk, Basket, Package, Hamper, or other Thing shall be placed or put in or upon any Stand in those Parts of the said Market to be called the Yearly Cart Stands, which shall be let, but such as shall belong to or be the Property of the Holder of such Stand, except as herein-after mentioned; but it shall be lawful for any Person to place or put any Waggon or Cart containing Fruit, Flowers, Vegetables, Roots, or Herbs, or to place, pitch, expose for Sale, or sell any Fruit, Flowers, Vegetables, Roots, or Herbs, on any of the said Stands to be called the Yearly Cart Stands, which shall not be let, such Person paying, in respect of such placing, pitching, exposing for Sale, or selling, the Toll or Tolls or Sum or Sums of Money mentioned or specified in that Behalf in the Schedule to this Act; and no empty or unladen Waggon or Cart shall be placed or left on any of such Stands until after Twelve of the Clock at Noon.

Potatoe Stands.

X. And be it further enacted, That after the said Parts of the said Market to be divided into the Stands to be called the Potatoe Stands, shall be altered according to the Division and Arrangement herein-

herein-before authorized to be made, no Potatoes, Waggon, Cart, Bulk, Basket, Package, Hamper, or other Thing shall be placed or put in or upon any Stand in those Parts of the said Market to be called the Potatoe Stands, except such as shall belong to or be the Property of the Holder of such Stand, or of any Person who shall employ such Holder to sell his or her Potatoes, without the Consent of the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof; and no Article whatsoever, except Potatoes, shall be placed, pitched, exposed for Sale, or sold on those Stands, without such Consent as aforesaid; and no Potatoes shall be washed on any of such Stands, nor in any other Part of the said Market than the Cellars under the said Stands to be called the Potatoe Stands, or under the Footpath to be made on the North Side thereof, or under the Shops to be built adjoining such Footpath.

XI. And be it further enacted, That after the said Parts of the said Market to be called the Fruit Market, shall be altered according to the Division and Arrangement herein-before authorized to be made, no Fruit, Flowers, Vegetables, Roots, Herbs, Bulk, Basket, Package, Hamper, or other Thing shall be placed or put upon any Stand in those Parts of the said Market to be called the Fruit Market, which shall be let, but Fruit, Peas, Beans, Asparagus, Onions, Carrots, or Nuts which shall belong to or be the Property of the Holder of such Stand, or be sent to him for Sale, or the Package, Hamper, or other Article containing such Fruit, Peas, Beans, Asparagus, Onions, Carrots, or Nuts, without such Consent as aforesaid, except as herein-after mentioned; but it shall be lawful for any Person to place, pitch, expose for Sale, or sell any Fruit, Peas, Beans, Asparagus, Onions, Carrots, or Nuts, on any of such Stands which shall not be let, such Person paying, in respect of such placing, pitching, exposing for Sale, or selling, the Toll or Tolls or Sum or Sums of Money mentioned or specified in that Behalf in the Schedule to this Act.

Fruit Market.

XII. And be it further enacted, That it shall be lawful for the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, from Time to Time to appropriate One or more of the Stands in those Parts of the said Market to be called the Fruit Market, for the Erection of Scales for the Use of the Persons frequenting the said Market, and to erect Scales thereon accordingly; and it shall not be lawful for any Person to use such Stands, during such Appropriation thereof, for any other Purpose than the Weighing of Fruit, without such Consent as aforesaid; and every Person using such Scales shall pay to the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, the Sum of Money mentioned or specified in that Behalf in the Schedule to this Act.

Authorizing the Erection of Scales in the Fruit Market.

XIII. And be it further enacted, That no Flowers, nor any Vegetables, Roots, or Herbs, except Peas, Beans, Asparagus, Onions, Carrots, or Nuts, shall be placed, pitched, exposed for Sale, or sold in or upon any of the said Parts of the said Market to be called the Fruit Market, without such Consent as aforesaid; and no Potatoes shall

Prohibiting the Sale of certain Articles in Parts of the Market.

shall be placed, pitched, exposed for Sale, or sold by any Person on any of the said Stands to be called the Casual Cart Stands, the Yearly Cart Stands, or the Yearly Pitching Stands, except such as shall be the Growth of such Person, without such Consent as aforesaid.

Yearly
Pitching
Stands.

XIV. And be it further enacted, That after the said Parts of the said Market to be divided into the Stands to be called the Yearly Pitching Stands, shall be altered according to the Division and Arrangement herein-before authorized to be made, no Fruit, Flowers, Vegetables, Roots, Herbs, Bulk, Package, Hamper, or other Thing shall be placed or put in or upon any Stand in those Parts of the said Market to be called the Yearly Pitching Stands, which shall be let, but such as shall belong to or be the Property of the Holder of such Stand, except as herein-after mentioned; but it shall be lawful for any Person to place, pitch, expose for Sale, or sell any Fruit, Flowers, Vegetables, Roots, or Herbs on any of the said Stands to be called the Yearly Pitching Stands, which shall not be let, such Person paying, in respect of such placing, pitching, exposing for Sale, or selling, the Rent, Toll or Tolls, or Sum or Sums of Money mentioned or specified in that Behalf in the Schedule to this Act.

Authorizing
the letting
of Yearly
Pitching
Stands.

XV. Provided always, and be it further enacted, That notwithstanding any thing herein-before contained it shall be lawful for the said Duke, his Heirs or Assigns, being Owners of the said Market, to let any of the said Stands to be called the Yearly Pitching Stands, to any Person who, at the Time of the passing of this Act, shall be the Holder of a yearly Stand in the said Market, by the Year or for any shorter Period, at such yearly or other Rents, and subject to such Tolls or Sums of Money, as are in the Schedule to this Act in that Behalf mentioned; and the Person to whom any such Stand shall be so let shall be deemed to be the Person having a preferable Right to resort thereto under the Provisions of this Act.

Flower
Stands.

XVI. And be it further enacted, That after the said Parts of the said Market to be divided into the Stands to be called the Flower Stands, shall be altered according to the Division and Arrangement herein-before authorized to be made, no Fruit, Flowers, Vegetables, Roots, Herbs, Bulk, Package, Hamper, or other Thing shall be placed or put in or upon any Stand in those Parts of the said Market to be called the Flower Stands, which shall be let, but Flowers or Flower Roots which shall belong to or be the Property of the Holder of such Stand, or the Package, Basket, or other Article containing such Flowers or Flower Roots, and the Trestles, Benches, Forms, or other Things on which the same shall be placed, without such Consent as aforesaid; and no Vegetables, Roots, or Herbs, except Flowers and Flower Roots, shall be placed, pitched, exposed for Sale, or sold on any of the said Stands to be called the Flower Stands, without such Consent as aforesaid.

Authorizing
any Person
to place
Carts, &c.

XVII. Provided always, and be it further enacted, That notwithstanding any thing herein-before contained, it shall be lawful for any Person to place or put any Waggon or Cart containing any Fruit,
Flowers,

Flowers, Vegetables, Roots, or Herbs, and to place, pitch, expose for Sale, or sell any Fruit, Flowers, Vegetables, Roots, or Herbs, in or upon any Stand in those Parts of the said Market to be called the Casual Cart Stands or the Yearly Cart Stands, whether such Stand shall be let or not, for and during such Time as such Stand shall be unoccupied or vacant, but subject and without Prejudice to the Right of the Growers having the preferable Right under the Provisions of this Act to resort to such Stand as herein-before provided; which Person so placing or putting such Waggon or Cart, or so placing, pitching, exposing for Sale, or selling Fruit, Flowers, Vegetables, Roots, or Herbs, on such Stand, shall pay to the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, such Toll or Sum of Money as is mentioned or specified in that Behalf in the Schedule to this Act, and shall and is hereby required to remove from such Stand the Waggon, Cart, Goods, and other Articles placed by him or her on such Stand, when and so often as any Person having a preferable Right to resort to such Stand under the Provisions of this Act shall have Occasion to occupy the same.

in the Casual Cart Stands, or the Yearly Cart Stands, while vacant, on Payment of Toll.

XVIII. Provided always, and be it further enacted, That nothing herein-before contained shall prevent the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, from permitting any Person, and it shall be lawful for any Person with such Permission, to place or put any Waggon or Cart in or upon any Stand in those Parts of the said Market to be called the Potatoe Stands, and to place, pitch, expose for Sale, or sell any Fruit, Flowers, Vegetables, Roots, or Herbs in or upon any Stand in those Parts of the said Market to be called the Potatoe Stands, the Fruit Market, the Yearly Pitching Stands, or the Flower Stands, whether such Stand shall be let or not, for and during such Time as such Stand shall be unoccupied or vacant, but subject and without Prejudice to the Right of any Person having a preferable Right so to do under the Provisions of this Act, to resort to such Stand as herein-before provided; which Person so placing or putting such Waggon or Cart, or so placing, pitching, exposing for Sale, or selling Fruit, Flowers, Vegetables, Roots, or Herbs on such Stand, with such Permission as aforesaid, shall pay to the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, such Toll or Sum as is mentioned or specified in that Behalf in the Schedule to this Act, and shall and is hereby required to remove from such Stand the Waggon, Cart, Goods, and other Articles placed by him or her upon such Stand, when and so often as any Person having a preferable Right to resort to such Stand under the Provisions of this Act shall have Occasion to occupy the same.

Authorizing Persons to place Carts, &c. on the Potatoe Stands, or any Stand in the Fruit Market, or on the Yearly Pitching Stands or the Flower Stands, while vacant, on Payment of Toll.

XIX. And be it further enacted, That after the said Parts of the said Market to be divided into the Stands to be called the Casual Cart Stands and the Yearly Cart Stands, shall be altered according to the Division and Arrangement herein-before authorized to be made, no Waggon or Cart, or Part of a Waggon or Cart, shall be placed or put on or over any other Part of the said Market than such Stands, without such Consent as aforesaid.

Waggons and Carts to be placed in certain Parts of the Market only.

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XX. And

Nothing to be sold in the Market but Fruit, Vegetables, &c. except in the Public Houses.

XX. And be it further enacted, That no Article whatsoever, except Fruit, Flowers, Vegetables, Roots, Herbs, or Seeds, shall be exposed for Sale or sold in any Part of the said Market, except in the Public Houses which shall be opened therein for the Use and Convenience of the Persons attending the said Market, and except on the said Terraces, and in any Shop or Shops to be erected thereon; and such Articles only shall be sold in such Public Houses as are usually sold in Houses of that Description.

Power to take Tolls.

XXI. And be it further enacted, That from and after the passing of this Act it shall be lawful for the said Duke, his Heirs or Assigns, being Owners of the said Market, and their Tenants thereof, to demand and take, or cause to be demanded and taken, of and from all and every Person and Persons who shall place, pitch, expose for Sale, or sell within the said Market any Fruit, Flowers, Vegetables, Roots, or Herbs, all such Toll or Tolls as at the Time of the passing the before-recited Act of the Fifty-third Year of the Reign of His late Majesty King *George* the Third was or were usually taken or collected within the said Market, or was or were usually payable for or in respect of the same; and when and as any Part or Parts of the said Market shall be altered according to the Division and Arrangement herein-before authorized to be made, it shall be lawful for the said Duke, his Heirs or Assigns, being such Owners as aforesaid, and their Tenants of the said Market, at all Times thereafter to demand and take, or cause to be demanded and taken, of and from every Person who shall hold, use, or occupy any Stand in such Part or Parts of the said Market respectively, the Rent or Sum of Money mentioned or specified with respect to such Stand in the Schedule to this Act; and of and from every Person who shall place, pitch, expose for Sale, or sell within such Part or Parts of the said Market respectively any Fruit, Flowers, Vegetables, Roots, or Herbs, on each and every Day on which the same shall be so placed, pitched, exposed for Sale, or sold, the Toll or Tolls or Sum or Sums of Money mentioned or specified with respect to such Part or Parts respectively in the said Schedule; and that this Provision, together with a Copy of the Schedule to this Act, shall, within Two Months after the passing of this Act, be painted in legible Characters, and put up and exposed to public View in some conspicuous Part of the said Market, and shall from Time to Time be renewed and replaced when and as often as the same shall be obliterated or defaced.

No Toll to be taken of Purchasers, unless the Articles are again exposed to Sale.

XXII. And be it further enacted, That from and after the passing of this Act no Toll or Tolls shall be payable by any Person or Persons who shall buy any Fruit, Flowers, Vegetables, Roots, or Herbs within the said Market, for or in respect of any such Fruit, Flowers, Vegetables, Roots, or Herbs so by him, her, or them bought within the said Market, unless the same shall be by him, her, or them again placed, pitched, exposed for Sale, or sold within the said Market.

For Recovery of Rents and Tolls.

XXIII. And be it further enacted, That from and after the passing of this Act, if any Person who shall hold, use, or occupy any Stand within the said Market, shall refuse to pay the Rent or Sum of Money which shall be due or payable in respect thereof, or if any Person who shall

shall place, pitch, expose for Sale, or sell within any Part of the said Market any Fruit, Flowers, Vegetables, Roots, or Herbs, or the Person for or on whose Account the same shall be placed, pitched, exposed for Sale, or sold, shall refuse to pay the Toll or Sum of Money which shall be due or payable for or in respect thereof, it shall be lawful for the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, or any or either of them, or any other Person authorized by them so to do, to levy and recover such Rent, Toll, or Sum of Money by Distress and immediate Sale of a sufficient Part of any Fruit, Flowers, Vegetables, Roots, Herbs, or other Goods or Wares at any Time found in the said Market of or belonging to the Person so refusing, returning to such Person, on Demand, the Overplus (if any) which shall remain after Payment of the said Rent, Toll, or Sum of Money, and the reasonable Costs, Charges, and Expences of such Distress and Sale; and in case any Difference shall arise between the Parties concerning such Costs, Charges, and Expences, the same shall be finally settled by any Justice of the Peace for the County of *Middlesex*, upon Application made to him for that Purpose within Seven Days next after the said Distress and Sale or Return of the said Overplus.

XXIV. Provided always, and be it further enacted, That nothing in this Act contained shall hinder or prevent the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, or any of them, from suing for and recovering in any of His Majesty's Courts of Record at *Westminster* any Sum or Sums of Money whatsoever which after the passing of this Act shall become due or payable to him, them, or any of them, as or for or in respect of any Rent due or payable for any Stand, or for or in respect of any Toll due or payable for or in respect of any Fruit, Flowers, Vegetables, Roots, or Herbs which shall be placed, pitched, exposed for Sale, or sold within any Part of the said Market.

Not to prevent Tolls being sued for in the Courts of Westminster.

XXV. Provided always, and be it further enacted, That nothing in this Act contained shall in any Manner extend to, or alter, vary, lessen, diminish, or affect, or be deemed or construed to extend to, or alter, vary, lessen, diminish, or affect, the Right or Title of the said Duke, his Heirs or Assigns, to Stallage, Piccage, or any other Liberties, Customs, Profits, Advantages, or Emoluments whatsoever (except the Rents and Tolls) to the said Market belonging or appertaining.

Act not to affect the Right to Stallage, Piccage, &c.

XXVI. And be it further enacted, That for the better Regulation of the said Market it shall be lawful for the said Duke, his Heirs and Assigns, being Owners of the said Market, and they are hereby authorized, from Time to Time to make, constitute, provide, and ordain Rules, Orders, and Bye Laws for the regulating, ordering, and governing the said Market, and the Persons coming and resorting thereto, in all Matters which shall concern or relate to the said Market, and for the Arrangement and Distribution, placing and ordering of the Waggon and Carts bringing or taking away Goods to or from the said Market, and of the Persons driving and having the Use of such Waggon and Carts; and of the Porters, Basket

Owners of the Market may make Bye Laws for regulating the same.

Women,

Women, and other Persons working or plying for Hire in the said Market, and from Time to Time to repeal, alter, add to, or amend such Rules, Orders, and Bye Laws, or any of them; and to ascertain and fix and therein specify what pecuniary or other Penalties and Forfeitures shall be incurred by any Person breaking such Rules, Orders, and Bye Laws, or any of them, provided that no such pecuniary Penalty or Forfeiture shall exceed the Sum of Forty Shillings for One Offence; all which Rules, Orders, and Bye Laws so to be made as aforesaid, not being repugnant to the Laws of this Realm, or to the Provisions of this Act, all Persons herein-before mentioned are hereby required to observe and keep under such Penalties and Forfeitures respectively as shall be so ascertained, fixed, and specified as aforesaid; and all such Rules, Orders, and Bye Laws shall be signed by the said Duke, his Heirs or Assigns, being Owners of the said Market, and be deposited with the Clerk of the Peace of the said County of *Middlesex*, and a Copy thereof shall be painted in legible Characters, and put up and exposed to public View in some conspicuous Part of the said Market, which from Time to Time shall be renewed and replaced when and as often as the same shall be altered, obliterated, or defaced: Provided always, that all such Rules, Orders, and Bye Laws, and all Convictions for any Penalties or Forfeitures imposed by virtue thereof, shall be liable to Appeal to the Justices at the General or Quarter Sessions, in like Manner as is herein-after provided or mentioned with respect to any other Matter of Appeal; and no such Rules, Orders, and Bye Laws shall have any Force until Ten Days after a Copy thereof shall have been so painted and put up and exposed to public View as aforesaid, nor until after the General or Quarter Sessions of the County of *Middlesex* next after such Copy shall have been so painted and put up and exposed to public View as aforesaid.

Bye Laws to be placed to view in some Part of the Market.

Penalty for assaulting Tenant or Collector.

XXVII. And be it further enacted, That if any Person shall assault, hinder, or obstruct any Tenant of the said Market, or any Collector of the Rents or Tolls by this Act authorized to be taken, or other Person authorized to receive the same, or any Person employed by the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, to superintend and regulate the said Market, or to keep order therein, every Person offending in any of such Cases shall forfeit and pay to the said Duke, his Heirs or Assigns, being Owners of the said Market, for every such Offence such Sum of Money, not exceeding Five Pounds, as any Justice of the Peace for the said County of *Middlesex* shall in that Behalf direct.

Penalty for injuring Buildings, &c.

XXVIII. And be it further enacted, That if any Person shall take away, remove, destroy, deface, injure, or pull up any Erection, Building, Fountain, Cistern, Wall, Fence, Pier, Pillar, Post, Rail, Pump, Pipe, or Pavement, or wilfully break or injure any Lamp or Window in the said Market, or any Board, Notice, or Inscription fixed or put up therein by the Order of the said Duke, his Heirs or Assigns, being Owners of the said Market, for giving Publicity to the Rules, Orders, and Bye Laws by this Act authorized to be made, or in pursuance of this Act, every Person so offending shall forfeit and pay to the said Duke, his Heirs or Assigns, being Owners of the

the said Market, for every such Offence such Sum of Money, not exceeding Five Pounds, as any Justice of the Peace for the County of *Middlesex* shall in that Behalf direct, and also such further Sum of Money as a Compensation for the Damage and Costs which shall have been occasioned by such Offence, as such Justice shall in that Behalf award.

XXIX. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall put or place any Waggon, Cart, Fruit, Flowers, Vegetables, Roots, or Herbs, Bulk, Stand, Stall, Stallboard, Form, Wheelbarrow, Cask, Basket, Package, Hamper, or other Thing, in, upon, or over any of the Footpaths, Gangways, or Passages of or in the said Market, or hereafter to be made therein, and shall not immediately remove and take away the same when required so to do by the said Duke, his Heirs or Assigns, being Owners of the said Market, whether the said Market shall be let or not, or their Tenants thereof, or any of their Agents or Servants, and continue and keep the same so removed; or shall leave any empty or unladen Waggon, or empty or unladen Cart, empty Basket, empty Cask, empty Hamper, or empty Packing Case of any Kind upon any of the Stands in the said Market to be called the Casual Cart Stands, the Yearly Cart Stands, or the Potatoe Stands, or upon any Part of the Carriageway immediately surrounding the said Market; or shall place, pitch, expose for Sale, sell, or leave any Fruit, Flowers, Vegetables, Roots, or Herbs, or place or put or leave any Waggon, Cart, Bulk, Basket, Package, Hamper, or other Thing, in, upon, or over any Part of the said Market, contrary to the Provisions herein-before contained; or shall refuse to remove any Waggon, Cart, Fruit, Flowers, Vegetables, Roots, or Herbs when required so to do as herein-before mentioned; it shall be lawful for the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, or any of their Agents or Servants, to seize, and for any Person whomsoever to be aiding and assisting in seizing, any such Waggon, Cart, Bulk, Stand, Stall, Stallboard, Form, Wheelbarrow, Cask, Basket, Package, Hamper, Packing Case, Fruit, Flowers, Vegetables, Roots, Herbs, or other Thing, together with the Horse or Horses to any such Waggon or Cart belonging, and the Harness, Gears, and Accoutrements thereof, and to cause the same to be removed to some convenient and proper Place or Places, (affixing a written or printed Notice within a reasonable Time after such Seizure upon some conspicuous Place within the said Market, of the Place to which the Articles so seized shall be removed,) and the same shall be there kept and detained until the Costs, Charges, and Expences of removing and keeping the same, and of keeping such Horse or Horses (if any), shall be paid; and in case the same shall not be claimed, and the said Costs, Charges, and Expences paid, within Seven Days next after such Removal thereof, it shall be lawful for the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, (having affixed in some conspicuous Place in the said Market One Day's previous Notice of their Intention so to do,) with any Constable of the said Parish of *Saint Paul, Covent Garden*, (who is hereby required to be aiding and assisting therein,) to cause the Articles so seized as aforesaid to be appraised

Waggons,
Carts, Pack-
ages, Fruit,
&c. placed on
the Footpaths
or Passages
may be seized.

[*Local.*]

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by

by a sworn Appraiser, (whom such Constable is hereby empowered to swear to appraise the same truly, according to the best of his Understanding,) and after such Appraisalment to be sold for the best Price that can be got for the same, leaving the Overplus which shall remain after satisfying the Costs, Charges, and Expences of and attending such Seizure, Removal, Keeping, Appraisalment, and Sale, in the Hands of such Constable for the Owner's Use; and if the Parties shall differ about such Costs, Charges, and Expences, the same shall be finally settled by any Justice of the Peace for the said County of *Middlesex*, upon Application made to him for that Purpose within Seven Days next after such Difference shall so arise.

Penalty for leaving any Waggon, Packages, Fruit, &c. in the Passages of the Market, or creating Obstructions therein.

XXX. And be it further enacted, That every Person who shall so put or place any such Waggon, Cart, Fruit, Flowers, Vegetables, Roots, or Herbs, Bulk, Stand, Stall, Stallboard, Form, Wheelbarrow, Cask, Basket, Package, Hamper, or other Thing, in, upon, or over any of the Footpaths, Gangways, or Passages of or in the said Market, or hereafter to be made therein, and shall not immediately remove and take away the same when required so to do as aforesaid, and continue and keep the same so removed; or who shall leave any such empty or unladen Waggon, or empty or unladen Cart, empty Basket, empty Cask, empty Hamper, or empty Packing Case upon or over any of the Stands in the said Market to be called the Casual Cart Stands, the Yearly Cart Stands, or the Potatoe Stands, or upon or over any Part of the Carriageway immediately surrounding the said Market; or who shall place, pitch, expose for Sale, sell, or leave any Fruit, Flowers, Vegetables, Roots, or Herbs, or place, put, or leave any Waggon, Cart, Bulk, Basket, Package, Hamper, or other Thing, in, upon, or over any Part or Parts of the said Market, contrary to the Provisions herein-before contained; or shall refuse to remove any Waggon, Cart, Fruit, Flowers, Vegetables, Roots, or Herbs, when required so to do as herein-before mentioned; and also every Person who shall obstruct or hinder the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, or their Agents or Servants, or any Person by them employed for that Purpose, in the seizing, removing, or taking away of any such Waggon, Cart, Bulk, Stand, Stall, Stallboard, Form, Wheelbarrow, Cask, Basket, Package, Hamper, Packing Case, Fruit, Flowers, Vegetables, Roots, Herbs, or other Thing as aforesaid; and also every Person who shall wash any Potatoes in any other Part of the said Market than in the Cellars under the said Stands to be called the Potatoe Stands, or under the Footpath to be made on the North Side thereof, or under the Shops to be built on the North Side of such Footpath; shall for each and every such Offence forfeit and pay to the said Duke, his Heirs or Assigns, being Owners of the said Market, such Sum of Money, not exceeding Forty Shillings, as the Justice of the Peace herein-after next mentioned shall in that Behalf direct; and it shall be lawful for the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, and their Agents or Servants, or the Holder of any Stand in the said Market whereon any such Offence as is herein-before mentioned shall be committed, to seize and take into Custody, and for any Person whomsoever to be

be aiding and assisting in seizing and taking into Custody, every such Offender at the Time of his or her committing such Offence, and to carry him or her before any Justice of the Peace for the County of *Middlesex*, and which Justice shall hear and determine the Complaint; and if upon the Conviction of the Offender, either on his or her own Confession, or on the Oath of any credible Witness, (and which Oath the said Justice is hereby authorized to administer,) such Offender shall not pay the said Penalty, he or she shall be committed to the Common Gaol or House of Correction of the said County of *Middlesex*, there to remain for any Time not exceeding One Calendar Month, unless such Penalty, and the reasonable Charges of recovering the same, shall be sooner paid, in which Case such Offender shall be discharged therefrom on Payment of such Penalty and Charges; provided that nothing herein contained shall hinder or prevent the Occupiers of any of the Shops or Buildings hereby authorized to be erected in the said Market from erecting, with such Consent as aforesaid, any Stallboard in front thereof, of such Width, not exceeding Three Feet, as the said Duke, his Heirs or Assigns, being Owners of the said Market, shall think proper, or from placing on such Stallboard any Fruit, Flowers, Vegetables, Roots, or Herbs, or the Basket or other Thing containing the same.

Proviso as to
Occupiers of
Shops.

XXXI. And be it further enacted, That from and after the passing of this Act, if any Tenant of the said Market, or any other Person whomsoever, shall wilfully obstruct or hinder the Owners of the said Market for the Time being, or their Servants, or any Person by them employed for that Purpose, in the sweeping or cleaning of the said Market, or any Part thereof, or in the taking or carrying away of any Dust, Dirt, Rubbish, Offal, Dung, Soil, or other Filth whatsoever found therein, every Person so offending shall for every such Offence forfeit and pay to the Owners of the said Market for the Time being such Sum, not exceeding Five Pounds, as the Justice of the Peace herein-after next mentioned shall direct; and it shall be lawful for the Owners of the said Market for the Time being, or their Agents or Servants, to seize and take into Custody, and for any Person whomsoever to be aiding and assisting in seizing and taking into Custody, every such Offender at the Time of his or her committing such Offence, and to carry him or her before any Justice of the Peace for the County of *Middlesex*, and which Justice shall hear and determine the Complaint; and if upon the Conviction of the Offender, either on his or her own Confession, or on the Oath of any credible Witness, (and which Oath the said Justice is hereby authorized to administer,) such Offender shall not pay the said Penalty, he or she shall be committed to the Common Gaol or House of Correction of the said County of *Middlesex*, there to remain for any Time not exceeding One Calendar Month, unless such Penalty, and the reasonable Charges of recovering the same, shall be sooner paid, in which Case such Offender shall be discharged therefrom on Payment of such Penalty and Charges.

Penalty on
preventing
the Owners
&c. cleaning
the Market.

XXXII. And be it further enacted, That from and after the passing of this Act, if any Person (except the Owners of the said Market for the Time being, or any Person acting under their Authority,) shall wilfully

Penalty on
preventing
Tenants
cleaning the
Market.

wilfully hinder or obstruct the Tenants of the said Market for the Time being, or their Servants, or any Person by them employed for that Purpose, in the sweeping or cleaning of the said Market, or any Part thereof, or in the taking or carrying away of any Dust, Dirt, Rubbish, Offal, Dung, Soil, or other Filth whatsoever found therein, every Person except as before-mentioned so offending shall for every such Offence forfeit and pay to the said Tenants of the said Market for the Time being such Sum, not exceeding Five Pounds, as the Justice of the Peace herein-after next mentioned shall direct; and it shall be lawful for the said Tenants of the said Market for the Time being, or their Servants, to seize and take into Custody, and for any Person whomsoever to be aiding and assisting in seizing and taking into Custody, every such Offender, and to carry him or her before any Justice of the Peace for the County of *Middlesex*, and which Justice shall hear and determine the Complaint; and if upon the Conviction of the Offender, either on his or her own Confession, or on the Oath of any credible Witness, (and which Oath the said Justice is hereby authorized to administer,) such Offender shall not pay the said Penalty, he or she shall be committed to the Common Goal or House of Correction of the said County of *Middlesex*, there to remain for any Time not exceeding One Calendar Month, unless such Penalty, and the reasonable Charges of recovering the same, shall be sooner paid, in which Case such Offender shall be discharged therefrom on Payment of such Penalty and Charges.

Market not
to be swept
before Noon.

XXXIII. Provided always, and be it further enacted, That no Person shall begin to sweep or clean any other Part of the said Market than the Shops, Terraces, and Buildings to be erected therein, and the Footpath to be made in or near the Centre of the said Market, and to extend from the East to the West End thereof, before Twelve of the Clock at Noon.

For securing
transient Of-
fenders.

XXXIV. And whereas Offences may be committed against this Act by Persons unknown to the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, or their Agent and Servants; be it therefore further enacted, That it shall be lawful for the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, or their Agents, or the Collector or Collectors of the Rents, Tolls, or Sums of Money by this Act authorized to be taken, or the Person or Persons employed by the said Duke, his Heirs or Assigns, being Owners of the said Market, or their Tenants thereof, to superintend, sweep, clean, and regulate the said Market, and to keep Order therein respectively, and such other Person or Persons as they or any of them shall call to their Assistance, without any Warrant or other Authority than this Act, to seize and detain any Person who shall commit any Offence against this Act, or against any Rule, Order, or Bye Law made in pursuance thereof, and to take him, her, or them before any Justice of the Peace for the County of *Middlesex*; and such Justice and Justices shall and is and are hereby required to proceed and act with respect to such Offender or Offenders according to the Provisions of this Act.

XXXV. And

XXXV. And be it further enacted, That all Penalties and Forfeitures hereby inflicted or authorized to be imposed, or which shall be imposed by any Rule, Order, or Bye Law to be made in pursuance hereof, (the Manner of levying, recovering, and applying whereof is not herein otherwise directed,) shall, upon Proof of the Offences respectively before any Justice of the Peace for the County of *Middlesex*, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, (which Oath such Justice is in every such Case hereby authorized to administer,) be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party offending, by Warrant under the Hand and Seal of such Justice (which Warrant such Justice is hereby empowered and required to grant); and the Overplus (if any) after such Penalties and Forfeitures, and the Charges of such Information, Conviction, Distress, and Sale, are deducted, shall be returned, upon Demand, unto the Owner of such Goods and Chattels; and the Monies arising by such Penalties and Forfeitures respectively, when paid or levied, shall be from Time to Time paid to the said Duke, his Heirs or Assigns, being Owners of the said Market; and in case such Penalties and Forfeitures respectively shall not be paid forthwith upon Conviction, then it shall be lawful for such Justice to order the Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless the said Offender shall give sufficient Security, to the Satisfaction of such Justice, for his or her Appearance before him on such Day or Days as shall be appointed for the Return of such Warrant of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice is hereby empowered to take by way of Recognizance, or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalties and Forfeitures and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice, upon the Confession of the Offender, or otherwise, that he or she hath not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for any such Justice of the Peace, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Offender to be committed to the Common Gaol or House of Correction of the said County of *Middlesex*, there to remain for any Time not exceeding One Calendar Month, unless such Penalties and Forfeitures and all reasonable Charges shall be sooner paid, in which Case such Offenders shall be discharged therefrom on Payment of such Penalties, Forfeitures, and Charges.

Recovery and
Application
of Penalties.

XXXVI. And be it further enacted, That where any Distress shall be made for any Sum or Sums of Money to be levied by virtue of this Act, such Distress shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any of the Proceedings relating thereto, nor shall the Party or Parties making the same be

Distress not
unlawful for
Want of
Form.

[Local.]

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deemed

deemed a Trespasser or Trespassers, *ab initio*, on the Account of any Irregularity which shall be afterwards committed by the Party or Parties distraining; but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage only in an Action on the Case.

Convictions
to be drawn in
the following
Form.

XXXVII. And for the more easy and speedy Conviction of Offenders against this Act, be it further enacted, That the Magistrate before whom any Person shall be convicted of any Offence against this Act shall and may cause the Conviction to be drawn up according to the following Form; *viz.*

‘ **B**E it remembered, That on the _____ Day of
 ‘ _____ in the Year of our Lord
 ‘ *A. B.* is convicted before me [*the Magistrate*] [*here*
 ‘ *specify the Offence, and the Time and Place when and where com-*
 ‘ *mited, as the Case may be*], contrary to an Act of Parliament made
 ‘ in the _____ Year of the Reign of King *George the Fourth,*
 ‘ intituled *An Act* [*here insert the Title of this Act*]. Given under
 ‘ my Hand and Seal the Day and Year first above written.
 ‘ *C. D.*’

Appeal.

XXXVIII. And be it further enacted, That it shall be lawful for any Person or Persons convicted by any Magistrate of any Offence or Offences against this Act to appeal to the Justices of the Peace assembled at the next General or Quarter Sessions to be holden for the County of *Middlesex*, on giving immediate Notice in Writing of such Appeal, and also giving Security, to the Satisfaction of such Justice, for the Payment of the Penalty, in case the Conviction shall be confirmed, and also entering into a Recognizance before such Magistrate, with Two sufficient Sureties, conditioned for prosecuting the said Appeal with Effect, and abiding the Determination of the Court thereon; and such Justices in such General or Quarter Sessions shall hear and determine the Matter of such Appeal, and may either confirm or quash the Conviction, and award such Costs to either Party, as to them the said Justices shall seem just and reasonable; and the Decision of the said Justices therein shall be final, binding, and conclusive; and it shall be lawful for such Justices, by Warrant under the Hands and Seals of any Two or more of them, to cause the Costs which shall be so awarded to be levied by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus (if any), upon Demand, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such Distress and Sale.

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

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

XL. And be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or wrongful Proceedings made or committed in execution of this Act, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed or caused to be committed any such Irregularity, Trespass, or wrongful Proceedings, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court wherein such Action shall be depending, at any Time before Issue joined, to pay into Court such Sum of Money as he or they shall see fit, whereupon such Proceedings or Order and Judgment shall be made or given by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff shall not recover after Tender of sufficient Amends.

XLI. And be it further enacted, That no Action or Suit shall be commenced or brought against any Person or Persons for any thing done in pursuance of this Act, or of any of the Powers hereby given, until Twenty-one Days Notice shall have been thereof given in Writing to the Defendant or Defendants, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action, or after sufficient Satisfaction or Tender of Amends shall have been made to the Party aggrieved, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants, or after Six Calendar Months next after the Cause of such Action shall have arisen; and any and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at the Trial to be had thereupon, and that the same was done in pursuance, and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Twenty-one Days Notice shall be given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time herein-before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs become nonsuit, or shall discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Costs of Suit, and have such Remedy for the same as any Defendant or Defendants hath or have for Cost of Suit in other Cases of Law.

Limitation of Actions.

XLII. Provided always, and be it further enacted, That nothing in this Act contained shall in any Manner lessen or abridge, or be deemed or construed to lessen or abridge, the Powers or Authority of the Commissioners acting under or by virtue of an Act passed in the Twenty-third Year of the Reign of His late Majesty King George the Third, intituled *An Act for better paving, cleansing, and lighting the Parish of Saint Paul, Covent Garden, within the Liberty of Westminster, and certain Places adjoining thereto; and for removing and preventing Nuisances and Annoyances therein*; provided that no

Not to lessen the Power of the Commissioners acting under the Act of 23 G. 3. c. 42.

Offender

Offender under this Act shall be convicted of any Penalty both under this Act and under the said in part recited Act.

Not to pre-
judice any
Rights of
the Duchy of
Lancaster.

XLIII. Provided always, and be it further enacted and declared, That nothing herein contained shall extend or be construed to extend to prejudice, alter, or defeat any Rights and Privileges of the King's most Excellent Majesty, in Right of His Duchy of *Lancaster*, or any Rights and Privileges of any Person or Persons holding or claiming under His said Majesty, in respect of the said Duchy, but that all such Rights and Privileges shall remain and continue the same, to all Intents and Purposes, as if this Act had not passed.

Not to affect
the Powers of
the Commis-
sioners of
Sewers for
Westminster,
&c.

XLIV. Provided always, and be it further declared and enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend, to prejudice, diminish, alter, or take away any of the Rights, Powers, or Authorities vested in the Commissioners of Sewers for the City and Liberty of *Westminster*, and Part of the County of *Middlesex*, but all the Rights, Powers, and Authorities vested in them shall be as good, valid, and effectual as if this Act had not been made.

Public Act.

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

The SCHEDULE to which the foregoing Act refers ;

BEING

A SCHEDULE of the RENTS, TOLLS, and Sums of Money to be payable and paid in the several Parts of COVENT GARDEN MARKET, herein-after mentioned, that is to say : —

In the Stands to be called the Casual Cart Stands.

For every Waggon containing wholly or principally Carrots, whether such Waggon shall be brought or placed on any of such Stands, or the Contents thereof shall be placed, pitched, or exposed for Sale, or sold on any of such Stands, a Toll of One Shilling and Sixpence.

For every other Waggon containing Fruit, Flowers, Vegetables, Roots, or Herbs, whether such Waggon shall be brought or placed on any of such Stands, or the Contents thereof shall be placed, pitched, exposed for Sale, or sold on any of such Stands, a Toll of One Shilling.

For every Cart containing wholly or principally Carrots, whether such Cart shall be brought or placed on any of such Stands, or the Contents thereof shall be placed, pitched, or exposed for Sale, or sold on any of such Stands, a Toll of One Shilling.

For every other Cart containing Fruit, Flowers, Vegetables, Roots, or Herbs, whether such Cart shall be brought or placed on any of such Stands, or the Contents thereof shall be placed, pitched, or exposed for Sale, or sold on any of such Stands, a Toll of Four-pence.

For each Stand on which any Person shall place, pitch, expose for Sale, or sell any Fruit, Flowers, Vegetables, Roots, or Herbs, such Person not being the actual Grower thereof, nor the Person by, for, or to whom the same shall be brought by Waggon or Cart to the said Market, a Rent or Sum of One Shilling per Day.

For each Stand used or occupied otherwise than in this Schedule before-mentioned, the Rent or Sum of One Shilling per Day.

In the Stands to be called the Yearly Cart Stands.

For each Stand which shall be let, a Rent after the Rate of One Shilling per Annum for every square Foot superficial thereof : And for such Fruit, Flowers, Vegetables, Roots, or Herbs, not being the Growth of the Holder of such Stand, as shall be placed, pitched, exposed for Sale, or sold on such Stand, a Toll of One Shilling for each Waggon and Four-pence for each Cart in which the same shall be brought.

For each Stand used or occupied otherwise than as in this Schedule before-mentioned with respect to the Yearly Cart Stands, the daily Rent or Sum of One Shilling.

In the Stands to be called the Potatoe Stands.

For each Stand which shall be let, a Rent after the Rate of One Shilling per Annum for every square Foot superficial of such Stand, and in addition to such Rent a Toll of Two-pence for every Sack of Potatoes placed, pitched, exposed for Sale, or sold on such Stand, and at the Rate of One Shilling and Two-pence per Ton for any greater or less Quantity than a Sack.

For Potatoes placed, pitched, exposed for Sale, or sold by any Person on any Stand of which such Person shall not be the Holder, a Toll of Two-pence per Sack, and at the Rate of One Shilling and Two-pence per Ton for any greater or less Quantity than a Sack.

In the Parts of the Market to be called the Fruit Market.

For Cherries, a Toll of One Halfpenny per Sieve, and so in proportion for any greater or less Quantity.

For Apples, Pears, Plumbs, Apricots, Peaches, Nectarines, Gooseberries, and Currants, a Toll of One Halfpenny per Sieve or Bushel, and so in proportion for any greater or less Quantity.

For Strawberries, Raspberries, and other Fruit of that Sort, for every Round or Head Load, a Toll of Two-pence, and so in proportion for any greater or less Quantity.

For Walnuts, Filberts, and other Nuts, a Toll of One Halfpenny per Sieve, One Penny per Maund, One Penny per Sack, and so in proportion for any greater or less Quantity.

For Peas, Beans, and French Beans, a Toll of One Halfpenny per Sieve and One Penny per Sack, and so in proportion for any greater or less Quantity.

For Onions, a Toll of One Halfpenny per Sieve or Bushel, and so in proportion for any greater or less Quantity.

For Asparagus, a Toll of One Penny per Flat, and so in proportion for any greater or less Quantity.

For Carrots, a Toll of One Shilling and Sixpence per Score Dozen Bunches, and so in proportion for any greater or less Quantity.

For Oranges, a Toll of Four-pence per Chest and Two-pence per Box, and so in proportion for any greater or less Quantity.

And every Person who shall be a Holder of a Stand or Stands in the Parts of the said Market to be called the Fruit Market, to pay for each Stand of which such Person shall be Holder a Rent of not more than after the Rate of One Shilling per Annum for every square Foot superficial of such Stand, in addition to such Tolls.

For every Stand over the whole of which any Covering shall extend, a Rent of not more than after the Rate of Three-pence per Annum for every square Foot superficial of such Stand, in addition to the Rent herein-before authorized to be taken for the same.

Every Person using the Scales to pay One Halfpenny per Draught.

In the Stands to be called the Yearly Pitching Stands.

For each Stand which shall be let, a Rent after the Rate of One Shilling per Annum for every square Foot superficial of such Stand :

And for such Fruit, Flowers, Vegetables, Roots, or Herbs, not being the Growth of the Holder of such Stand, as shall be placed, pitched, or exposed for Sale, or sold on such Stand, a Toll of One Shilling for each Waggon and Four-pence for each Cart in which the same shall be brought to the said Market.

For each Stand used or occupied otherwise than as in this Schedule before-mentioned with respect to the Yearly Pitching Stands, the daily Rent or Sum of One Shilling.

For each Stand in those Parts of the said Market marked with the Letter (G) in the Plan mentioned or referred to in the foregoing Act, over the whole of which any Covering shall extend, a Rent after the Rate of Three-pence per Annum for every square Foot superficial of such Stand, in addition to the Rent herein-before authorized to be taken for the same.

For each Stand in those Parts of the said Market marked with the Letter (F) in the said Plan, over the whole of which any Covering shall be erected with the Consent of a Majority of the Holders of the Stands over which the same shall be erected shall extend, a Rent after the Rate of Three-pence per Annum for every square Foot superficial of such Stand, in addition to the Rent herein-before authorized to be taken for the same.

In the Stands to be called the Flower Stands.

For each Stand which shall be let, a Rent after the Rate of One Shilling and Eight-pence per Annum for every square Foot superficial of such Stand.

For every Stand over the whole of which any Covering shall extend, a Rent of not more than after the Rate of Three-pence per Annum for every square Foot superficial of such Stand, in addition to the Rent herein-before authorized to be taken for the same.

In any Part of the said Market, except in the Shops to be built on the Parts thereof marked (A) in the said Plan, and the Terraces.

For Christmas Holly and other Evergreens placed, pitched, exposed for Sale, or sold in any Part of the said Market, a Toll of Three Shillings per Waggon Load and Two Shillings per Cart Load, and so in proportion for any less Quantity.

For Watercresses or other Spring Herbs (except such as shall be placed, pitched, exposed for Sale, or sold on any Stand, by the Holder of such Stand, being the Grower thereof,) placed, pitched, exposed for Sale, or sold, a Toll of One Penny per Head Load, Bag, or Basket, and so in proportion for any greater or less Quantity.

For Physic Herbs and dried Herbs (except such as shall be placed, pitched, exposed for Sale, or sold in any Stand, by the Holder of such Stand, being the Grower thereof,) placed, pitched, exposed

posed for Sale, or sold, a Toll of One Shilling per Waggon Load and Four-pence per Cart Load, and so on, in proportion for any less Quantity.

For Oranges, a Toll of Four-pence per Chest and Two-pence per Box, and so in proportion for any greater or less Quantity.

For every Stand on which any Person shall place, pitch, expose for Sale, or sell Flowers or Flower Roots, such Person not being the Holder of such Stand, the daily Rent or Sum of Sixpence for each Stand.

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