Anno tertio

Georgii III. Regis.

An Act for Lighting the Streets and other Places, and maintaining a regular and nightly Watch, within the Town and County of the Town of *Newcaſtle upon Tyne*; and for regulating the Hackney Coachmen and Chairmen, Cartmen, Porters, and Watermen, within the ſame.

WHEREAS the Town of Newcaſtle upon Tyne, in the County of the Town of Newcaſtle, is very large and populous; and it would greatly tend to the Benefit and Safety of the Inhabitants of the ſaid Town, and all other Perſons reſorting thereto, if Proviſion was made for enlightening the Streets of the ſaid Town, and for eſtabliſhing, keeping, maintaining, and governing, an able and regular Watch in the Night-time there; and for regulating the Chairmen, Hackney Coachmen, Carmen, common Porters, and Watermen, within the ſaid Town and County of Newcaſtle upon Tyne, and the Liberties thereof: May it 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 Preamble.

Commissioners Names.

the Authority of the same, That the Mayor, Recorder, Aldermen, and Sheriff, of the Town and County of Newcastle upon Tyne, for the time being; and Percival Clemmett Esquire, Richard Lambert Surgeon, George Stephenson Master and Mariner, John Langlands Goldsmith, Banister Bayles Apothecary, Thomas Davidson Gentleman, Joseph Whitby Glazier, John Smith Gentleman, Peter Russel Merchant, Thomas Aubone Gentleman, Joseph Barber Stationer, and Thomas Barker Merchant, being Twelve of the principal Inhabitants of the Parish of Saint Nicholas in the said Town of Newcastle upon Tyne, and Sir Matthew White Baronet, George Colpits Esquire, Rowland Burdon Esquire, Snow Clayton Merchant, John Baker Hostman, Ogle Wallis Merchant, James Atkinson Merchant, Thomas Airey Hostman, Joseph Airey Gentleman, William Monkhouse Merchant, Richard Burdus Gentleman, and William Cramlington Rope-maker; being Twelve of the principal Inhabitants of the Chapelry of All Saints in the said Town of Newcastle upon Tyne; and John Swinburne Esquire, Robert Ellison Esquire, William Lowes Esquire, Henry Askew Esquire, Joseph Reay Esquire, Matthew Stephenson Esquire, Langdale Sunderland Esquire, Thomas Dixon Gentleman, Thomas Robinson Gentleman, George Cuthbertson Esquire, Robert Rich Coachmaker, and George Anderson Bricklayer, being Twelve of the principal Inhabitants of the Chapelry of Saint John in the said Town of Newcastle upon Tyne; and Ralph Bates Esquire, Giles Alcock Esquire, John Erasmus Blackett Esquire, Christopher Fawcett Esquire, William Wilkinson Esquire, Cuthbert Lambert Esquire, William Gibson Esquire, Isaac Thompson Esquire, Peregrine Tyzack Gentleman, Thomas Gunn Mason, George Ord Gentleman, and William Newton Architect, being Twelve of the principal Inhabitants of the Chapelry of Saint Andrew in the said Town of Newcastle upon Tyne; shall be and they are hereby constituted and appointed Commissioners to and for the Intents and Purposes herein after mentioned and declared: And in case of the Death or Removal of any of the above named Inhabitants out of the Parish or Chapelry wherein he or they do now inhabit, the Place and Places of such of them so dying or removing as aforesaid, shall, on Tuesday in Easter Week in every Year next after every such Death or Removal as aforesaid, be filled up and supplied by the Choice and Election of the Four and twenty of the respective Parish or Chapelry where every such Vacancy shall happen.

On Death, &c. of Commissioners others to be chosen.

And it is hereby enacted, That such of the Four and twenty of each of the said Parish or Chapelries respectively, as do actually reside in such Parish or Chapelries, shall assemble in their respective Vestries on Easter Tuesday in every Year for that Purpose, and then and there nominate and chuse such and so many of the principal Inhabitants of the respective Parish or Chapelry where such Death or Removal as aforesaid shall happen, not being the Mayor, Recorder, Aldermen, or Sheriff, of the said Town, as shall be equal to the Number of those who shall be then dead, or shall have removed as aforesaid, to be from time to time joined with the Mayor, Recorder, Aldermen, and Sheriff, of the said Town and County for the time being, for putting this Act, and the Powers and Authorities hereby given, into Execution: And in case any Default shall happen in such Nomination and Choice by the Four and twenty of any of the said Parish or Chapelries respectively, then and so often it shall and may be lawful to and for the surviving or remaining Commissioners of such Parish or Chapelries respectively where such Default shall happen, or the major Part of them, who shall be assembled at the then next Meeting of the Commissioners, to nominate and chuse such and so many of the principal Inhabitants of the respective Parish or Chapelry where such Default shall happen; and not being the Mayor, Recorder, Aldermen, or Sheriff, of the said Town; as shall be equal to the Number of those who shall be then dead, or shall have removed as aforesaid, to be joined with the Mayor, Recorder, Aldermen, and Sheriff, of the Town as aforesaid: And such Person or Persons as shall from time to time be so elected and appointed according to the Intent and Meaning of this Act, shall from thenceforth have the same Power and Authority to act in all Things relating to the Matters in this Act contained, as if he or they had been expressly named in, and appointed a Commissioner or Commissioners by this Act.

The Four and twenty of each Parish and Chapelry to meet on *Easter Tuesday* yearly for that Purpose.

And be it further enacted by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, are hereby authorized and required to meet and assemble together in the Guildhall of the said Town on the Twenty fourth Day of June, One thousand seven hundred and sixty three, between the Hours of Nine and Twelve of the Clock in the Forenoon of the same Day, in order to put this Act in Execution; and from and after that Time to meet by Adjournment from time to time at the same Place (but so as not to interfere with the Business of the Magistracy and Common Council of the said Town) or at any other convenient Place within the said Town,

First Meeting of the Commissioners.

as they, or any Seven or more of them, shall appoint: And in case there shall not appear, at any Meeting which shall be appointed to be held, a sufficient Number of Commissioners to act at such Meeting, and to adjourn to another Day, then, and in such Case, the Clerk to the said Commissioners shall, by publick Notice in Writing to be left at the several Vestry Rooms of each of the said Church or Chapels the Sunday then next ensuing, appoint the said Commissioners to meet on that Day Seven-night after the Day on which such last Meeting was appointed to be held; and that the Commissioners shall, at all their Meetings, defray their own Charges and Expences.

For want of a sufficient Number, may adjourn to a further Day, giving Notice thereof:

They are to pay their own Expences,

and to meet quarterly.

Provided always, That the said Commissioners appointed, or to be appointed as aforesaid, or any Seven or more of them, shall, and they are hereby required to meet and assemble themselves together quarterly on the First Thursday after the First Day of August, the Eleventh Day of November, the Second Day of February, and the First Day of May, in every Year, for the Purposes of putting this Act in Execution.

Commissioners to appoint a nightly Watch;

And be it further enacted, That from and after the Twenty ninth Day of September, One thousand seven hundred and sixty three, there shall be a sufficient Number of able-bodied Men, not exceeding Fifty in the Whole, appointed from time to time, as the said Commissioners, or any Seven or more of them, assembled as aforesaid, shall think proper, to watch within the Walls of the said Town of Newcastle upon Tyne every Night, from the Twenty ninth Day of September to the Twenty fifth Day of March in every Year, and for and during such other Times in every Year as the said Commissioners, or any Seven or more of them, assembled as aforesaid, shall, from time to time, direct and appoint; and also there shall be appointed such Number of Night Constables as the said Commissioners, or any Seven or more of them, shall think necessary; and also One or more Person or Persons to be Keeper and Lighter, or Keepers and Lighters, of the Lamps within the said Town; and that all such Persons shall be chosen and appointed by the said Commissioners, or any Seven or more of them, assembled as aforesaid.

and the Number and Sort of Lamps;

And be it further enacted, That the said Commissioners, or any Seven or more of them, so assembled as aforesaid, shall order, direct, and appoint, what Number and Sort of Lamps, and how and where they shall be set up, or to what House or Houses, Building or Buildings, within the Walls of the said Town, they shall be fixed, and how long a Time the same shall be and continue lighted; and also to order

and appoint for what Time, and at what Places, the said Watchmen and Night Constables shall respectively be stationed, and in what Manner, and how often, they shall go their Rounds, and how they shall be armed, and how long they shall continue upon their Duty, and what Wages and Allowances shall be paid and given to such Watchmen, Night Constables, and Keepers and Lighters of Lamps respectively; and shall and may from time to time make such other Orders and Regulations as the Nature of each particular Service shall seem to them to require.

and the Number of Watchmen, &c.

and make such Orders as shall be necessary.

And, for the better Direction and Government of the Watchmen and Night Constables so to be appointed as aforesaid, be it further enacted, That the said Commissioners, or any Seven or more of them, so assembled as aforesaid, shall, with all convenient Speed, cause a true Copy or Transcript of all such Orders and Regulations, as shall be made from time to time concerning the said Watchmen and Night Constables, to be delivered to all the Constables for the time being of the said Town; and that from and after the said Twenty ninth Day of September, One thousand seven hundred and sixty three, One or more of the said Constables for the time being of the said Town shall attend every Night by Turns, as the said Commissioners, or any Seven or more of them, shall appoint, and shall keep Watch and Ward within the Walls of the said Town, at the Places to be appointed as aforesaid, and during such Time and Times as shall be ordered and directed by the said Commissioners, or any Seven or more of them, assembled as aforesaid, and so yearly and every Year afterwards; and that as well the said Constables, as the said Watchmen, shall use their best Endeavours to prevent as well all Mischiefs happening by Fires, as all Murders, Burglaries, Robberies, and other Outrages and Disorders; and shall, and they are hereby impowered and required, to arrest and apprehend all Night-walkers, Malefactors, and suspected Persons, who shall be found wandering and misbehaving themselves, in any Place or Places within the said Town; and shall carry the Persons, who shall be so apprehended, to the Tower on the Tyne Bridge in the said Town, to be there safely kept until they can be conveniently carried before One or more Justice or Justices of the Peace for the said Town, to be examined and dealt with according to Law.

Copies of Orders to be delivered to all the Constables of the Town.

Constables, &c. to apprehend all suspected Persons.

And be it further enacted, That One of the said Constables, to be appointed by the said Commissioners as aforesaid, shall once or oftener, at convenient Times in every Night,

Watchmen neglecting their Duty may be discharged.

Night, go about the said Town within the Walls thereof, and visit the several Watch-houses, Stands, and Stations of the Watchmen, and take Notice whether all the said Watchmen perform their Duty in their respective Places and Stations, according to such Orders and Regulations as shall be made for that Purpose as aforesaid: And in case any such Watchman shall misbehave, or neglect his Duty, the said Constable shall, as soon as conveniently may be, give Notice to any One or more Justice or Justices of the Peace for the said Town, who is and are hereby impowered and required to summon every such Watchman immediately before him or them, and, upon hearing the Party or Parties, may, if such Justice or Justices see good Cause, displace every such Watchman so offending, and appoint another in his Stead, till the next Meeting of the said Commissioners, or any Seven or more of them; and also fine such Offender in any Sum not exceeding Twenty Shillings for every such Offence.

Penalties on Constables neglecting their Duty.

And be it further enacted, That if any of the said Constables shall wilfully neglect to attend in his Turn to keep Watch and Ward, or shall not come to keep Watch or Ward at the respective Hours to be appointed as aforesaid, or shall depart from or discontinue Watch and Ward, during the respective Hours to be appointed as aforesaid, or shall otherwise misbehave himself or themselves in the Execution of the Duty prescribed to them as aforesaid, then, and in every of the said Cases, every such Constable so offending, shall respectively forfeit Twenty Shillings for every such Offence.

No Person to gain a Settlement by serving as a Watchman.

Provided always, and be it further enacted, That no Person, who shall be appointed or employed as a Watchman by virtue of or in pursuance of this Act, shall, by means or on account of his being employed and acting in that Duty and Service, gain or be intitled to any Settlement in the said Town of Newcastle upon Tyne, or in any Parish or Chapelry within the same Town.

And whereas the Mayor, Aldermen, Sheriff, and Common Council, of the said Town of Newcastle upon Tyne, in order to promote the good Ends and Purposes proposed by this Act, have consented and agreed that the Charge and Expence of obtaining this Act, and of purchasing and setting up a sufficient Number of Lamps to enlighten the Streets, and of providing and erecting a sufficient Number of Watch-houses for the Accommodation of the said Constables and Watchmen, shall be paid and defrayed by and out of the publick Monies belonging to the Corporation of Newcastle upon Tyne aforesaid; be it there-

foꝛe further enacted, That the Charge and Expence of obtaining this Act, and the Charge and Expence of purchasing, setting up, and firing such and so many Lamps, and at such Places, as by the said Commissioners, oꝛ any Seven oꝛ moꝛe of them, assembled as afoꝛesaid, shall be directed and appointed by virtue of this Act; and also the Charge and Expence of pꝛoviding and erecting such and so many Watch-houses, and at such Places, foꝛ the Accommodation of the said Constables and Watchmen, as by the said Commissioners, oꝛ any Seven oꝛ moꝛe of them, assembled as afoꝛesaid, shall be directed and appointed, shall ꝛespectively be paid and defrayed by the said Coꝛpoꝛation of Newcastle upon Tyne; and the said Coꝛpoꝛation of Newcastle upon Tyne is hereby made liable and answerable foꝛ such ꝛespective Charges and Expences as afoꝛesaid.

Charges of the Act, &c. to be paid by the Corporation.

And, foꝛ defraying the Charges and Expences of maintaining and repairing all the said Lamps erected and set up, oꝛ to be erected and set up, by virtue of this Act, and lighting and supplying the same with all pꝛoper Materials, and keeping such Nightly Watch within the said Town as afoꝛesaid, be it further enacted by the Authoꝛity afoꝛesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundꝛed and sixty three, the several and ꝛespective Commissioners, Inhabitants within the said Paꝛish of Saint Nicholas, oꝛ any Two oꝛ moꝛe of them, and the several and ꝛespective Commissioners, Inhabitants within the said several and ꝛespective Chapelries of All Saints, Saint John, and Saint Andrew, oꝛ any Two oꝛ moꝛe of such ꝛespective Commissioners, being assembled at such their ꝛespective Quaꝛterly Meetings as afoꝛesaid, shall and may, and they are hereby ꝛespectively ꝛequiꝛed, when and so often as there shall be Occasion, to nominate and appoint Two oꝛ moꝛe able and sufficient Inhabitants of each of the said Paꝛish of Saint Nicholas, and Chapelries of All Saints, Saint John, and Saint Andrew (being Inhabitants within the Walls of the said Town and liable to be ꝛated by this Act) to be Assessoꝛs and Collectoꝛs within the said Paꝛish and Chapelries ꝛespectively, but within the Walls of the said Town, in oꝛdeꝛ to ꝛaise Money foꝛ the Puꝛposes afoꝛesaid.

Assessors, &c. to be appointed by the Commissioners at the respective Parishes, &c.

Pꝛovided always, and be it further enacted, That in case it shall happen that at any of such General Quaꝛterly Meetings as afoꝛesaid, there shall not be pꝛesent Two oꝛ moꝛe of the said ꝛespective Commissioners, Inhabitants within the said Paꝛish of Saint Nicholas, and Two oꝛ moꝛe of the said ꝛespective Commissioners, Inhabitants

or, in case of their Neglect, by the Commissioners in general assembled.

within the said several Chapelries of All Saints, Saint John, and Saint Andrew respectively, or such Number, being present, shall refuse or neglect to nominate and appoint such Assessors and Collectors as aforesaid; then, and in every such Case, it shall and may be lawful to and for the Commissioners assembled at such General Quarterly Meeting, or any Seven or more of them, to nominate and appoint Assessors and Collectors for such Parish and Chapelries respectively, for which no Assessors and Collectors shall happen to be nominated and appointed by the respective Commissioners of such Parish or Chapelries respectively.

Commissioners to summon Assessors, &c. to appear before them for Instructions.

And be it further enacted, That the Commissioners assembled at any such General Quarterly Meeting as aforesaid, shall take Care that Summons be issued, under the Hands of Two or more of them, to the several Assessors and Collectors appointed by virtue of this Act, thereby requiring them respectively to appear before them, and the other Commissioners, at a certain Day, Time, and Place, in such Summons to be mentioned, not exceeding Six Days from the Date of such Summons; and on their appearing, the said Commissioners, or such of them as shall be then present, shall order and direct them how and in what Manner they are to make their Assessments, and how they ought to proceed in the Execution of this Act; and shall then appoint another Day for the said Assessors and Collectors to appear before the said Commissioners, and bring in their Assessments in Writing, under their Hands, to be verified upon Oath or Affirmation, as herein after is directed.

Assessors to settle a Pound Rate.

And be it further enacted by the Authority aforesaid, That all and every of the said Assessors shall and they are hereby impowered and required respectively to make and settle an equal yearly, half-yearly, or quarterly Pound Rate or Rates, Assessment or Assessments, as by the said Commissioners, or any Seven or more of them, assembled at such General Meetings as aforesaid, shall be ordered and directed, upon all and every Occupier or Occupiers of any Land, House, Shop, Wharf, Warehouse, Loft, Cellar, Malting, Brewhouse, or other Tenement, or any Part of any House, Shop, Wharf, Warehouse, Loft, Cellar, Malting, Brewhouse, or other Tenement, situate within the Walls of the said Town of Newcastle upon Tyne, within the respective Parish or Chapelry for which such Assessors respectively shall be appointed to act, whether such Occupier or Occupiers do or shall reside within such Parish or Chapelry, or elsewhere, such Rate or Rates, Assessment or Assessments, not to exceed in the Whole in any

any One Year Six Pence in the Pound, of the improved yearly Value of any Lands, Houses, Shops, Wharfs, Warehouses, Lofts, Cellars, Maltings, Brewhouses, or other Tenements, to be assessed and charged as aforesaid.

Assessors to attest Assessments on Oath.

And be it further enacted, That the said Assessors shall respectively sign their said Assessments, and also, at the Time of bringing in their said Assessments to the said Commissioners, shall make Oath, or, being of the People called Quakers, a solemn Affirmation (which Oath or Affirmation the said Commissioners, or any Two or more of them, are hereby authorized and required to administer) that the said Assessment or Assessments, so brought in by the said Assessors respectively, is and are, according to the best of their respective Skill, Knowledge, and Information, a true, fair, and just yearly, half-yearly, or quarterly Rate or Assessment, as the Case shall be, upon all and every Occupier or Occupiers of any Land, House, Shop, Wharf, Warehouse, Loft, Cellar, Malting, Brewhouse, or other Tenement, or any Part of any Land, House, Shop, Wharf, Warehouse, Loft, Cellar, Malting, Brewhouse, or other Tenement, situate within the Walls of the said Town of Newcastle upon Tyne, within the Parish or Chapelry for which such Assessment shall be made: And the said Commissioners, or any Seven or more of them, shall then also diligently examine into the Rate or Assessment made upon the said several Assessors by the said Assessors themselves; and shall and may, if they see Cause to suspect the said Rate or Assessment made upon the said Assessors, rate and assess every such Assessor, for all and singular the Matters and Things for which, by this Act, he ought to be rated and assessed; and all Sums assessed upon every the said Assessors, and the Assessments made and set by the Assessors aforesaid, shall be collected and levied according to the true Intent and Meaning of this Act: And all such Rates and Assessments respectively so to be made as aforesaid, shall be allowed and signed by the said Commissioners, or any Seven or more of them, so assembled as aforesaid.

Commissioners to examine into the Rates Assessors make upon themselves.

Assessments to be signed by the Commissioners.

And be it further enacted by the Authority aforesaid, That the respective Collectors of the aforesaid Rates and Assessments in the respective Parish and Chapelries aforesaid, for gathering the respective Sums to be comprized in or charged by such Rates and Assessments respectively, and for giving Receipts to the Person or Persons of whom they shall receive the same, shall have and receive for their Pains and Trouble in collecting and paying the Money, Three Pence for every Pound to be by them

Collectors allowed 3*d.* in the Pound.

them so collected and paid, which the said Collectors are hereby impowered to detain out of the last Payment of their several and respective Collections.

Penalty on Assessor or Collector refusing to perform their Duty.

And be it further enacted, That if any Person, appointed an Assessor or Collector as aforesaid, shall wilfully refuse or neglect to perform his Duty in the due and speedy Execution of this Act, the said Commissioners, or any Seven or more of them, may and shall by virtue of this Act impose on such Person or Persons so refusing or neglecting, any Fine not exceeding the Sum of Ten Pounds, nor less than Five Pounds, for every Offence; the same to be inserted in and made a Part of the Assessment for the Parish or Chapelry where such Person or Persons, so refusing or neglecting, shall inhabit, and be levied in the same Manner, and applied for the same Purposes, as the Rates and Assessments made in pursuance of this Act are directed to be levied and applied.

Assessments how to be recovered.

And be it further enacted by the Authority aforesaid, That the said Rates and Assessments, being allowed and confirmed as aforesaid, and all Arrears becoming due upon the same, shall be collected from the several Occupiers so to be assessed by such Person or Persons as shall be appointed by the said Commissioners, or any Seven or more of them as aforesaid, to collect and receive the same respectively: And in case any Person or Persons, so assessed, shall refuse or neglect to pay such Rate or Assessment by the Space of Three Days next after Demand thereof made by the Person or Persons to be appointed Collector or Collectors in pursuance of this Act, it shall and may be lawful to and for such Collector or Collectors respectively, by Warrant under the Hands and Seals of Two or more of the said Commissioners, and which Warrant they are hereby impowered and required to grant to the Collector applying for the same, to levy the same by Distress and Sale of the Goods and Chattles of the Party so neglecting or refusing to pay the same, wheresoever the same may be found, rendering to the Party or Parties whose Goods shall have been so distrained and sold, the Overplus (if any) the reasonable Charges of making such Distress and Sale being first deducted.

And it is hereby declared and enacted, That the Form of such Warrant shall be in the Words following; that is to say,

Form of the Warrant.

TO *A. B.* Collector of the Watch and Lamp Assessments within the Parish or Chapelry of

You are hereby commanded to make Distress of the Goods and Chattles of *C. D.* of wheresoever you can

b

can find the ſame, for the Sum of
aſſeſſed upon him or her by virtue of the *Newcaſtle* Watch and Lamp Act; and ſuch Diſtreſs you are to detain and keep for the Space of Five Days, next after making and taking thereof for the ſaid Sum of
together with the Charges of making and keeping ſuch Diſtreſs, unleſs the ſaid Sum of
and the reaſonable Charges of making ſuch Diſtreſs, ſhall be ſooner paid: And if the ſame ſhall not be paid before the End of the ſaid Five Days, then you are hereby further commanded, as ſoon as may be, to ſell the ſaid Goods and Chattles which ſhall be by you diſtrained; and, out of the Money ariſing by ſuch Sale, to detain the ſaid Sum of rendering the Overplus (if any) the reaſonable Charges of making ſuch Diſtreſs and Sale being firſt deducted, to the ſaid *C. D.* upon Demand.

Perſons aggrieved to appeal to the Commiſſioners at their next General Meeting for hearing Appeals;

Provided always, and be it further enacted, That if any Perſon or Perſons ſhall find him, her, or themſelves aggrieved by any ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, or if any Diſpute or Difference ſhall ariſe between the ſeveral Occupiers of any Meſſuage, Houſe, Shop, Warehouſe, Malthouſe, Granary, Building, Yard, or other Thing whatſoever, rated or aſſeſſed for the Purpoſes aforeſaid, touching or concerning their reſpective Proportions of any ſuch Rates or Aſſeſſments made by virtue of this Act, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal to the ſaid Commiſſioners at their next General Meeting for hearing Appeals; and the ſaid Commiſſioners, or any Seven or more of them, or the major Part of them at ſuch Meeting aſſembled, are hereby impowered to ſummon and examine Witneſſes upon Oath, and to hear and determine the Matter of the ſaid Appeal, and to make Order therein as to them ſhall ſeem meet; and ſuch Determination and Order ſhall be final.

whoſe Order is to be final.

Commiſſioners to give Notice to Collectors of the Time and Place Appeals may be heard:

And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Seven or more of them, ſhall, and they are hereby required to give the Collectors of the ſaid Rates or Aſſeſſments Notice at what Time and Place the Appeals of any Perſon or Perſons who ſhall think themſelves aggrieved by being over rated by the ſaid Aſſeſſors, may be heard and determined; which Day of Appeal, ſo to be appointed by the ſaid Commiſſioners, ſhall be within Twenty Days, and not ſooner than Fourteen Days, after the ſaid Aſſeſſments ſhall be ſigned and allowed by the ſaid Commiſſioners as aforeſaid; and every ſuch Collector is hereby alſo required, on the Sunday next after he ſhall have received ſuch

Notice as aforesaid from the Commissioners, to cause publick Notice thereof to be given in the Church or Chapel belonging to the Parish or Chapelry for which he shall be Collector, immediately after Divine Service, of the Time and Place so appointed by the said Commissioners for hearing and determining Appeals as aforesaid, which the Clerk of such Parish or Chapelry is hereby required to do at the Request of such Collector or Collectors; and such Collectors shall also cause the like Notice in Writing to be affixed upon the Door of each Church and Chapel in the said Town of Newcastle upon Tyne, on the same Sunday, that all Persons who shall think themselves over-rated may know when and where to make their Appeal to the said Commissioners; and every Person, so intending to appeal to the said Commissioners, shall and is hereby required to give Notice thereof in Writing to One or both of the Assessors of the Parish or Chapelry wherein he is so rated, of such his Intention to appeal, at least Four Days before the Day appointed for hearing and determining Appeals, that such Assessor or Assessors may then and there attend to justify the said Assessment; and such Assessor or Assessors are hereby required then and there to attend for that Purpose.

Collectors to give publick Notice thereof.

Appellants to give Notice to Assessors.

And it is hereby declared, That all Appeals Once heard and determined by the said Commissioners, or any Seven or more of them, or the major Part of them then present on the Day and Days by them appointed for hearing Appeals as aforesaid, and all Assessments not appealed against and prosecuted as aforesaid, shall be final, without any further Appeal upon any Pretence whatsoever: And in case of any Controversy arising concerning any Rate or Assessment upon any of the said Commissioners, or concerning any Matter or Thing wherein any of the said Commissioners shall be any ways interested or concerned, the Commissioners that shall be interested or concerned therein shall have no Vote, but shall withdraw during the Debate of such Controversy, until it be determined by the rest of the Commissioners then present.

Commissioners Determination to be final.

Provided also, and be it further enacted, That in case at any Time Seven of the said Commissioners shall not attend upon the Day appointed for hearing and determining Appeals, so that the Appeals, of which Notice shall be given as aforesaid, cannot be heard and determined by the said Commissioners as aforesaid, then, and so often as the Case shall so happen, it shall and may be lawful to and for the Mayor of the said Town of Newcastle upon Tyne, and any Two of the Aldermen of the same Town, or, in the Absence of the Mayor, any Three of the

Appeals, in Default of Commissioners Attendance, to be determined by the Mayor and Aldermen.

the

the Aldermen, to appoint a future Day within Fourteen Days then next following for the hearing of such Appeals; of which Day publick Notice shall be given in the same Manner as herein before directed by the Commissioners: And in case Seven Commissioners shall not attend at such Day to be appointed as aforesaid, that then the said Mayor and Aldermen, or Aldermen as aforesaid, shall and may, and they are hereby impowered to summon and examine Witnesses upon Oath, and to hear and determine the Matter of such Appeals, and to make Order therein, as to them shall seem meet; and such Determination and Order shall be final.

Power of recovering Assessments of Persons removing.

Provided also, and be it further enacted, That if any Person liable to pay the said Rates and Assessments by virtue of this Act, shall remove from the House, Tenement, or Premisses, in respect of which such Rate or Assessment is made, before the Assessment due from such Person shall be paid, it shall and may be lawful to and for the said Collector, by Warrant as aforesaid, to levy the same by Distress and Sale of the Goods and Chattles of the Person who ought to pay the same, in case such Person shall reside within the said Town of Newcastle upon Tyne, and a sufficient Distress can be found; or otherwise the Mayor of the said Town of Newcastle upon Tyne for the time being, shall and may sue for and recover the same by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Westminster, with Full Costs of Suit.

No Person to gain a Settlement for paying Assessments.

Provided also, and be it further enacted, That no Person or Persons, who shall be charged with, or pay to, any Rate or Rates, Assessment or Assessments, to be made by virtue of or in pursuance of this Act, shall thereby gain, or be deemed or construed to gain, any Settlement in the Parish or Place wherein such Rate or Assessment, or Payment, shall be made.

Halls, &c. exempted.

Provided also, That nothing in this Act contained shall impower the said Commissioners, or any of them, to charge any Halls or Meeting-houses belonging to the several Fraternities or Societies, or any Hospitals or publick Buildings, or Places used for Divine Worship, within the Walls of the said Town, or any Lands, Houses, or Buildings whatsoever, without the Walls of the said Town, with the Payment of any Rate or Assessment for the Purposes aforesaid, or any of them.

Collectors to account upon Oath:

And be it further enacted, That all and every Person and Persons, who shall receive any Money by virtue of this Act for the Purposes aforesaid, shall, from time to time, and as often as the said Commissioners, or any

Seven or more of them, at any Time assembled shall require, make and render in Writing to such Commissioners, or unto such other Person or Persons as they shall appoint, a true and perfect Account upon Oath (which said Oath may be taken in Writing without any Stamp thereupon, before the said Commissioners, or any Seven or more of them, who are hereby impowered and required to administer the same) of all Sums of Money by such Person or Persons collected or received, or which shall have been rated and assessed as aforesaid, and not received, and all other Matters and Things committed to their Charge by virtue of and under the Authority of this Act, and pay and deliver unto such Person or Persons as the said Commissioners, or any Seven or more of them, shall direct and appoint, all and every such Sum and Sums of Money as shall remain in his or their Hands at the Time of such Account: And if such Collector or Collectors shall refuse or neglect to account for and pay such Sum and Sums of Money accordingly, any Two or more of the said Commissioners shall and may, by Warrant under their Hands and Seals, cause the same to be levied by Distress and Sale of the Goods and Chattles of such Collector or Collectors, rendering the Overplus (if any be) the reasonable Charges of making such Distress and Sale being first deducted, to the Owner: And if sufficient Distress cannot be found, then the Mayor of the said Town of Newcastle upon Tyne, or, in his Absence, any Two of the Aldermen, shall and may, by virtue of this Act, by Warrant under his or their Hand and Seal, or Hands and Seals, commit such Person or Persons to the Common Gaol of the said Town of Newcastle upon Tyne, there to remain without Bail or Mainprize until he or they shall have made a true and perfect Account, and satisfied and paid so much Money as, upon the said Account, shall be remaining in his or their Hands, or shall have compounded for the same with the said Commissioners, or any Seven or more of them; which Composition the said Commissioners, or any Seven or more of them, are hereby impowered to make and receive.

Not making Account and Payment, to be committed.

And be it further enacted, That all Monies arising by the Rates and Assessments by this Act directed to be made and levied, shall be applied to and for the defraying the Expences of enlightening the said Streets, and in establishing, regulating, supporting, and maintaining such Nightly Watch as is hereby directed, and for other the Uses and Purposes herein before mentioned and declared, and to and for no other Use, Intent, or Purpose, whatsoever.

Monies how to be applied.

Provided also, and be it further enacted, That in case there shall be a Deficiency in any Rate or Rates, Assessment or Assessments, so to be made as aforesaid, either by Lands, Houses, Shops, Wharfs, Warehouses, Lofts, Cellars, Maltings, Brewhouses, or other Tenements, being unoccupied, or by the Insolvency or Removal of any of the Occupiers, for which or upon whom the said Rates or Assessments are respectively charged, so that the Charges of enlightning the said Streets, the Wages or Allowances to the Watchmen, and other incident Charges in any One year, cannot be fully satisfied, paid, and discharged in that year, then such Deficiency shall be supplied by the Assessment for the next succeeding year; but so as such Assessment shall not exceed in any One year the Rate of Six Pence in the Pound as aforesaid: And if at the End of any One year, and the closing the Accounts of the said year, any Surplus Money shall happen to be collected by such Rate or Rates, Assessment or Assessments as aforesaid, such Surplus shall be carried on to the next year's Credit, and shall be applied for such Uses, and in such Manner, as the Rate or Rates, Assessment or Assessments, therein collected, are by this Act directed to be laid out and applied. Deficiencies how supplied.

And be it further enacted, That an Account of the total Sums assessed and collected, and of all the Monies paid for all or any of the Purposes in this Act mentioned, and all Orders, Regulations, Contracts, and other Proceedings of the said Commissioners, shall be fairly entered in a Book or Books to be provided for that Purpose; and shall be examined, adjusted, and signed, at a Meeting of the said Commissioners, to be held yearly on Thursday in Easter Week for that Purpose; which said Book or Books and Accounts shall be deposited in the Hands of the Clerk to the said Commissioners, and shall and may, at all reasonable Times, be inspected and perused by any Person or Persons contributing to the Charge of the Lamps and Watch, without Fee or Reward: And any Person or Persons, so contributing as aforesaid, may take Copies of any Entries in such Book or Books, paying for every Copy of an Entry, not containing more than One hundred Words, Two Pence; and so in Proportion for any greater or less Number of Words. Proceedings to be entered in a Book; which may be inspected without Fee;

And it is hereby enacted, That the said Book and Books, so signed by the said Commissioners, or any Seven or more of them, shall be good and sufficient Evidence in all Courts whatsoever, of all and singular the Matters and Transactions in such Book and Books entered and contained. Such Book to be Evidence.

Commissioners to choose a Clerk and Treasurer,

And be it further enacted, That the said Commissioners, or any Seven or more of them, present at the First or any succeeding Meeting, by any Writing under their Hands and Seals, shall and may elect and appoint a fit Person to be Clerk and Treasurer, and from time to time remove such Clerk and Treasurer, as they shall see Occasion, and appoint another in case of such Removal or Death; and out of the Money arising by the said Rates or Assessments, make such Allowance or Allowances to such Clerk and Treasurer, for his Care and Pains in the Execution of his Office, as to them shall seem meet, not exceeding Ten Pounds a Year, so as such Clerk and Treasurer do give Security to the Satisfaction of the said Commissioners, or any Seven or more of them, for the due Performance of his Trust and Office.

and treat for Lamps, &c.

And be it further enacted, That the said Commissioners, or any Seven or more of them, shall and may contract with any Person or Persons, not being a Commissioner or Commissioners, for finding and providing the said Lamps with all requisite and necessary Materials, and for lighting, attending, dressing, and repairing the same, so as Fourteen Days Notice at least be given by Advertisement in a Newcastle Weekly News Paper, for all Persons willing to undertake the enlightening the Streets according to the Tenor and true Intent and Meaning of this Act, to make Proposals for that Purpose, to be offered and presented to the said Commissioners, at a certain Time and Place in such Advertisement to be mentioned.

Penalty on breaking or extinguishing Lamps.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully or maliciously take away, break, throw down, or extinguish any Lamp that shall be hung out or set up to light the Streets or other Places within the Liberties of the said Town of Newcastle upon Tyne, or wilfully damage the Posts, Irons, or other Furniture thereof, every Person so offending therein, and being thereof convicted by the Oath of One or more credible Witness or Witnesses, before any One or more Justice or Justices of the Peace for the said Town of Newcastle upon Tyne, shall, for every such Offence, forfeit and pay the Sum of Ten Pounds for every Lamp, or Furniture thereof, so broken, taken away, thrown down, extinguished, or otherwise wilfully damaged, to be levied and recovered in such Manner as in this Act is hereafter mentioned.

Satisfaction to be made for accidental Damages.

And be it further enacted, That in case any Person or Persons shall carelessly, negligently, or accidentally, break, throw down, or otherwise damage any of the said Lamps

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so to be hung out or set up as aforesaid, or the Irons, Posts, or other Furniture thereof, or extinguish the Lights thereof, and shall not, immediately upon Demand, make Satisfaction for the Damage done thereto, then, and in such Case it shall and may be lawful to and for any One or more of the said Justices, upon Complaint thereof to him or them made, by any One or more credible Person or Persons, to summon before such Justice or Justices the Person or Persons who shall be complained of for doing such Damage as aforesaid; and upon hearing the Allegations and Proofs of both Parties, or Non-appearance of the Person or Persons so complained of, to award such Sum or Sums of Money, by way of Satisfaction for such Damage, as such Justice or Justices shall think reasonable: And in case of Refusal or Neglect to pay any Sum of Money so awarded, within Three Days after Demand thereof made, the same shall be levied and recovered in Manner herein after-mentioned.

Persons paying Rates exempted from Watch and Ward.

Provided always, and be it further enacted, That no Person or Persons who shall be rated, assessed, and pay to any Rate or Rates, Assessment or Assessments, to be made in pursuance of this Act, shall be liable to keep Watch or Ward within the said Town, by virtue of the Statute of Winchester, made in the Thirteenth Year of King Edward the First, or any subsequent Statute relating thereto; but all such Persons shall be discharged of and from the same, except in Cases of publick Calamity or Disturbances.

The Mayor, &c. to hear and determine Offences against this Act.

And be it further enacted, That the Mayor for the time being, or any One or more Justice or Justices of the Peace for the said Town of Newcastle upon Tyne, shall and may hear and determine any of the Offences, which are herein before or herein after made subject to, and punishable by, any pecuniary Penalties directed to be levied by this Act, and not herein before directed to be levied by the Commissioners; and such Mayor, Justice or Justices, are hereby authorized and required, upon any Information exhibited, or Complaint made in that Behalf, within Three Months after such Offence committed, to summon the Party or Parties accused, and the Witnesses on each Side; and after Oath made of the Commitment of either of the Facts above-mentioned, by One or more credible Witness or Witnesses, to issue a Warrant or Warrants for the apprehending the Party or Parties so offending, and upon the Appearance, or Contempt of the Party accused in not appearing (upon Proof of Notice given) to proceed to the Examination of the Witness or Witnesses upon Oath (which said Oath such Mayor, or Justice or Justices,

or is

is and are hereby authorized and required to administer) and to give Judgement, Sentence, and Determination, as shall be just and conformable to the true Intent and Meaning of this Act; and where the Party accused shall be convicted of such Offence upon such Information as aforesaid, or Confession or Non-appearance of the Party accused, such Mayor or Justice or Justices, shall and may issue a Warrant or Warrants for levying the pecuniary Penalties and Forfeitures so adjudged by Distress of the Goods and Chattles of the Offender or Offenders, and to cause Sale to be made thereof (in case they shall not be redeemed in Five Days) returning to the Party the Overplus, if any be, after deducting the said Penalty or Penalties, and the Charges of such Distress and Sale: And in case any Person or Persons shall be convicted, in pursuance of this Act, of breaking, throwing down, or extinguishing any Lamp to be hung out or set up as aforesaid, or wilfully damaging the Posts, Irons, or other Furniture thereof, and no Goods or Chattles of any Person so offending can at the Time of such Conviction be found within the said Town of Newcastle upon Tyne, then, and in such Case, the said Mayor, or the Justice or Justices of the Peace before whom such Person or Persons shall be convicted as aforesaid, shall and may commit such Offender to the House of Correction of the said Town of Newcastle upon Tyne, there to be kept to hard Labour for any Time not exceeding the Space of Three Months, or until such Penalty or Penalties shall be paid: And in case any Person or Persons, who shall be awarded to pay any Sum or Sums of Money by way of Satisfaction for Damage, in carelessly, negligently, or accidentally, breaking, throwing down, or otherwise damaging any of the said Lamps, shall neglect or refuse to pay the Sum or Sums of Money so awarded within Three Days after Demand thereof made, then, and in such Case, the said Mayor, or Justice or Justices, who shall have awarded Satisfaction as aforesaid, shall and may cause the same by Warrant under his or their Hand and Seal, or Hands and Seals, to be levied by Distress and Sale of the Goods and Chattles of the Person or Persons who shall have so done such Damage, rendering to him, her, or them, the Overplus (if any) after deducting the Costs and Charges of such Distress and Sale when demanded; and in case no sufficient Distress can be found, such Mayor, or Justice or Justices, shall and may, by like Warrant, commit the Person or Persons so neglecting or refusing to pay the Sum or Sums so awarded, to the Gaol of the said Town, for any Time not exceeding the Space of Ten Days, or

until he, she, or they, shall make such Satisfaction as aforesaid.

Property of the Lamps, &c. vested in the Mayor.

And be it further enacted by the Authority aforesaid, That the Property of the said Lamps, and of the Posts, Irons, and other Furniture thereof, and of the Watch-houses, and of the Commissioners Books, shall be vested in the Mayor of Newcastle upon Tyne for the time being, and he is hereby authorized and impowered to prefer and prosecute Indictments against any Person or Persons for stealing, taking away, breaking, extinguishing, damaging, or spoiling the same, or any of them, or otherwise to sue for and recover all and every or any of the Penalty or Penalties, or Satisfaction, for taking away, breaking, extinguishing, damaging, or spoiling the said Lamps, or any of them, or any of the Posts, Irons, or other Furniture thereof, by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Record at Westminster, with Full Costs of Suit.

Penalties and Forfeitures how to be recovered and applied.

And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures herein before mentioned to be recoverable before the said Justices of the Peace, when recovered, shall be paid and applied as follows; that is to say, One Moiety thereof to the Informer, and the other Moiety thereof into the Hands of the Treasurer, to be laid out and applied to and for such Uses and Purposes as the said Commissioners, or any Seven or more of them, shall, under their Hands, direct and appoint.

Commissioners to make Regulations for the Night Constables, Watchmen, and Lamplighters,

And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, assembled as aforesaid, to make and give such Rules, Orders, Directions, and Provisions, with reasonable Penalties for the better Regulation and Government of the Night Constables, Watchmen, and Lamplighters, to be employed pursuant to and for the Purposes of this Act, according to the general Tenor, Purport, true Intent and Meaning hereof, as to the said Commissioners, or any Seven or more of them assembled, as aforesaid, shall seem requisite and expedient; so as such Rules, Orders, and Directions, be not repugnant to this present Act, and so as the same be not contrary to Law.

which shall be valid.

And it is hereby enacted and declared, That such Rules, Orders, and Directions, so made and published as aforesaid, shall be as good and effectual to all Intents and Purposes, as if the same were expressed, inserted, contained, and enacted in the Body of this Act.

Penalty for destroying or damaging private Lamps, &c.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully and maliciously take away, break, throw down, or extinguish, any Lamp that shall be hung out or set up by any private Person, within the Liberties of the said Town of Newcastle upon Tyne, or wilfully damage the Posts, Iron, or other Furniture thereof, every Person so offending therein, and being thereof convicted by the Oath of One or more credible Witness or Witnesses, before One or more Justice or Justices of the Peace for the said Town of Newcastle upon Tyne (which Oath the said Justice or Justices is and are hereby impowered to administer) shall, for every such Offence, forfeit and pay to the Owner or Proprietor of every such Lamp the Sum of Ten Pounds for every Lamp or Furniture thereof so broken, taken away, thrown down, extinguished, or otherwise wilfully damaged, to be recovered and levied in such Manner as herein before is directed concerning the wilfully and maliciously taking away, breaking, throwing down, or extinguishing, any Lamp that shall be hung out or set up to enlighten the Streets or other Places of the said Town of Newcastle upon Tyne by virtue of this Act: And in case any Person or Persons shall be convicted, in pursuance of this Act, of taking away, breaking, throwing down, or extinguishing, any Lamp to be hung out or set up as above is mentioned, or wilfully damaging the Posts, Irons, or other Furniture thereof, and no Goods or Chattles of any Person so offending can at the Time of such Conviction be found within the said Town and County of Newcastle upon Tyne, then, and in such Case, the Justice or Justices of the Peace before whom such Person or Persons shall be convicted as aforesaid, shall and may commit such Offender to the House of Correction of the said Town of Newcastle upon Tyne, there to be kept to hard Labour for any Time not exceeding the Space of Three Months, or until the Penalty aforesaid shall be paid.

Power to enlighten certain Streets, with Consent of Inhabitants.

And whereas it may be convenient and beneficial not only to the Inhabitants of the said Town of Newcastle upon Tyne, but also to all other Persons resorting thereto, that Provision should be made for enlightening and keeping a Watch in the Night Time in the several Streets herein after mentioned, without the Walls, but within the Liberties of the said Town of Newcastle upon Tyne; that is to say, The Street leading from Pilgrim Street Gate to the Barras Bridge, the Street leading from Newgate to the Barras Bridge aforesaid, the Street leading from Newgate to Gallow Gate Pant, the Street leading from the Close Gate to Skinner Burn, and the Street leading

ing from Sandgate to the East End of Saint Ann's Street; be it therefore enacted by the Authority aforesaid, That if at any Time or Times hereafter the major Part in Value of the Occupiers of Houses, Shops, Wharfs, Warehouses, Lofts, Cellars, Maltings, Brewhouses, or other Tenements, situate in any of the said last-mentioned Streets, shall and do, by Writing under their Hands, apply to the said Commissioners authorized by this Act, at any Meeting of the said Commissioners had in pursuance of this Act, and shall and do, by such Writing, request that the Street or Streets in which such Persons so applying are Occupiers as aforesaid may be enlightened and watched, pursuant to the Intent and Meaning of this Act, then, and in every such Case, this Act, and all and every the Clauses, Powers, Provisoes, Restrictions, Matters, and Things, herein contained, of and concerning any Matter or Thing happening, arising, or to be done within the Walls of the said Town of Newcastle upon Tyne, shall, to all Intents and Purposes whatsoever, be construed, deemed, and taken to extend to such Street and Streets respectively for and in Behalf of which such Application shall be made, as fully as if such Streets had been, at the Time of the passing this Act, situate within the Walls of the said Town of Newcastle upon Tyne.

Money raised to be distinctly applied.

Provided always nevertheless, and it is hereby further enacted and declared, That no Money to be raised by any Rate or Assessment in any One of the said Streets situate without the Walls of the said Town of Newcastle upon Tyne, shall be applied to any other of the said Streets situate within or without the Walls of the said Town of Newcastle upon Tyne.

Mayor, &c. to license Chairmen for One Year.

And, for the better regulating and governing the Chairmen of the said Town of Newcastle upon Tyne, it is hereby further enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One thousand seven hundred and sixty three, the Mayor and Aldermen of the said Town of Newcastle upon Tyne, or any Three or more of them, whereof the Mayor for the time being to be One, shall and may, and they are hereby impowered, authorized, and required, under their Hands and Seals, to license all or any Person or Persons who shall keep any Glass Chair after the said Twenty fourth Day of June, One thousand seven hundred and sixty three, to be let out to Hire within the said Town of Newcastle upon Tyne, or the Liberties or Precincts thereof; the Charge of every such Licence, to be paid or borne by every respective Chairman, not to exceed the Sum of One Shilling; and that the Number of Glass Chairs so

to

to be licensed shall not be under the Number of Ten, if so many be requested by any Person or Persons duly qualified; and the said Licences, and every of them, shall be granted to continue for and during the Term of One Year, from the Date of each respective Licence, and no longer.

No Person to let or carry a Chair for Hire without Licence;

And be it further enacted, That from and after the said Twenty fourth Day of June, One thousand seven hundred and sixty three, no Person or Persons shall presume to let or carry for Hire, by the Hour or Day, or otherwise, any Chair within the Town of Newcastle upon Tyne, or the Liberties or Precincts thereof, without such Leave or Licence first had from the said Mayor and Aldermen, or any Three or more of them, as aforesaid, according to the true Intent and Meaning of this Act, upon Pain to forfeit, for every such Offence, the Sum of Thirteen Shillings and Four Pence.

Chairs to be marked.

And be it further enacted, That every Chair shall have a Mark of Distinction, by Figure, or otherwise, as the said Mayor and Aldermen shall think fit and direct; and the said Mark shall be placed on the Back or Side of every such Chair.

Penalty for defacing the Mark.

And, for the better discovering and convicting any Chairman offending against this Act, it is hereby further enacted, That no Chairman shall carry or make use of any other Chair for Hire than what shall be so marked; and that no Person shall blot out, obliterate, alter, or deface, the Mark or Figure of Distinction, appointed by the said Mayor and Aldermen for his Chair, under the Forfeiture of Forty Shillings for every such Offence.

Mayor, &c. shall direct the Stands.

And be it further enacted by the Authority aforesaid, That from and after the said Twenty fourth Day of June, One thousand seven hundred and sixty three, all Chairmen that shall from time to time be licensed, shall keep such Stands or Places with their Chairs, as the said Mayor and Aldermen, or any Three of them, whereof the Mayor shall be One, shall, by any Writing under their Hands, order, direct, or appoint: And if any Chairman shall, after Notice, neglect or refuse to conform to such Orders or Directions as aforesaid, every Chairman so offending shall, for every such Offence, forfeit and pay the Sum of Ten Shillings, to be levied by Distress and Sale of the Goods and Chattles of the Person so offending, by Warrant of any One Justice of the Peace for the said Town, to be applied and disposed of for the Use of the Poor of the Parish or Chapelry where the Offence was committed: And if such Distress cannot be had, it shall and may be lawful to and for any Two or more Justices of the Peace for the said Town to commit the Person offending to

Gaol,

Gaol, there to remain without Bail or Mainprize, until he shall have paid such Penalty or Forfeiture as aforesaid.

And be it enacted, That such Person as the said Chairmen shall at any Time carry, may cause the said Chairmen to stop as often as he or she shall require, so as such Person do not detain such Chairmen above the Space of Ten Minutes in every Sixpenny Fare, or Twenty Minutes in every Twelvepenny Fare: And in case any Chairman shall refuse to carry any such Fare, or shall exact, demand, or take more for his Fare or Hire than the several Rates to be settled and allowed in pursuance of this Act, or shall utter any abusive Language, or offer any other Insult to the Person he so carries, such Chairman so offending, and being thereof convicted by the Oath of One or more credible Witness or Witnesses, before any One Justice of the Peace for the said Town of Newcastle upon Tyne (which Oath such Justice is hereby impowered to administer) shall, for every such Offence, forfeit and pay the Sum of Ten Shillings, to be levied and recovered in the Manner and for the Purposes herein before last mentioned. Chairmen refusing to carry any Fare, or giving abusive Language, to forfeit 10 *s.*

And be it further enacted, That in case any Chairman or Chairmen shall in any wise offend against this Act, it shall and may be lawful to and for the said Justice or Justices of the Peace, before whom Complaint shall be made, to summon the Person or Persons to whom the Licence for keeping such Chair or Chairs is granted; and in case such Person or Persons shall not forthwith produce to such Justice or Justices the Person or Persons complained of, the said Justice or Justices shall and may proceed against such Person or Persons licensed as if he or they had been the Person or Persons complained of. Their Masters answerable for their Behaviour.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the said Twenty fourth Day of June, One thousand seven hundred and sixty three, refuse or neglect to pay any Chairman or Chairmen the Money justly due to him or them for carrying in his or their Chair, or shall wilfully cut, deface, or break any such Chair, it shall and may be lawful to and for any One Justice of the Peace for the said Town, upon Complaint thereof made to him, to grant a Summons to bring before him the Person or Persons against whom such Complaint shall be made, and, upon Proof thereof made by One or more credible Witness or Witnesses upon Oath (which Oath such Justice of the Peace is hereby impowered to administer) to award reasonable Satisfaction to the Party aggrieved for his Damage and Costs; and upon Refusal to pay and make such Fares how to be recovered.

Satisfaction, to iſſue a Warrant or Warrants of Diſtreſs to levy the ſame on the Goods and Chattles of the Offender or Offenders; and for want of ſuch Diſtreſs to commit the Perſon or Perſons ſo offending to Priſon for One Month, or until Satisfaction be made.

Quarter Seſſions to ſet the Fares of Chairmen.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Juſtices of the Peace of the ſaid Town of Newcaſtle upon Tyne, and they are hereby enjoined and required at the General Quarter Seſſions of the Peace to be held for the ſaid Town and County, to aſſeſs and rate, from time to time, the ſeveral Fares to be demanded and taken by, and paid to, the Chairmen of the ſaid Town, for carrying from any Part or Parts within the Liberties of the ſaid Town to any other Part or Parts within the Liberties of the ſame Town; and ſuch Fares, ſo rated and aſſeſſed from time to time by the ſaid Juſtices, ſhall be cauſed by them to be hung up in ſome publick Place in the ſaid Town, to which all Perſons may reſort for their Information.

Proviſo.

Provided always, That nothing in this Act contained ſhall extend to oblige any Chairman to carry any Chair beyond the Barras Bridge, Gallowgate Pant, the Infirmary, the Firth Houſe, the Skinner Burn, or the Rope Walk at the End of Sandgate, or extend to hinder any Perſon from employing any Chairmen or others to carry his or her own private Sedan Chair.

Juſtices to rate the Price of Carriage of Goods.

And be it further enacted by the Authority aforeſaid, That the Juſtices of the Peace for the ſaid Town and County of Newcaſtle upon Tyne ſhall have Power and Authority, and they are hereby required at the next General Quarter Seſſions of the Peace after the ſaid Twenty fourth Day of June, One thouſand ſeven hundred and ſixty three, and afterwards at the next General Quarter Seſſions of the Peace after Eaſter in every Year, to ſet down and aſcertain the Rates, Fares, and Prices which ſhall from time to time be paid to Hackney Coachmen, Cartmen, common Porters, or Watermen, for the Carriage of any Perſon or Perſons, Goods, or other Things whatſoever, from any Part of the ſaid Town and Liberties thereof, to any other Part of the ſame; and the Rates and Prices ſo fixed, to cauſe to be hung up in ſome publick Place in the ſaid Town, to which all Perſons may reſort for their Information; and that no Hackney Coachman, Cartman, common Porter, or Waterman, ſhall take, for Carriage of Perſons, Goods, or other Things, above the Rates and Prices ſo ſet, upon pain to forfeit, for every ſuch Offence, the Sum of Ten Shillings, to be levied by Diſtreſs and Sale of the Goods and Chattles

of the Offender or Offenders, by Warrant of any One or more Justice or Justices of the Peace for the said Town of Newcastle upon Tyne.

And be it further enacted, That all Forfeitures incurred by this Act, and not herein before otherwise directed, shall be disposed of, One Moiety to the Informer, and the other Moiety to such charitable Purposes as the Justice or Justices, by whom any Conviction shall be made, shall, in his or their Discretion, think fit to direct. Forfeitures not disposed of how to be applied.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, such Action or Suit shall be commenced within Six Months next after the Fact committed, and not afterwards; and shall be laid in the Town and County of Newcastle upon Tyne, and not elsewhere; and the Defendant or Defendants, in such Actions or Suits, may either plead the General Issue, or otherwise make Avowry, Cognizance, or Justification, that the Thing or Things for which such Action or Suit shall be brought, was or were done in pursuance of this Act; and upon Issue joined, and Trial had thereupon, may give this Act, and the Special Matter, in Evidence, and that the same was done in pursuance of and by the Authority of this Act; and if it shall appear so to have been done, or that such Action or Suit shall be brought after the Time before limited, or shall be laid in any other County or Place than as aforesaid, then the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant shall have appeared; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases at Law. Limitation of Actions. General Issue. Treble Costs.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken to be, a Publick Act; and shall be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same. Publick Act.

FINIS.