



ANNO QUADRAGESIMO OCTAVO

GEORGI III. REGIS.

Cap. 87.

An Act for lighting, watching, and regulating the Streets, and Lanes, and other public Passages and Places in the Town of *Beverley*, in the County of *York*. [1st June 1808.]

WHEREAS the Streets, Lanes, Ways, and other public Passages, and Places within the Town of *Beverley*, in the County of *York*, are not properly lighted, watched, and regulated, and are subject to various Nuisances, Annoyances, and Obstructions: And whereas it would greatly tend to the Convenience, Benefit, Safety, and Accommodation of the Public, as well as of the Inhabitants of the said Town of *Beverley*, and of all Persons resorting thereto and travelling through the same, if such Streets, Lanes, Ways, and other Public Passages and Places were well and sufficiently lighted, watched, improved, and regulated, and all Nuisances, Annoyances, and Obstructions removed and prevented, and a Nightly Watch established; but the several Purposes aforesaid cannot be effected and carried into execution without the Aid and Authority of Parliament; May it therefore please Your Majesty, That it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, Recorder, and Aldermen, of the Town of *Beverley* aforesaid for the Time being, *John Arden*, *Benjamin Blades*, *James Brown*, Doctor of Physic, *William Beverley*, *William Brigham*, *Samuel Bland*, *Joseph Coltman*, Clerk, *William Garrick*, *Frederick Campbel*, [Loc. & Per.]

Commis-
sioners.

Joseph Cam, Thomas Dickens, Thomas Duesbery, Henry Eccles, John Fleming, Christopher Geldart, George Garth, John Gardham, George Gibson, Henry Gill, Marmaduke Hewitt, John Jackson, Clerk, John Lockwood, Henry Legard, Thomas Lee, Christopher Machell, Robert Norris, William Henry Neale, Clerk, Thomas Pitts, William Richardson, Ebenezer Robertson, Robert Raikes, Mowld Robinson, Robert Rigby, Clerk, Henry John Shepherd, Thomas Sherwood, Lawrence Stephenson James Torre, Matthew Turner, William Tesseyman, Henry Thompson, and John Wilkinson, shall be and they are hereby appointed Commissioners for carrying this Act into execution, such Commissioners (and their Successors to be appointed as hereinafter mentioned) being respectively duly qualified, and taking and subscribing the Oath or Affirmation in the Words or to the Purport hereinafter mentioned and required.

Commence-
ment of this
Act.

II. And be it further enacted, That this Act shall commence and take effect upon the Third Monday next after the passing thereof, on which Day there shall be a general Meeting of the said Commissioners at the Guildhall in *Beverley* aforesaid, or at such other Place as the said Commissioners shall appoint, at the Hour of Eleven of the Clock in the Forenoon, when (if any Five of the said Commissioners shall be there assembled but not otherwise) this Act may and is hereby required to be proceeded on in the execution thereof; and a general Meeting of the Commissioners shall be held for carrying the same into execution on the Second Monday in every Month afterwards at the same Hour and Place, unless some other Day or Days in the Week or Year between Ten o'Clock in the Forenoon, and One o'Clock in the Afternoon, or some other Place within the Town of *Beverley* aforesaid, shall be appointed by the Commissioners assembled at the said First Meeting, or any subsequent Meeting at which there shall be Five Commissioners assembled; and if at the Times when the said Meetings are hereby required or shall be so as aforesaid appointed to be held, there shall not be at each such Meeting Five Commissioners present, then such Meeting shall stand adjourned to the next Day on which the Meeting in pursuance of this Act would otherwise be, or at a prior Meeting shall have been appointed to be held as aforesaid; and no Act, Order, Rule, Resolution, or Proceeding of the said Commissioners shall be valid or effectual unless had, made, or done at a Meeting or Meetings to be held in pursuance of this Act, and unless at every such Meeting there shall be at least Five Commissioners present, the said Number of Five Commissioners being hereby declared to be sufficient and fully competent to execute all the Purposes of this Act (except the Revocation, Suspension, or Alteration of any Order, Rule, Resolution, or Proceeding made or done by or at any preceding Meeting as herein mentioned) and that at such First Meeting for putting this Act into execution, one of the Commissioners present thereat shall be appointed Chairman, to whom any other of such Commissioners shall and is hereby authorized and required to administer an Oath or Affirmation in the Words or to the Effect hereinafter mentioned, and such Chairman shall immediately afterwards administer the like Oath or Affirmation to the other Commissioners then present; and at every other Meeting a Chairman shall in like manner be appointed, and the Chairman for the Time being shall and is hereby alone authorized and required to administer the Oath or Affirmation hereby required to be taken by the said Commissioners and
their

their Successors; and in all Cases where there shall arise a Difference of Opinion, the Question shall be decided by a Majority of Votes of the Commissioners then present, and if upon any Question there shall be an equal Number of Votes (including the Chairman's Vote) then the Chairman shall have the casting Vote; and that no Order, Rule, Resolution, or Proceeding had, made, or done at any Meeting held in pursuance of this Act, at which there shall have been Five Commissioners present, shall be revoked, suspended, or altered, unless at some subsequent special Meeting to be held for that Purpose (which any Three or more of the Commissioners are hereby empowered to call, and of which Seven Days previous Notice at the least of the Time, Place, and Purpose shall be given or affixed on the Door of each of the Parish Churches in *Beverley* aforesaid, and on the Market Cross in *Beverley* aforesaid) a greater Number of Commissioners than were present at the Meeting or Meetings at which such Order, Rule, Resolution, or Proceeding proposed or intended to be revoked, suspended, or altered shall have been made shall be present and shall concur in the Revocation, Suspension, or Alteration thereof; and in such Case no other Meeting to proceed in the execution of this Act shall be held until after the Day expressed in such Notice; and at every Meeting the Commissioners present shall defray their own Expences.

III. Provided nevertheless, and be it further enacted, That if it shall be thought necessary to hold a Meeting before the Time at which a Meeting is hereby required, or shall be so as aforesaid appointed to be held, then and in such Case it shall be lawful for the said Commissioners, or any Two or more of them, or for their Clerk for the Time being, and they or he are and is hereby required to call a special Meeting, of which Seven Days previous Notice shall be given in the same Manner as is hereinbefore mentioned in the Case and for the Purpose of calling a Meeting to revoke, suspend, or alter a former Order, Rule, or Proceeding; and in like manner no Meeting to proceed in the execution of this Act shall be held until after the Day expressed in the Notice for such last mentioned special Meeting.

Provision for calling a Special Meeting of the Commissioners.

IV. And be it further enacted, That no Person shall be capable of acting as a Commissioner in any Case in the execution of this Act, who is or shall be a Victualler, or who shall sell Ale, Wine, Cyder, or any Spirituous Liquors by Retail, or during the Time he shall hold or enjoy any Office or Place of Profit under or be concerned in any Contract made by virtue or in pursuance of this Act, or in any Case wherein he shall be in any wise personally or beneficially interested in the Matter in Question, or who shall not in his own Right, or in the Right of his late or present Wife, be in the actual Possession, Enjoyment, and Receipt of the Rents and Profits of Messuages, Lands, Tenements, or Hereditaments of an Estate or Inheritance, or for Life or Lives, or for any Term of Years exceeding Sixty Years, either absolutely or determinable on any Life or Lives of the clear yearly Value of One Hundred Pounds (above Reprizes and Incumbrances,) or possessed of such Estate or Estates as last mentioned, and a personal Estate jointly or a personal Estate alone to the Amount or Value of Three thousand Pounds over and above the Amount of his Debts; nor shall any Person be capable of acting as a Commissioner in the execution of this Act (except in administering the Oath or Affirmation to the

Qualification of Commissioners.

Chair-

Chairman of such first Meeting as aforesaid) until he shall have taken and subscribed an Oath or Affirmation in the Words, or to the Effect following (that is to say);

Oath.

‘ I A. B. do swear [or, being one of the People called Quakers, do
 ‘ solemnly declare and affirm] that I am really and *bonâ fide* in my
 ‘ own Right [or, in Right of my Wife, late or present, *as the Case may be*]
 ‘ now in the actual Possession, Enjoyment, and Receipt of the Rents
 ‘ and Profits of Messuages, Lands, Tenements, or Hereditaments of
 ‘ an Estate or Inheritance or for Life or Lives, or for a Term or Terms
 ‘ exceeding Sixty Years either absolute or determinable on a Life or
 ‘ Lives, [*as the Case may be*] of the clear yearly Value of One hundred
 ‘ Pounds above Reprizes and Incumbrances, or possessed of such
 ‘ Estate or Estates as last mentioned and a personal Estate jointly, or a
 ‘ personal Estate alone, to the Amount or Value of Three thousand
 ‘ Pounds over and above what will pay all my just Debts, and that I
 ‘ will truly and impartially, according to the best of my Skill and
 ‘ Judgment, execute and perform all and every the Powers and Au-
 ‘ thorities reposed in me as a Commissioner by virtue of an Act passed
 ‘ in the Forty-eighth Year of the Reign of His Majesty King George
 ‘ the Third, intituled, An Act [*here insert the Title of this Act*].

‘ So help me GOD.’

Penalty on
 Persons not
 qualified act-
 ing as Com-
 missioners.

Which Oath shall from Time to Time be entered in the Book of Proceedings of the said Commissioners, and be subscribed by each Person taking the same; and if any Person not qualified in manner hereinbefore mentioned to act as a Commissioner shall presume to act as such in the execution of the Powers hereby given or any of them, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered on the Information or Prosecution of any Person or Persons whomsoever, with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Privilege, or Wager of Law, or more than One Imparance shall be allowed; and every Person so sued or prosecuted shall prove that he was at the Time of acting qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence being given on the Part of the Plaintiff or Prosecutor than that such Person had acted as a Commissioner in the execution of this Act, and the Money so to be recovered shall, after payment of the Costs and Expences attending the Recovery thereof, be paid as follows, (that is to say) One Moiety thereof to the Informer or Prosecutor, and the other Moiety thereof to the Treasurer to be appointed by virtue of this Act, to be by him applied to the Purposes of this Act.

Commis-
 sioners who
 are Justices
 of the Peace
 may act as
 Justices.

V. Provided always and be it further enacted, That it shall be lawful for any of the said Commissioners who are or shall be Justices of the Peace for the Town and Liberties of *Beverley* aforesaid to act as Justices of the Peace in or relating to the Execution of this Act, notwithstanding their being Commissioners under this Act.

Appoint-
 ment of new
 Commis-
 sioners,

VI. And be it further enacted, That it shall be lawful for the Commissioners, or the major Part of them who shall be present at any Meet-
 ing

ing to be specially held for that Purpose, due Notice being given of such Meeting in manner aforesaid, to elect and appoint so many fit and able Persons to be Commissioners as shall be by them from Time to Time thought proper or necessary; and the Commissioners so elected and appointed shall have and are hereby vested with the several Powers and Authorities by this Act, given or granted to Commissioners, and for putting the same Act in execution.

VII. Provided always, and be it further enacted, That no Commissioner hereby appointed or to be appointed as aforesaid shall vote for or join in the Removal or Appointment of any Treasurer, Clerk, Collector or Collectors, Surveyor or Surveyors, or any other Person or Persons to be appointed or employed by virtue of this Act, who hath not attended as a Commissioner at One Public Meeting of the said Commissioners and signed the Proceedings thereof within Twelve Calendar Months next before such Removal or Appointment.

Commis-
sioner not to
vote in cer-
tain Cases,
unless he has
acted within
Twelve
Months.

VIII. And be it further enacted, That the said Commissioners shall and they are hereby authorized and required by Writing under their Hands to elect and appoint a Treasurer and Clerk, and also an Assessor or Assessors, Collector or Collectors, Receiver or Receivers of the Monies to be raised and paid under or by virtue of this Act, and also all such Surveyors, Lighters of Lamps, Watchmen, and such other Officer or Officers, Deputies or Assistants for the Execution of the several Purposes of this Act, as they shall from Time to Time think proper, and from Time to Time to remove, suspend, or displace all or any of such Officers as they shall see Occasion, and appoint others in the room or place of such of them as shall be so removed, suspended, or displaced, or shall die or resign their Offices; and also from Time to Time by and out of the Monies to be raised or received by virtue of this Act to pay such Wages or Salaries and make such Allowances to such Officers and to all other Persons by them the said Commissioners employed in the Execution of this Act as they shall think reasonable or proper; and the said Commissioners shall and are hereby required to take such Security from every such Treasurer, Clerk, Collector, or other Officer so to be appointed as aforesaid for the due Execution of their respective Offices or Duties as the said Commissioners shall think proper; and every Person who is hereby made liable to pay the several Rates or Assessments hereby directed and required to be levied and raised, or to pay any Sum of Money which under this Act is to be applied for the Purposes thereof, shall and they are hereby required to pay the same to such Collector or other Persons as shall be so appointed to collect and receive the same in pursuance of this Act; and every such Officer and Person so to be appointed as aforesaid shall upon Demand at such Time and Times and in such manner as the said Commissioners shall direct, deliver to such Commissioners or to such Person or Persons as they shall appoint true and perfect Accounts in Writing signed by him of all Monies, Matters and Things received and committed to his Charge by virtue and for the Purposes of this Act, and how much of such Monies hath been paid and disbursed and for what Purposes, together with the proper Vouchers for such Payments, and also the Books, Papers and Writings in his Custody or Power relating to the Proceedings to be held under this Act, and shall pay all such Monies as shall appear upon Balance of his

For appoint-
ing Officers.

Commis-
sioner to
take Security
from Officers
for the due
Execution of
their Offices;

who are to
deliver proper
Accounts,
&c.

Commis-
sioners may
bring Actions
against Of-
ficers making
Default, &c.

Officers not
paying Ba-
lances, to suf-
fer Distress
and Sale.

Officers re-
fusing to de-
liver up Pa-
pers may be
committed to
Prison.

Accounts to be due to the Treasurer to be appointed as aforesaid or to such Person or Persons at such Time and Place as the said Commissioners shall appoint; and every such Officer and Person so accounting as aforesaid shall upon Oath or Affirmation, if thereunto required by the said Commissioners, verify such Accounts; and in default of any of the several Matters aforesaid for the Space of Eight Days after being thereunto required as aforesaid, it shall be lawful for the said Commissioners, and they are hereby authorized and empowered to bring or cause to be brought an Action or Actions in any of His Majesty's Courts of Record at *Westminster* in the Name of their Clerk for the Time being against the Officer or Officers, Person or Persons making such Default as aforesaid for the Recovery of the Monies which shall be in the Hands of such Officer or Officers, Person or Persons respectively, with full Costs of Suit, or if the Complaint shall be made by the said Commissioners, or by any Person or Persons to be by the said Commissioners appointed to make Complaint of any such Default as aforesaid, to any Justice of the Peace for the Town and Liberties of *Beverley* aforesaid, such Justice may and is hereby authorized and required by Warrant under his Hand and Seal to cause the said Officer or Officers, Person or Persons so making or having made Default to be brought before him, and upon his or their appearing or not appearing, except for some reasonable Excuse to hear and determine the Matter of such Complaint in a summary way; and if upon the Confession of the Party, or by the Testimony of One or more credible Witness or Witnesses upon Oath or Affirmation, it shall appear to such Justice that any of the Monies that shall have been collected or raised by virtue of this Act shall be in the Hands of such Officer or Officers, Person or Persons, or unaccounted for, then such Justice may and is hereby authorized and required by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Officers, Person or Persons respectively, together with the Costs and Charges of making the said Complaint and of such Distress and Sale; and if no Goods or Chattels of such Officer or Officers, Person or Persons can be found sufficient to answer and satisfy the said Money, or in case of Refusal to account as aforesaid, or that it shall appear to such Justice, by the Confession of the Party so offending or making Default as aforesaid, or by the Testimony of any One or more credible Witness or Witnesses upon Oath or Affirmation as aforesaid, that any Books, Papers, or Writings relating to the Execution of this Act, or the Proceedings to be had under the same, shall be in the Custody or Power of any such Officer or Person, or of his Executors or Administrators, and he or they shall refuse to deliver up the same as aforesaid, then and in any of the Cases aforesaid such Justice shall commit every such Offender to the Common Gaol in the said Town of *Beverley*, at the Discretion of such Justice, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the said Commissioners, and shall have paid such Composition in such manner as they shall appoint (which Composition the said Commissioners are hereby empowered to make), or until such Person or Persons shall have delivered up such Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof: Provided always, That no Person who shall be committed for want of sufficient Distress shall remain or be kept in Prison for any longer Space of Time than Six Calendar Months.

IX. Provided

IX: Provided always, and be it further enacted, That as often as any Collector or Receiver of the Monies to be raised by virtue of this Act; shall die or become incapable of acting in the execution of this Act; or shall neglect to perform his Duty therein, it shall be lawful for the said Commissioners or any Five or more of them although not assembled at a Meeting to be held pursuant to this Act, by any Writing under their Hands to appoint another Person to be Collector or Receiver thereof until a Collector or Receiver shall be appointed by the said Commissioners at a Meeting to be holden in pursuance of this Act, any Thing herein contained to the contrary notwithstanding.

Commissioners may appoint a Receiver occasionally, in case of Death or Removal.

X. And be it further enacted; That if any Person who shall be employed as Treasurer, Clerk, Assessor, Collector, Receiver, Surveyor, or any other Officer or Servant who shall be in anywise employed by the said Commissioners in putting this Act or any of the Powers thereof in execution, shall exact, take, or accept, by any Ways or Means, any Fee, Profit, or Reward whatsoever (other than such Salaries, Allowances, and Rewards as shall be appointed, allowed, and approved of by the said Commissioners) for or on account of any Thing done or to be done by virtue of this Act, or on any account whatsoever relative to putting the same in execution, or shall in any way be directly or indirectly concerned or interested in any Sale, Purchase, Bargain, or Contract made or to be made by or by the Order of the said Commissioners for the Purpose of putting this Act in execution (unless with the Consent and Approbation of the said Commissioners), every such Person so offending shall be incapable of ever serving or being employed for any of the Purposes of this Act, and shall likewise forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, within Six Calendar Months after the Offence committed, with full Costs of Suit, in which Suit or Prosecution no Essoign, Protection, or Wager of Law, nor more than One Impar lance shall be allowed.

Penalty on Officers. taking any Fee or Reward besides the Salary.

XI. And be it further enacted, That the said Commissioners shall cause proper Books to be provided and kept, in which they shall either by themselves or their Clerk for the Time being cause fair and regular Entries and Accounts to be made of the several Meetings held in pursuance of this Act, and the Names of the Commissioners present thereat respectively, and of the Nomination of all Officers and Persons to act in the execution thereof, and of all Acts, Orders, Rules, Resolutions, Proceedings, Matters, and Things relative to the Execution of this Act; and also an Account of all Monies to be assessed and raised, or to be received and payable by virtue hereof, and of the Payment and Application of the same, and of all Contracts to be made by any Person or Persons by virtue or in Pursuance of this Act; all which said Accounts shall be examined, adjusted, and settled by the Commissioners present at any Meeting to be held in pursuance of this Act, yearly at least or oftener; and the Commissioners so examining, adjusting, and settling such Accounts shall subscribe their Names at the Foot of such Accounts, and such Commissioners present as aforesaid shall also subscribe their Names at the End of their Proceedings at every such Meeting, and all Entries in the Books of such Proceedings being signed by the Commissioners

Books to be kept of Proceedings.

tioners assembled thereat and making and ordering the same by virtue or in Pursuance of this Act shall be deemed Originals; and the same, or true and attested Copies thereof, shall be admitted to be Evidence in any Court whatsoever, and such Books shall be kept by the Clerk for the Time being to the said Commissioners or by such other Person or Persons and at such Place as the said Commissioners shall direct, and the same shall respectively at all convenient and seasonable Times, without Fee or Reward, be open and liable to the Inspection of the said Commissioners and of all Persons rated and assessed for the Purposes of this Act, or otherwise affected thereby.

Provision for bringing and defending Actions in the name of the Clerk.

XII. And be it further enacted, That the said Commissioners may sue and be sued in the Name of their Clerk for the Time being, and that all Actions or Suits that may be necessary or expedient to be brought by the said Commissioners for the Recovery of any Penalty or Sum of Money due or payable by virtue of this Act to the said Commissioners or for or in respect of any other Matter or Thing relating to this Act may be brought in the Name of the said Clerk, and that no Action or Suit which may be brought, commenced, or prosecuted by or against the said Commissioners or any of them by virtue or on account of this Act in the Name of their Clerk shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by any Act or Default of such Clerk done or suffered, without the Consent or Direction of the said Commissioners; but the Clerk to the said Commissioners for the Time being shall be always deemed Plaintiff or Defendant in every such Action or Suit as the Case may be, except in such Action or Actions as shall be prosecuted between the said Commissioners and their Clerk for the Time being, in which Action or Suit any One of the said Commissioners shall and may be Plaintiff or Defendant as the Case may be.

Clerk to be reimbursed, &c.

XIII. Provided always, and be it further enacted, That every such Clerk in whose Name any Action or Suit shall be commenced, prosecuted, or defended in pursuance of this Act shall always be reimbursed and paid out of the Monies to arise by virtue of this Act all such Costs, Charges, and Expences as such Clerk shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant therein, and shall not be personally answerable or liable for the Payment of the same or any Part thereof unless such Action or Suit shall arise in consequence of his own wilful Neglect or Default, or have been brought or commenced or be defended without the Order or Direction of the said Commissioners.

Lamps, &c. vested in the Commissioners.

XIV. And be it further enacted, That all the Lamps, Lamp Irons, Lamp Posts, Watch Boxes, and Watch Houses to be erected or fixed up by virtue of this Act, and all Materials and other Things provided by the said Commissioners for the Purposes of this Act, shall belong to and be the Property of and the same are hereby vested in the said Commissioners, and the said Commissioners shall and may cause to be brought any Action or Actions or direct the preferring of any Bill or Bills of Indictment (as the Case may require) against any Person or Persons who shall steal, take, or carry away, detain, spoil, injure, or destroy the several Articles and Things hereby vested in them
the

the said Commissioners as aforesaid or any of them or any Part or Parts thereof; and in all such Actions and Bills of Indictment respectively it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which such Action or Actions shall be brought, or Bill or Bills of Indictment preferred is or are the Property of 'The Commissioners for the Improvement of the Town of *Beverley*,' without particularly mentioning or specifying the Name or Names of all or any of such Commissioners; and the said Commissioners shall have full Power and Authority from Time to Time to sell and dispose of (for the Purposes of this Act) all or any of the said Articles and Things or any Part or Parts of the same respectively to such Person or Persons and in such manner as they the said Commissioners shall think proper; and if any Person or Persons shall wilfully or maliciously break up, injure, destroy, or otherwise damage any of the Articles or Things hereby vested in them the said Commissioners, or any of the Works done or to be done in pursuance of this Act, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

XV. And be it further enacted, That the said Commissioners may and they are hereby authorized and empowered from Time to Time to appoint such Number of able-bodied Men as they shall judge proper, to be employed as Watchmen within the said Town during the Night-time, under such Regulations and subject to such Orders as the said Commissioners shall make and give from Time to Time in that Behalf, and to provide proper Watch Houses, Watch Boxes, or Places for the Reception of such Watchmen, and for the safe Custody of such Persons as may be apprehended by such Watchmen while on Duty, and to provide proper Accoutrements for such Watchmen, and to pay such Watchmen reasonable Wages or Allowances; and also to appoint One or more fit Person or Persons in the stead of any Watchman or Watchmen who shall die or who shall be discharged from his or their Office for Neglect of Duty or other Misbehaviour in Office, and also to impose from Time to Time any Fine not exceeding Forty Shillings on any Watchman or Watchmen for every such Neglect or other Misbehaviour, and from Time to Time to make such Orders and Regulations as they the said Commissioners shall judge expedient for the better Government of the Watchmen to be so appointed and to repeal such Orders and Regulations or any of them, and to substitute others; and it shall be lawful for such Watchmen and they are hereby required in their respective Stations to apprehend and secure in some proper Place or Places of Security to be for that Purpose appointed within the said Town, all Malefactors, Rogues, Vagabonds, disorderly Persons, and Disturbers of the public Peace, and all suspected Persons who shall be found wandering or misbehaving themselves during the Hours of keeping Watch, and to conduct all such Persons as soon as conveniently may be before some Justice of the Peace for the said Town and Liberties of *Beverley* to be examined and dealt with according to Law; and the said Watchmen during the Time they shall respectively act as Watchmen in the Night shall act as Constables and they and every of them shall have and be invested with the same Powers and Authorities as Constables have by Law.

Power for Commissioners to appoint Watchmen.

Watchmen's Duty.

Penalty on
Viduallers
harbouring
Watchmen
while on
Duty

XVI. And be it further enacted, That if any Victualler or Keeper of any public House shall knowingly harbour or entertain, or suffer to remain in his or her public House or Premises thereto belonging any such Watchman as aforesaid during any Part of the Time appointed for his being on Duty, every such Victualler or Keeper shall on Conviction forfeit and pay for the First Offence any Sum not exceeding Twenty Shillings, and for the Second and every other Offence of the same Kind any Sum not exceeding Forty Shillings.

Power to re-
ward Watch-
men disabled.

XVII. And be it further enacted, That it shall be lawful for the said Commissioners to give such Rewards in Money to the Watchmen respectively to be appointed as aforesaid who may be disabled or wounded in the execution of their Offices as they the said Commissioners shall think reasonable, such Money to be paid out of the Moines to be raised for the Purposes of this Act: Provided always, that nothing herein contained shall extend or be construed to extend to authorize or empower the said Commissioners, in any Year to appoint or pay any Wages or Allowances to any such Watchmen as aforesaid, under or by virtue of this Act, or to levy or raise any Rate or Assessment for the Purpose of paying any such Wages or Allowances, without the Consent thereto of a Majority of the Inhabitants of the said Town of *Beverley*, who for the Time being shall be rated to the Relief of the Poor of the respective Parishes in the said Town at the Sum of Fifteen Pounds or upwards for or in respect of such Property as shall be rateable for the Purposes of this Act, and who shall be present at a special Meeting of such Inhabitants to be held annually for that Purpose at the Guildhall of the said Town on the Second Monday in the Month of *September* at Eleven of the Clock in the Forenoon, and of which said yearly Meeting Seven Days previous Notice at the least shall from Time to Time be given or affixed by the said Commissioners or their Clerk on the Door of each of the Parish Churches in *Beverley* aforesaid, and on the Market Cross in *Beverley* aforesaid.

No Watch-
men to be
appointed
without Con-
sent of Inha-
bitants.

Commis-
sioners to re-
gulate Sedan
Chairs.

XVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners to make, constitute, ordain, and provide from Time to Time such Bye-Laws, Rules, and Orders as they shall think fit, (such Bye-Laws, Rules, and Orders not being repugnant to the Laws of that Part of the United Kingdom called *England*) for licensing and authorizing a sufficient Number of Sedan Chairs within the said Town of *Beverley*, and in what manner the Carriers thereof shall conduct and behave themselves in their Employment, and also in what manner such Sedan Chairs shall be furnished and provided, and for punishing the Misconduct and Misbehaviour of Chairmen or Carriers of Sedan Chairs within the said Town, and for ascertaining what Fares and Prices as well for Time as Distance shall be allowed to be taken by such Chairmen, and to what Distances such Chairmen shall be obliged to go and come in, over, round, and about every Part of the said Town and the Precincts thereof, and the Rates and Fares to be taken for the same, and the said Commissioners may from Time to Time as they shall think fit, repeal, alter or amend such Bye-Laws, Rules, and Orders, or any of them, and shall set down what pecuniary Penalties or Forfeitures shall be incurred by Persons breaking or evading the same or any of them, provided-

vided no such Penalty or Forfeiture shall exceed the Sum of Forty Shillings for any one Offence.

XIX. And be it further enacted, That if the Carrier or Carriers of any Sedan Chair shall be found using any Sedan Chair in the said Town without such Licence as aforesaid, or having such Licence shall be found using any Sedan Chair in the said Town contrary to the Rules or Regulations of the said Commissioners for licensing and regulating Sedan Chairs and the Carriers thereof; or if any Person or Persons shall refuse or neglect to pay on Demand any licensed Chairman or Chairmen, the Money justly due to him or them for the Fare, Hire, or Service done under any Licence or Bye-Law made in pursuance of this Act, all and every of such Offences, and also all and every other Offences, Misbehaviours, Punishments, Penalties, and Forfeitures whatsoever that may arise, happen, or be incurred, committed, or done by any Carrier or Carriers of any Sedan Chair, whether licensed or not, against any of the Provisions of this Act, or any of the Bye-Laws to be made in pursuance thereof for licensing or regulating Sedan Chairs and the Carriers thereof, shall be heard and determined by any One or more Justice or Justices of the Peace for the Town and Liberties of *Beverley* aforesaid, who on Complaint made thereof to him or them is and are hereby authorized and required to grant his or their Summons against the Person or Persons complained of to appear before him or them at some Time and Place to be mentioned in such Summons to answer the Matter of the said Complaint, and on Proof on Oath of the Service thereof such Justice or Justices shall proceed to hear the Matter of the said Complaint on Oath whether the Person summoned shall appear or not, and to make such Order therein as to such Justice or Justices shall appear to be just touching such Complaint, and for paying the Costs attending the Application, Hearing and Determination of the same; and in case of any Disobedience of such Order, or in case any such Person or Persons shall be convicted before such Justice or Justices of any of the Penalties or Forfeitures under this Act or any Bye-Law to be made as aforesaid, and shall not immediately pay such Money or Penalty of which he or they shall be so convicted, that then and in case of Non-payment thereof it shall be lawful for such Justice or Justices to grant his or their Warrant of Distress against the Goods and Chattels of such Person or Persons, and to seize and distrain the same, either within or without the Town of *Beverley*, and the same to sell and dispose of for raising such Monies or Penalties and all Costs attending the same, and after Payment thereof to return the Overplus (if any) on Demand to the Owner of the Goods and Chattels so distrained, and if no sufficient Distress can be found, or in case of any Disobedience of such Order, then to commit the Person or Persons so convicted as aforesaid to the Common Gaol for the Town of *Beverley* aforesaid, for any Time not exceeding Three Calendar Months, there to remain without Bail or Mainprize, unless the Money mentioned in such Order, if it be an Order for Payment of Money, shall be sooner paid.

Penalty on Persons using Sedan Chairs without Licence, &c.

XX. And be it further enacted, That every Licence to be granted for the Purposes aforesaid under this Act shall be signed by Three of the said Commissioners at the least present at some Meeting to be held under this Act, and every Licence not so signed shall be void, and every such Licence

Licences to be in Force for Three Years and to be signed by Three Com-

Commissioners at least.

Licence shall continue and be in force for One whole Year from the Day of the Date of such Licence, and shall be made out by the Clerk for the Time being to the said Commissioners, and be duly entered in the Book of Proceedings of the said Commissioners.

Bye-Laws to be printed.

XXI. And be it further enacted, That the said Commissioners shall cause the Rules, Orders, and Bye-Laws by this Act authorized to be made to be from Time to Time printed and distributed, and a Copy thereof, signed by the Clerk to the said Commissioners, to be affixed upon the Door of each of the Parish Churches in *Beverley* aforesaid, and upon the Market Cross in *Beverley* aforesaid; which Bye-Laws shall be subject to Appeal in manner hereinafter mentioned.

Act not to prevent the Use of private Chairs.

XXII. Provided always, and be it further enacted, That this Act or any thing herein contained, or any Bye-Law, Rule, or Order to be made by the said Commissioners for any of the Purposes aforesaid, shall not extend or be construed to extend to prohibit or hinder any Person or Persons from having or using his, her, or their own Sedan Chair, so as the same be not used for Hire or plying for Hire.

Names of the Streets to be set up.

XXIII. And be it further enacted, That the said Commissioners at any of their Meetings shall and may and they are hereby required to order and cause to be placed on some conspicuous Part of some House or Building at or near each End, Corner, or Entrance of the several Streets, Lanes, and other public Passages within the said Town of *Beverley* the Name by which every Street, Passage, or Place is usually or shall be called or known; and if any Person or Persons shall wilfully or maliciously destroy, pull down, injure, obliterate, or deface any such Name or any Part thereof, or cause or procure the same to be done, every such Person or Persons so offending shall for every such Offence forfeit and pay any Sum not exceeding Twenty Shillings.

Foot Pavements to be swept.

XXIV. And be it further enacted, That the respective Occupiers of Houses or other Buildings in the several Streets within the said Town shall and they are hereby required to cause to be well and sufficiently swept and cleaned the Foot Paths or Foot Pavements adjoining or before their respective Houses or other Buildings once at least in every Week between the Hours of Six and Ten o'Clock in the Forenoon, upon pain of forfeiting and paying for every Neglect therein any Sum not exceeding Ten Shillings.

For regulating Stalls, &c. in the Market.

XXV. And be it further enacted, That it shall be lawful for the Mayor for the Time being of the said Town of *Beverley* to order and direct the setting, fixing, and placing of Stalls and Standings on the Market and Fair Days in the Streets and Market-places of the said Town of *Beverley* for the Sale of Goods, Wares, and Merchandizes, and also the standing of all Waggonis, Carts, and Carriages resorting to the said Markets and Fairs in such Place or Places in the said Town during the Continuance of such Markets and Fairs as he shall think most proper for the better and more regular conducting such Markets and Fairs; and in case any Person or Persons shall disobey and act contrary to such Order and Direction every such Person or Persons so offending and acting shall

shall for every such Offence forfeit and pay any Sum or Sums of Money not exceeding Twenty Shillings nor less than Five Shillings:

XXVI. And whereas there is a Piece of Ground belonging to the Mayor, Aldermen, and Burgesses of *Beverley* aforesaid called the New Walk, lying at the North End of a certain Street in *Beverley* aforesaid called without North Bar, and between the same Bar and the *Moscroft* Turnpike Gate, which at the Expence of the said Mayor, Aldermen, and Burgesses hath been fenced in and formed into a regular Walk and Plantation, and furnished with Seats for the general Accommodation and Advantage of the Publick: And whereas it is expedient that the said Walk and Plantation with the Trees, Fences, Seats, and other Appurtenances thereof should be protected from Injury or Damage; be it therefore enacted, That if any Person shall break, cut, spoil, injure, destroy, damage, remove, or take away any of the Trees, Shrubs, Posts, Pales, Rails, Gates, Stiles, Fences, Seats, or Buildings which now are or shall hereafter be planted, fixed, placed in or near the said Walk or Plantation, for the fencing or ornamenting of the said Walk or Plantation, or for the Convenience or Accommodation of the Publick, or shall cut, dig up, injure, or damage the said Walk or Plantation, every Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds nor less than Five Shillings.

For preventing Injury to the New Walk.

XXVII. And be it further enacted, That if any Person or Persons shall upon any of the Foot Pavements or Foot Ways in the said Town of *Beverley* run, draw, drive, or carry any Coach, Chaise, Waggon, Cart, Truck, Wheel, Sledge, Wheelbarrow, Handbarrow, or Carriage whatsoever, or roll any Cask, or wilfully ride, drive, or lead, or cause to be rode, driven or led any Horse or other Cattle, or if any Person or Persons shall set or place any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Box, Pail, Bucket or any other Matter or Thing on or so as in any manner to cause any Obstruction or Impediment in any of the Foot Pavements or Footways of the said Town, or shall wash any Linen, Vegetables, or other Things at any of the public Pumps of the said Town, or shall hew, saw, bore, or cut any Stone, Wood, or Timber, or shall lay or place and leave any Timber, Bricks, Stones, Slates, Tiles, Lime, Mortar, Sand, or other building Materials in any of the Streets, Ways, Lanes, Passages, or public Places of the said Town of *Beverley* (except for so long Time only as shall be necessary for housing the same, and except for the Purpose of building, altering, or repairing any House or Building, and for such last mentioned Purpose the same shall be laid in such Place or Places only and fenced and inclosed as the said Commissioners or their Surveyor shall from Time to Time direct or appoint), or if any Person or Persons shall make or repair or place or leave any Coach, Chaise, Waggon, Cart, Sledge, or other Carriage or Part of a Carriage, with or without Horses or other Cattle in any of the Streets, Ways, Lanes, Passages, or public Places of the said Town (except for the immediate Repair of any Carriage from any sudden Accident on the Spot or which cannot conveniently be removed for that Purpose, and except for the necessary and prompt loading or unloading of any Carriage, and the taking up and setting down Passengers and their Baggage) or shall shoe, bleed (except in Cases of Accidents) or turn loose or permit to wander or run loose in

Annoyances prohibited in the Streets.

[Loc. & Per.]

any of the Streets, Ways, Lanes, Passages or public Places, any Horse, Mare, Gelding, Ass, Pig, Sheep, Bull, Cow, or other Beast without some Person or Persons to guide or drive the same, or if the Driver of any Waggon, Cart, Sledge, Wheels, or other Carriage, or Part of a Carriage shall in any Part of the said Town ride on the Shafts or in or on any Part of such Waggon, Cart, Sledge, or other Carriage or Part of a Carriage without Reins, or on any of the Horses or Cattle drawing the same, or if any Person or Persons having the Care thereof or driving the same (not being a Cart or Caravan driven by a Person with Reins and sitting therein) shall suffer any Horse or Cattle drawing the same to go without some Person on Foot leading the Shaft or Thill Horse by a Halter or Rein fixed to the Head of such Horse, or shall not readily and promptly turn out of the Road on meeting Horses and Carriages so as to leave proper and sufficient Quarter for such Horses and Carriages; or if any Person or Persons shall draw any Timber, Block or Blocks of Wood or Stone, or other heavy Materials in, upon, or through any of the aforesaid Streets, Ways, Lanes, Passages, or public Places, without any Nib or Carriage or with such Nib or Carriage to the Detriment thereof; or if any Person or Persons shall shew or expose any Stallion or Stone Horse in any of the said Streets, Ways, Lanes, Passages, or public Places (except in such Place or Places as the said Commissioners shall in that behalf appoint) or shall permit or suffer any Bull Dog or Mastiff Dog, or any ferocious Dog or Bitch to go unmuzzled in any of the said Streets, Ways, Lanes, Passages, or public Places, or shall make any Bonfire, or let off or fire any Crackers, Squibs, Serpents, Rockets or other Fireworks within the said Town, or if any Person shall sift, throw, cast, or lay any Ashes (except in the Time of Frost only, and to prevent Accidents) or any Dust, Muck, Dung, Soil, Filth, Rubbish, Refuse of Garden Stuff, Blood, Offal, Carrion, or any other offensive Matter or Thing in any of the Streets, Ways, Lanes, Passages, or public Places within the said Town, except for so long Time as shall be necessary for the loading of Carts and Carriages with, and carrying away the same, or shall hang up, place, or expose to Sale any Goods, Wares or Merchandizes whatsoever, or any Fruit, Vegetables, or Garden Stuff, Butcher's Meat, or other Matter or Thing on or projecting over the Foot or Carriage Way of such Streets, Ways, Lanes, Passages, and public Places so as to obstruct or incommode the Passage of any Person or Carriage therein, or if any Person or Persons shall kill or slaughter, or shall singe, scald, dress, or cut up any Animal either wholly or in Part in any of such Streets, Ways, Lanes, Passages, or public Places aforesaid, or cause or permit any Blood to run from any Slaughterhouse, Butcher's Shop or Shambles into the same or any of them, or shall keep or feed any Pigs with Offal and Entrails of Beasts, Blubber, Carrion, Horse Flesh, Blood, or other such Food, so as thereby to cause offensive and unwholesome Smells, in any of the said Streets, Ways, Lanes, Passages, or public Places, or shall empty any Necessary-house or Boghouse at any other Time than between the Hours of Ten o'Clock at Night and Six o'Clock in the Morning, or shall wilfully spill any of the Soil of any Necessary or Boghouse, or wilfully make or drop any Ordure, Dirt, or Filth in any of the said Streets, Ways, Lanes, Passages, or public Places, or if any Person or Persons shall commit any other Kind of Obstruction, Nuisance, or Annoyance in any Part of any such Streets,
Ways,

Ways, Lanes, Passages, or public Places as aforesaid, the same shall be considered as an Offence or Offences against this Act, and every Person so offending in any of the Cases or Matters aforesaid shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings.

XXVIII. And be it further enacted, That in case any Slaughter-house, Hogstye, Necessary-house, or other noisome or offensive Building or Place in or near any of the Streets, Ways, Lanes, Passages, or public Places within the said Town of *Beverley* shall by the said Commissioners be deemed a Nuisance to any of the Inhabitants residing therein, it shall be lawful for the said Commissioners upon Complaint thereof to them made by any such Inhabitant by Notice in Writing under their Hands or under the Hands of their Clerk for the Time being to order any such Nuisance or Offence to be removed, and if the same shall not be removed within Fourteen Days after such Notice given to the Person or Persons who ought to remove the same, or left at his or their last usual Place of Abode, such Person or Persons shall forfeit and pay any Sum not exceeding Five Shillings daily for every Day that the same shall continue unremoved after the Expiration of the Time mentioned in such Notice.

Nuisances to be removed.

XXIX. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby authorized and empowered from Time to Time and at any Time or Times hereafter to purchase and provide such and so many Glass Lamps of such Sorts and Sizes, and also such and so many Lamp Irons and Lamp Posts, as they shall judge necessary, and to direct the same to be affixed or set up upon or against the Walls, or Pallisadoes of all or any of the several Houses or Buildings, or upon or against any other Walls, or in or upon such other Places within the said Town; and to be altered, taken down, or renewed in such manner as they shall think fit, and to cause such Lamps or any of them to be lighted at such Times and Seasons of the Year and on such Evenings and on such Hours of the Evening and to be kept burning for so many Hours as to them shall seem necessary or proper for the well and sufficiently lighting of all or any of the said Streets, Lanes, public Passages and Places within the said Town.

Provision for Lighting the Streets, &c.

XXX. And be it further enacted, That if any Person or Persons shall wilfully take away, break, throw down, displace, or damage any Lamp or Lamps already set up or that shall be set up by virtue of this Act by Order of the said Commissioners, or by any Person or Persons at his, her, or their own Expence, for the Purpose of lighting any of the said Streets, Lanes, Passages, or Places, or shall wilfully extinguish the Light or Lights within the same, or shall throw down or damage the Posts, Irons, Cover, or other Furniture of any such Lamp, or shall wilfully cut, deface, break, or injure any licensed Sedan Chair, or any Watch House or Watch Box within the said Town, it shall and may be lawful to and for any Person or Persons whomsoever who shall see any such Offence committed, and also for any other Person or Persons whomsoever to seize or assist in seizing the Offender or Offenders, and by the Authority of this Act and without any other Warrant to convey and deliver him, her, or them into the Custody of a Watchman or of a Peace

Penalty for wilfully doing Damage to Lamps, &c.

Peace Officer in order to be secured and conveyed before some Justice of the Peace for the said Town and Liberties of *Beverley*: and such Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information or Evidence touching such Offence, and if the Party or Parties accused shall be convicted either by his, her, or their Confession or upon such Information or Evidence as aforesaid, then and in every such Case he, she, and they shall for every such Offence forfeit and pay any Sum not exceeding Forty Shillings, and shall moreover pay such Sum or Sums of Money as shall be deemed by such Justice to be a full Satisfaction for the Damage so by him, her, or them done as aforesaid; and in case such Offender or Offenders shall not on Conviction pay such Forfeiture, and also such Satisfaction as aforesaid, such Justice is hereby required to commit him, her, or them to the Common Gaol for the said Town of *Beverley*, there to be kept to hard Labour for any Space of Time not exceeding Three Calendar Months, and such Offender or Offenders shall not be discharged before the Expiration of the Time for which he, she, or they shall be so committed, unless such Forfeiture and Satisfaction shall be sooner paid and given.

Satisfaction
for accidental
Damage to
Lamps, &c.

XXXI. And be it further enacted, That in case any Person or Persons shall carelessly, negligently, or accidentally break, throw down, or damage any Lamp or Lamps hung out or set up by Order of the said Commissioners, or by any Person or Persons at his, her, or their private Expence, or the Posts, Irons, Covers, or other Furniture thereof, and shall not immediately upon Demand make Satisfaction for the Damage done thereto, then and in every such Case it shall and may be lawful to and for any Justice of the Peace for the said Town and Liberties of *Beverley*, upon Complaint to him made by One or more credible Witness or Witnesses, to summon before him the Party or Parties who shall be complained of for doing such Damage as aforesaid, and upon hearing the Allegation and Proofs on both Sides; or Non-appearance of the Party or Parties so complained of, to award such Sum or Sums of Money by way of Satisfaction to the said Commissioners, or to the other Owner or Owners of such Lamp or Lamps (as the Case shall be) for such Damages as such Justice shall think reasonable, and in case of Neglect or Refusal to pay down immediately any Sum or Sums of Money so awarded, it shall and may be lawful to and for such Justice and he is hereby required to cause the same to be raised and levied in such and the like manner as any Fine, Penalty, or Forfeiture is by this Act directed to be raised and levied.

Rates.

XXXII. And for raising Money for answering and defraying the Expences attending the carrying into execution the several Purposes of this Act, Be it further enacted, That the said Commissioners shall and they are hereby authorized and required once or oftener in every Year as they shall see occasion, to cause such Sum of Money to be raised by a Rate or Assessment upon the several Tenants or Occupiers of Houses, Warehouses, Shops, Cellars, Vaults, Stables, Coach Houses, Brewhouses, Granaries, Malthouses, and Buildings, which are already built or made or which shall hereafter be built or made within the said Town of *Beverley*, and upon the several Gardens, Yards, or Lands thereto respectively belonging and adjoining, and upon all Gardens, Orchards, Paddocks, Plantations,

Cloſes, Tenements, and Hereditaments, adjoining to or upon any of the Streets, Lanes, or other public Paſſages or Places which are already made or built or which ſhall hereafter be made or built within the ſaid Town of *Beverley*, and which ſaid Streets, Lanes, or other public Paſſages or Places ſhall be lighted under the Authority of this Act, according to the annual Rent or Value of the ſame reſpectively, not exceeding in any one Year the Sum of Two Shillings in the Pound upon ſuch Annual Rent or Value, as the ſaid Commiſſioners ſhall think proper and neceſſary for paying and defraying the ſeveral Charges and Expences attending the Lighting and Watching of ſuch Streets, Lanes, and other public Paſſages and Places as aforeſaid, and of purchaſing and providing a ſufficient Number of Lamps, Lamp Poſts, and Lamp Irons, Watch Houſes, Watch Boxes, and Accoutrements for Watchmen, and of keeping the ſame in Repair from Time to Time and all other Charges and Expences incidental thereto under the Orders and Regulations by this Act provided and directed to be obſerved and made, and all other Charges and Expences incidental to and attending the Execution of this Act, ſuch Annual Rent or Value to be from Time to Time ſettled, aſcertained, and fixed in ſuch manner as the ſaid Commiſſioners ſhall direct or appoint; and for the Purpoſes aforeſaid or any of them it ſhall be lawful for the ſaid Commiſſioners yearly and every Year as often as they ſhall ſee occaſion by Writing under their Hands to nominate and appoint any One or more of the Inhabitants of the ſaid Town of *Beverley* (not being of the People called Quakers) to be the Aſſeſſor or Aſſeſſors of ſuch Rates or Aſſeſſments as aforeſaid, and as ſoon after as may be to iſſue their Order thereupon to ſuch Aſſeſſor or Aſſeſſors, who ſhall accordingly be and he and they is and are hereby empowered and required to make ſuch Rate or Rates, Aſſeſſment or Aſſeſſments; and the Money ſo to be rated and aſſeſſed ſhall from Time to Time be paid by ſuch ſeveral Tenants or Occupiers as aforeſaid, and they are hereby required to pay the ſame by Half-yearly or Quarterly Payments to the Collector or Collectors to be appointed by the ſaid Commiſſioners as aforeſaid as the ſaid Commiſſioners ſhall direct; but no Rate or Aſſeſſment to be made in purſuance of this Act ſhall be valid until the ſame ſhall be allowed and ſigned by Five of the ſaid Commiſſioners at the leaſt at any Meeting to be held for the Purpoſes of this Act; and the ſaid Aſſeſſor or Aſſeſſors ſhall appear at ſuch Time and Place as the ſaid Commiſſioners ſhall by Writing ſigned by them order and appoint, and then and there produce and deliver to them Two Copies or Duplicates of the Aſſeſſment made and ſubſcribed by ſuch Aſſeſſor or Aſſeſſors, and ſhall from Time to Time upon reaſonable Notice to him or them given by the ſaid Commiſſioners attend the ſaid Commiſſioners at any of their Meetings, then and there to explain any ſuch Rates or Aſſeſſments; and that the ſaid Commiſſioners ſhall from Time to Time as ſoon as may be after ſuch Rate or Aſſeſſment ſhall be made, allowed, and ſigned, ſettled, aſcertained, and fixed as aforeſaid, cauſe a Duplicate thereof ſigned by them to be delivered to the ſaid Collector or Collectors, and ſhall alſo iſſue their Orders to the ſaid Collector or Collectors requiring him or them to collect and receive the reſpective Sums of Money made payable by ſuch Rate or Aſſeſſment, and ſuch Collector or Collectors is and are hereby authorized and required to collect and receive the ſame accordingly; and alſo once at leaſt in every Month or oftener if directed ſo to do by the ſaid Commiſſioners by Writing ſign-

ed by their Clerk for the Time being to pay the Money so to be collected and received by virtue of this Act to the Treasurer for the Time being to the said Commissioners, or to such Person or Persons as the said Commissioners shall appoint to receive the same to be applied to and for the Uses and Purposes hereinbefore mentioned; and all and every such Collector or Collectors shall and is and are hereby required at the Time of making every such Payment of the Money so respectively collected as aforesaid to deliver to the Person or Persons empowered to receive the same a true and exact Account of all Sums of Money received by him or them respectively, and also of such Sums of Money, Rates, or Assessments (if any) which shall remain uncollected, together with the Reasons why the same have or had not been collected, to the end that it may appear whether such Non-payment or Non-collection happened through the Insolvency of the Person rated or through the Default of the Collector or Collectors; and if any Person who shall be appointed to the Office of Assessor or Collector in virtue hereof shall afterwards refuse or neglect to take upon himself and execute his said Office without shewing some reasonable Cause to the Satisfaction of the said Commissioners for such Refusal or Neglect, or shall wilfully make Default in the Performance of the Duty of his said Office, or shall wilfully over-rate any Person or Persons, or collect more than the Sum which shall have been so rated or assessed as aforesaid, or otherwise misbehave himself therein, he shall for every such Refusal, Neglect, Default, or Misbehaviour forfeit and pay any Sum not exceeding Ten Pounds, to be recovered as any other Penalty is herein directed to be recovered, and also be discharged from his said Office if the said Commissioners shall think fit.

The same Person may be Assessor and Collector at the same Time, but not to be appointed more than once in Five Years.

XXXIII. Provided always, and be it further enacted, That the same Person may be so nominated or appointed both Assessor and Collector in and for one and the same Year if the said Commissioners shall think proper, and that no Person so nominated or appointed an Assessor or Collector or both Assessor and Collector and who shall have served either of such Offices or shall have paid such Penalty as aforesaid for not serving the same shall be again compellable to serve the said Offices or either of them in less than Five Years after the End of such Service or Payment of such Penalty.

Commissioners may examine and inspect the Parish Rate Books or Land Tax Books and take Copies thereof.

XXXIV. And be it further enacted, That the said Commissioners shall and may and they are hereby authorized and empowered to examine and inspect any of the Books or Assessments of Rates of the several and respective Parishes within the Town of *Beverley* aforesaid; and if they shall think fit any of the Books or Assessments of the Land Tax, and to take Copies of such Books or Assessments or of any Part thereof without Fee or Reward; and if any Person or Persons in whose Custody or Power any of the said Books or Assessments shall be shall refuse or neglect to permit the said Commissioners to examine and inspect such Books or Assessments, or to permit them to take Copies thereof, then and in every such Case such Person who shall so refuse or neglect shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds.

XXXV. And

XXXV. And be it further enacted, That if such Assessor or Assessors shall at any Time or Times hereafter in any Rate or Assessment by him or them to be made by virtue or in pursuance of this Act neglect or omit to rate or assess any Person or Persons liable to pay or be charged with such Rate or Assessment, or shall in any such Assessment under-rate any such Person or Persons liable to pay such Rate or Assessment, then and in every such Case it shall be lawful for the said Commissioners to rate and assess in the said Rate or Assessment such Person or Persons so omitted to be rated or assessed, and to raise such Person or Persons so under-rated, or amend such Rate or Assessment as aforesaid in such manner as to the said Commissioners shall seem just and reasonable; and that the said Commissioners shall and may and they are hereby empowered to strike out the Name or Names of any Person or Persons whom they shall determine not to be liable to the Payment of the Rates hereby directed to be made; and that all such Additions to or Alterations in the old or former Rate or Assessment shall be valid and effectual to all Intents and Purposes whatsoever.

If Assessors assess the Rates improperly Commissioners may amend or alter the old Rates.

XXXVI. And be it further enacted, That if the Tenant or Occupier of any Messuage, House, Warehouse, Shop, Cellar, Building, Garden, Orchard, Paddock, Plantation, Close, Land, Tenement or Hereditament, in respect of which any Rate or Assessment shall be charged or imposed by virtue of this Act shall at any Time neglect or refuse to pay the Rates or Sums of Money which shall be so rated or assessed as aforesaid for the space of Fourteen Days after the same shall be due and Demand made thereof by the Collector or Collectors of the said Rates at the Dwelling House or Place of Abode of such Tenant or Occupier, then upon Proof thereof upon Oath (or Affirmation) before any Justice of the Peace for the said Town and Liberties of *Beverley* the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of every such Tenant or Occupier by Warrant under the Hand and Seal of such Justice of the Peace, and which Warrant such Justice is hereby authorized and required to grant, and the Overplus (if any,) after deducting the Sum or Sums due in respect of such Rates or Assessments, and all Charges and Expences attending the Recovery thereof, shall be paid upon Demand to the Owners of such Goods and Chattels.

Tenants to pay the Rates.

XXXVII. And be it further enacted, That in all Cases where any Person or Persons shall remove from or quit any Messuage, Warehouse, Building, Garden, Land, Tenement or Hereditaments which shall be rated or assessed by virtue of this Act, such Person or Persons shall be liable to pay such Rates or Assessments in proportion to the Time that he, she, or they occupied the same in like manner as if such Person or Persons had not removed or quitted the same; and in all Cases where any Person or Persons shall come into or occupy any such Messuage, Warehouse, Building, Garden, Land, Tenement, or Hereditament as aforesaid out of or from which any other Person or Persons who shall have been rated or assessed for the same shall be removed, or which at the Time of making any such Rate or Assessment was or were empty or unoccupied, the same shall for and in respect of his, her, or their Occupation thereof be liable to any such Rate or Assessment in proportion to the Time that he, she, or they

How Rates to be paid by Tenants quitting or entering.

Persons re-
moving.

they shall occupy the same, in the same manner as if he, she, or they had been originally rated or assessed for such Messuage, Warehouse, Building, Garden, Land, Tenement, or Hereditament, which said respective Proportions in case of Dispute shall be settled and ascertained by the said Commissioners in such manner as they shall judge reasonable; and in case any Person or Persons who having been so rated and assessed as aforesaid shall quit his, her, or their Messuage, Warehouse, Building, Garden, Land, Tenement or Hereditament, before he, she, or they shall have paid such Rate or Rates or proportionable Part or Parts thereof by him, her, or them due and payable, and shall afterwards refuse or neglect to pay the same when demanded, it shall and may be lawful for the said Collector or Collectors by Warrant under the Hand and Seal of any Justice of the Peace for any City, County, Division, Liberty, Town, or Place where such Person or Persons shall remove to or reside, or where any Goods or Chattels of such Person or Persons shall be found, which Warrant such Justice is hereby required to grant upon Proof made of the Sum so due before him upon Oath of any One credible Witness (or Affirmation, being a Quaker) to levy such Rate or Rates or proportionable Part or Parts thereof by Distress and Sale of the Goods and Chattels of such Person or Persons, and after Payment of the Money due in respect of any such unpaid Rate or Rates, or proportionable Part or Parts, and all Expences attending the Recovery thereof, the Overplus shall be paid to the Person or Persons whose Goods and Chattels shall have been so distrained and sold.

If more than
One Tenant
or Occupier
any One may
be liable to
pay the Rates.

XXXVIII. And be it further enacted, That where any Messuage, Warehouse, Building, Garden, Land, Tenement, or Hereditament which shall be rated or assessed by virtue of this Act shall be let or demised to more than One Tenant or Occupier, any One or more of such Tenants or Occupiers shall be deemed the Occupier or Occupiers thereof for the Purposes of this Act, and the said Rates or Assessments shall be levied by Distress and Sale in manner last hereinbefore mentioned of all or any of the Goods and Chattels in such Messuage, Warehouse, Building, Garden, Land, Tenement, or Hereditament, provided the Amount of such Rates or Assessments so to be levied as aforesaid do not exceed the respective Rents actually due from such Tenants or Occupiers.

Certain pub-
lic Buildings
to be rated by
Measure.

XXXIX. And be it further enacted, That it shall be lawful for the said Commissioners and they are hereby required Once in every Year to rate and assess the several Sums of Money hereinafter mentioned upon the several and respective Buildings, Tenements, and Hereditaments hereinafter directed to be rated and assessed by the Yard running Measure, and the first Year for which such Rate or Assessment shall be made shall commence at and be computed from the First Meeting of the Commissioners under this Act, and the Monies so to be rated and assessed shall from Time to Time be paid by equal Half-yearly or Quarterly Payments to the Collector or Collectors to be appointed as aforesaid and be paid over by such Collector or Collectors into the Hands of the Treasurer to the said Commissioners (that is to say); such Sum as the said Commissioners shall rate and assess not exceeding the Sum of One Shilling upon the Parish Churches and the several Chapels, Meetinghouses, Church Yard, Meetinghouse Yards, Almshouses, Hospitals, Theatres,

Theatres, Workhouse, and other public Buildings whatsoever within the said Town for every Yard running Measure of the Length of the several and respective Buildings or Places aforesaid.

XL. And be it further enacted, That the Rates or Assessments to be rated and assessed upon the Parish Churches or Church Yards shall be paid by the Churchwardens or Trustees thereof respectively out of the Revenues thereof respectively; and the said Rates or Assessments so to be rated and assessed upon any Hospitals or Almshouses shall be paid by the respective Masters, Wardens, Trustees, Governors, or Keepers thereof; and the Rates or Assessments so to be rated and assessed upon any Meetinghouse Chapel, Church Yard, and Meetinghouse Yard shall be paid by the respective Ministers and Deacons, or other Persons usually officiating therein, or by the Trustee or Trustees or other Persons in whom the same shall be vested; and the Rates or Assessments to be rated and assessed upon the said Theatres shall be paid by the Proprietors thereof; and the Rates or Assessments so to be rated upon public Workhouses and other public Buildings not within any of the Descriptions aforesaid shall be paid by the respective Keepers or Managers thereof; and such Rates or Assessments shall be paid by the respective Officers and Persons rated, assessed, or charged therewith to the respective Collectors appointed by the said Commissioners in such Quarterly or other Proportions as the said Commissioners shall direct; and in case of Default in Payment, such Rates or Assessments shall and may from Time to Time be levied and recovered by Distress and Sale of the Goods and Chattels of any One or more of the Officers or Persons so respectively rated, assessed, or charged therewith, in the same manner as if such Officers or Persons respectively were the actual Owners or Occupiers of such Property, and were or had been rated, assessed, or charged as such; and all such Officers and Persons respectively may charge the Sum or Sums so rated, assessed, or charged on them respectively after Payment thereof to or in their respective Accounts.

By whom the Rates on Halls, &c. shall be payable.

XLI. Provided always, and be it further enacted, That no Person shall be rated or pay the Rates or Assessments which shall be made by virtue or in pursuance of this Act who is or shall be excused by Reason of his or her Poverty only from paying any Rate made for the Relief of the Poor of any of the Parishes within the Town of Beverley aforesaid.

Exemption from Rates.

XLII. Provided also, and be it further enacted, That no Messuage, Warehouse, Building, Garden, Tenement, or Hereditaments hereby made liable to be rated or assessed shall be charged or chargeable with any Rate or Assessment as aforesaid during the Time the same shall be empty or unoccupied and excused from Payment of the Assessed Taxes upon Houses and Windows on that Account.

Houses, &c. unoccupied not to be rated.

XLIII. And be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment, Rates or Assessments which shall be made in pursuance of this Act, such Person or Persons shall and may first apply for Relief to the said Commissioners at the First or Second Meeting to be holden next after Demand shall be made of such Rate or Assessment, and the said Commissioners are

Persons aggrieved by Rates may apply to the Commissioners.

[Loc. & Per.]

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hereby

by authorized and empowered, if they shall think the Person or Persons aggrieved, to give such Relief in the Premises as to them shall seem reasonable, and if any Person or Persons so applying to such Commissioners shall not be satisfied with their Order or Determination, or such Application shall not be attended to by the said Commissioners at such First or Second Meeting as aforesaid, then such Person or Persons shall nevertheless be obliged to pay such Rate, and then and not before may Appeal in the manner hereinafter mentioned to the General Quarter Sessions of the Peace to be holden in and for the said Town and Liberties of *Beverley* for Relief in the Premises.

Penalty on Persons interrupting or assaulting Workmen.

XLIV. And be it further enacted, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest any of the Commissioners, or any Treasurer, Secretary, Clerk, Assessor, Collector, Receiver, Surveyor, Watchman, or other Officer or Officers, Workmen, Person or Persons whomsoever who is, are, or shall be employed by virtue of this Act, or any Bye-Law, Rule, or Order made in pursuance thereof in the Performance of his or their Duty, or of any of the Matters or Things to be done in virtue or under the Authority of the same respectively, every such Person so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds.

The Mode of Recovery, and Application of Penalties and Forfeitures.

XLV. And be it further enacted, That all Penalties and Forfeitures imposed or incurred under or by virtue of this Act, or any Bye-Law, Rule, or Order to be made in pursuance thereof, and all Costs, Charges, and Expences allowed, ordered, or directed to be paid by the Authority of this Act, or any such Bye-Law, Rule, or Order, the Manner of recovering whereof is not herein otherwise directed, shall be levied by Distress and Sale of the Offender's Goods and Chattels by Warrant under the Hand and Seal of any One or more Justice or Justices of the Peace for the said Town and Liberties of *Beverley* (which Warrant such Justice and Justices is and are hereby empowered and required to grant and issue) upon Confession of the Party or Parties offending or upon the Evidence of any credible Witness upon Oath (or Affirmation) and the Overplus of the Money, if any, arising by such Distress and Sale shall be returned upon Demand to the Owner of such Goods and Chattels, after deducting the Costs and Charges of such Distress and Sale, and of recovering such Penalties and Forfeitures, and all such Penalties, and Forfeitures when recovered shall, if not herein directed to be otherwise applied, be paid to the Treasurer of the said Commissioners, and be applied by him for such of the Purposes of this Act as the said Commissioners shall think fit; and in case sufficient Goods and Chattels cannot be found, or such Penalties or Forfeitures shall not forthwith be paid, it shall be lawful for the said Justice or Justices and he and they is and are hereby authorized and required by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender or Offenders to the Common Gaol in the Town of *Beverley* aforesaid, there to remain for any Time not exceeding Three Calendar Months, unless such Penalties and Forfeitures and all reasonable Expences attending the same shall be sooner paid or satisfied.

Directing the Manner of serving Notices.

XLVI. And be it further enacted, That all Notices and Summonses which are directed and required to be given by this Act, or which are

or may be directed or required to be given by any Bye-Law, Rule, or Order to be made in pursuance of this Act, or which shall or may be necessary for carrying into execution any of the Powers of this Act, or any or either of such Bye-Laws, Rules, or Orders, of which the Manner of serving the same is not particularly directed by this Act, shall or may be served personally on the Person or Persons to whom such Notices respectively are to be given, or left at his, her, or their last or usual Place of Abode.

XLVII. Provided always, and be it further enacted, That no Person or Persons shall be subject or liable to the Payment of any of the Penalties or Forfeitures inflicted by virtue of this Act, for any Offence or Offences against this Act, or against any Bye-Law, Rule, or Order to be made in pursuance thereof; unless some Proceedings or Notice of some intended Proceedings shall be had, or given according to the Direction of this Act, or of such Rule, Order, or Bye-Law respecting such Offence or Offences within Six Calendar Months next after such Offence committed.

Proceedings
to be within
Six Months.

XLVIII. And be it further enacted, That if any Action or Actions shall be brought against any Person or Persons for any thing relating to this Act or the Powers herein contained, or any Bye-Law, Rule, or Order to be made in pursuance thereof, and a Verdict shall be had and given against the Defendant or Defendants therein, such Defendant or Defendants shall pay double Costs, and the Plaintiff or Plaintiffs in such Action or Actions shall have such Remedy and Remedies for recovering the same as any Plaintiff or Plaintiffs may have for his, her, or their Costs in any other Case by Law.

In Cases of
Verdict in fa-
vour Per-
sons convict-
ed to pay
double Costs.

XLIX. And be it further enacted, That in any Action, Prosecution, Information, Proceeding, or Suit whatsoever relating to or concerning the Execution of this Act, or of any Bye-Law, Rule, or Order made in Pursuance thereof, no Person shall be deemed incompetent to give Evidence by reason of his or her being rated or assessed to or paying any of the Rates or Assessments to be imposed by virtue of this Act, nor shall any Clerk to the said Commissioners be deemed to be incompetent to give Evidence in any Action or Actions in which he is not personally interested, and in which he is made Plaintiff or Defendant merely in consequence of his Situation as such Clerk as aforesaid.

Declaring
Inhabitants
to be compe-
tent Wit-
nesses in
Actions, &c.

L. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before any Justice or Justices of the Peace touching any Matters of Fact contained in any Information or Complaint for any Offence against this Act, or against any Bye-Law, Rule, or Order made in pursuance thereof, whether on the Part of the Prosecutors or of the Person or Persons complained of, and which Summons such Justice or Justices as aforesaid are hereby authorized to issue, where and in such Case only as such Justice or Justices as aforesaid is and are made competent by this Act to hear and determine the same; and if any such Person or Persons so summoned as aforesaid shall refuse or neglect to appear at the Time and Place to be for that purpose appointed, without a reasonable Excuse for

For compel-
ling the At-
tendance of
Witnesses.

for such his, her, or their Refusal or Neglect, to be approved of by such Justice or Justices, or appearing shall refuse to be examined on Oath (or solemn Affirmation) and to give Evidence before such Justice or Justices, then and in every such Case every such Person shall forfeit for every such Offence any Sum not exceeding Five Pounds.

Form of Conviction of Offenders.

LI. And for the more easy convicting of Offenders against this Act, Be it enacted, That the Justice or Justices of the Peace before whom any Person or Persons shall be convicted of any Offence againg this Act, or against any Bye-Law, Rule, or Order to be made in virtue or pursuance thereof, and over which such Justice or Justices has or have hereby Cognizance, shall and may cause the Conviction to be drawn up in the Form or to the Effect following, (that is to say)

Town and Liberties of }
 Beverley in the County }
 of York. }
 BE it remembered, That on this
 Day of _____ in the
 Year of our Lord _____
 A B. is duly convicted before
 of His Majesty's Justices of the Peace for the
 of having [*here state the Offence*] contrary to
 the Form of the Statute in that Case made and provided [*or contrary*
 to a certain Bye-Law, Rule; or Order made on the _____
 Day of _____ pursuant to the said Statute; *as the Case*
may be] and I [*or, We, as the Case may be*] do declare and adjudge
 that the said A B. hath forfeited for his, [*or, her, as the Case may be*]
 said Offence the Sum of _____ Given under my
 Hand [*or, our Hands, as the Case may be*] the Day and Year first
 above written.

Power to administer Oaths.

LII. And be it further enacted, That in all Cases where the said Commissioners or any Justice or Justices of the Peace is or are by this Act, or shall or may be by any Bye-Law, Rule, or Order to be made in pursuance thereof authorized or required to examine any Person or Persons on Oath or Affirmation; it shall be lawful for such Commissioners and such Justice or Justices respectively and they and he are and is hereby respectively authorized and required to administer such Oath or Affirmation, and that if any Person or Persons shall upon his, her, or their Examination upon Oath or Affirmation before the said Commissioners or Justice or Justices respectively wilfully and corruptly give false Evidence, such Person or Persons so offending and being thereof duly convicted shall be and is and are hereby declared to be subject and liable to such Pains and Penalties as by any Law now in being Persons convicted of wilful and corrupt Perjury are subject and liable to.

Power for Justices to make Allowances to Informers.

LIII. And be it further enacted, That it shall be lawful for the Justice or Justices of the Peace or the Commissioners acting under this Act before whom any Offender shall be convicted of any Offence against this Act or against any Bye-Law, Rule, or Order made in pursuance hereof if he or they shall think fit, to allow and pay any Part of the Fine, Penalty, or Forfeiture which shall be imposed upon and received of any such Offender convicted before him or them of any such Offence

Offence as aforesaid, (unless herein otherwise directed) not exceeding One Half Part thereof to the Informer or Informers against such Offender in such Shares and Proportions as to such Justice or Justices shall seem meet.

LIV. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment which shall be made or be demanded in pursuance of this Act, after an Appeal made to the said Commissioners in manner by this Act directed against such Rate or Assessment, or if any Person or Persons shall think himself, herself, or themselves aggrieved by any Order, Judgment, or Determination of the said Commissioners, or by any Penalty imposed, or by any Conviction made, or by any other thing done in pursuance of this Act, or of any Bye-Law, Rule, or Order to be made in pursuance thereof, (save and except in such Cases where any Order, Judgment, or Determination is herein directed to be final or conclusive, and save and except in such Cases for which any other Method of Relief is herein appointed) such Person or Persons may appeal to the Justices of the Peace at any General Quarter Sessions of the Peace to be holden for the said Town and Liberties of *Beverley* within Three Calendar Months next after the Cause of Complaint shall have arisen, or at any Adjournment of such Session the Person or Persons appealing first giving or causing to be given to the Clerk to the said Commissioners Eight Days Notice in Writing of his, her, or their Intention to bring such Appeal and of the Cause or Matter thereof, and forthwith after such Notice entering into a Recognizance before some Justice of the Peace for the said Town and Liberties, with sufficient Sureties conditioned to try such Appeal and to abide the Order of and to pay such Costs as shall be awarded by the Justices at such Sessions or Adjournment thereof; and the Justices at such Sessions or Adjournment thereof upon due Proof of such Notice having been given and of such Recognizance having been entered into as aforesaid shall hear and finally determine every such Appeal in a summary Way, and award such Damages and Costs to the Party appealing or appealed against as the said Justices shall think proper, and shall and may at their Discretion discharge or mitigate all or any of the Penalties or Forfeitures incurred by the Party or Parties appealing, and also shall and may by their Warrant levy the Costs and Damages which shall be so awarded 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 Warrant, Distress and Sale; and the Determination of the said Justices in their said General Quarter Sessions or Adjournment thereof shall be final, binding, and conclusive to all Intents and Purposes whatsoever.

LV. And be it further enacted, That on any Appeal from any Rate or Rates, Assessment or Assessments to be made by the said Commissioners for the Purposes of this Act, the Justices at such General or Quarter Sessions shall and may amend the same if they think proper, in such manner as may be necessary for giving Relief to the Person or Persons, Body or Bodies Politic, Corporate or Collegiate aggrieved, without quashing or altering such Rate or Rates, Assessment or Assessments,

[*Loc. & Per.*]

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with

Justices may
relieve on
appeal from
Rates.

with respect to any other Person or Persons, Body or Bodies Politic, Corporate or Collegiate mentioned in the same; but if upon Appeal from the whole Rate or Rates, Assessment or Assessments, it shall be found necessary to set aside the same, then and in such Case the said Justices shall and may order a new Rate or Rates, Assessment or Assessments to be made in Manner herein directed.

Proceedings not to be quashed or removed by *Certiorari*.

LVI. And be it further enacted, That no Order, Verdict, Rate, Assessment, Judgment, Conviction, or other Proceeding touching or concerning any of the Matters aforesaid, or touching or concerning any Offence against this Act, or any Bye-Law or Order to be made in pursuance thereof shall be quashed or vacated for want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster*, any Law or Statute to the contrary thereof in anywise notwithstanding.

Persons appealing to have a Copy of his Conviction delivered to him.

LVII. And be it further enacted, That when any Person shall appeal from and against any Determination or Conviction as aforesaid, the Justice or Justices making such Determination or Conviction shall upon the Request of the Person appealing deliver or cause to be delivered to such Person, his or her Attorney or Agent, a Copy of such Determination or Conviction at least Twelve Days before such Appeal is to be tried, for which Copy the Person applying for the same shall pay to the said Justice or Justices his or their Clerk or Clerks, the Sum of Two Shillings and Sixpence and no more; but if it shall happen that the said Justice or Justices cannot conveniently cause the said Determination or Conviction to be drawn up so as to be delivered Twelve Days before such Appeal is to be tried, then the said Determination or Conviction shall be returned to and filed at the next Quarter Sessions of the Peace to be holden in and for the said Town and Liberties of *Beverley*, and in that Case the Hearing of the said Appeal shall stand over and be adjourned to the then next Quarter Sessions, when and where the same shall be finally determined in manner aforesaid.

Distresses not unlawful for want of Form.

LVIII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, or of any Bye-Law, Rule, or Order to be made in pursuance thereof, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress or other Proceeding relating thereto; nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover Satisfaction for the Special Damage in an Action upon the Case.

Limitations of Actions.

LIX. And be it further enacted, That no Action, Suit or Information shall be commenced against any Person or Persons for any thing done or to be done under or by virtue of this Act, or of any Bye-Law, Rule, or Order to be made in pursuance thereof until Twenty-one Days Notice thereof shall be first given in Writing to the Clerk to the said

said Commissioners for the Time being, signed by the intended Plaintiff or Plaintiffs of the Cause and Intention of and for commencing such Action or Suit, nor at any Time whatsoever after sufficient Satisfaction or Tender thereof shall have been made to the Party or Parties aggrieved, nor after Six Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits shall be brought; and in case there shall be a Continuation of Damages then not after Six Calendar Months next after the doing or committing such Damage shall cease; and in case no such Tender as aforesaid shall be made before an Action brought, it shall be lawful for the Defendant or Defendants in any such Action by Leave of the Court wherein such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be had, made, and given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court; and all such Actions and Suits shall be laid and tried in the County of York, and not in any other County or Place; and the Defendant or Defendants in every such Action or Suit may plead the general Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for which such Action or Actions, Suit or Suits shall be so brought was done in pursuance and by the Authority of this Act, or of some Bye-Law, Rule, or Order made in pursuance thereof; and if the same Matter or Thing shall appear to have been so done, or if it shall happen that such Action or Suit was brought before Twenty-one Days Notice thereof given as aforesaid, or that sufficient Satisfaction was made or tendered as aforesaid, or if any such Action or Suit shall not be commenced within the Time hereinbefore for that Purpose limited, or shall be laid or brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and also if the Plaintiff or Plaintiffs shall become non-suited, or suffer a Discontinuance of such Action or Actions or Judgment after the Defendant or Defendants shall have appeared thereto, or if Judgment shall be given for the Defendant or Defendants therein, or if any Verdict shall pass upon the Plaintiff or Plaintiffs, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or may have for his, her, or their Costs in any other Cases by Law.

LX. Provided always, and be it further enacted, That no Contract which shall be made by the said Commissioners for any of the Purposes of this Act shall be binding upon the said Commissioners as Individuals or in their private Capacity, and that all Monies which shall be expended by or recovered against the said Commissioners or any Person or Persons employed by them by means of Action, Prosecution, or Appeal, shall be borne and defrayed out of the Money which shall come to the Hands of the Treasurer to the said Commissioners or any other Person by virtue of this Act.

Commis-
sioners not
personally
answerable
for Contracts,
&c.

LXI. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to prejudice, lessen, or defeat,

This Act not
to prejudice
the Rights of

the Corpora-
tion of Be-
werley.

any Right, Interest, Property, Power, Privilege, Franchise, or Authority of the Mayor, Aldermen, and Burgeses of the Town of *Beverley* aforesaid, or any of the Jurors or Officers of their Courts within the said Town, or any of the Powers or Authorities granted by an Act passed in the Eighteenth Year of the Reign of His late Majesty King George the Second, intituled, *An Act for more effectually cleansing, deepening, widening, and preserving a Creek called Beverley Beck, running into the River Hull, and for more effectually repairing the Staiths near the said Beck, and the Roads leading from the said River to the Town of Beverley, and for cleansing the Streets of the said Town, and for regulating the Carriages to and from the said Beck and the River Hull*, or granted by the Act of Parliament therein recited, which passed in the Thirteenth Year of the Reign of His Majesty King George the First; but all and every such Rights, Interests, Property, Powers, Privileges, Franchises, and Authorities, may be exercised and enjoyed in as full and ample Manner to all Intents and Purposes as the same were exercised and enjoyed before the passing of this Act.

Public Act.

LXII. 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.

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