ANNO DECIMO TERTIO & DECIMO QUARTO

VICTORIÆ REGINÆ.

****

Cap. xlviii.

An Act for uniting the Townships of *Snaith* and *Cowick* in the Parish of *Snaith* in the West Riding of the County of *York*, and for other Parochial or Township Purposes.

[15th *July* 1850.]

WHEREAS the Township of *Snaith* and the Township of *Cowick* are adjoining Townships in the Parish of *Snaith* in the West Riding of the County of *York*, and Parochial or Township Officers are appointed and act for each of the said Two Townships separately and respectively: And whereas there is no known Boundary between the said Two Townships, and in consequence thereof the Parochial or Township Rates have been charged and levied on the Occupiers of Lands, Tenements, and Hereditaments in the said Two Townships, not according to the Township Locality of the Lands, Tenements, and Hereditaments, but according to the Locality of the Place of Residence of such Occupiers, as such Place of Residence happened at the Time of making the Rate to be to the Eastward or in or to the Westward of the Market Town of *Snaith*, whether within or beyond the outward Boundaries of the said Two Townships, and thereby the same Lands, Tenements,

and Hereditaments are sometimes charged to the Rates for one of the said Two Townships and sometimes to the Rates for the other, through Change of the Place of Residence of the Occupier thereof, or Change of the Tenant thereof with a different Place of Residence: And whereas the Survey and Valuation of the Lands and Hereditaments in the said Two Townships according to which the Assessments to the Poor's Rates and other Parochial or Township Rates are at present made have been found imperfect, whereby the Burden of the said Rates is in many Cases unequally borne: And whereas it would be advantageous to the Inhabitants and the Owners and Occupiers of Lands and Hereditaments within the said Two Townships if the said Townships were united and constituted One Township, and if a new and correct Survey and Valuation were made of the Lands and Hereditaments within the same; but such Purposes cannot be effected without the Authority of Parliament: And whereas Twelve Townships are comprised in the said Parish of *Snaith*, and the Amount of the Church Rates annually required to be raised in the said Parish hath been accustomed to be ascertained and settled at a General Meeting of the Churchwardens of such Townships, and each Township hath a settled known Proportion of such Church Rates to contribute and pay, and the respective Proportions payable by the said Two separate Townships of *Snaith* and *Cowick* are alike, and the Collection of the last-mentioned respective Proportions, when the said Two Townships shall be united, might be more conveniently effected if Provision were made for authorizing the Churchwardens of the united Township to collect the said Two Proportions of the Church Rates as One united Proportion thereof payable by the Inhabitants of the united Township, without disturbing the Amount of the Church Rates for the said Parish, or any existing Rights, Law, Custom, or Practice of ascertaining and determining the Amount thereof or the Proportions thereof to be raised in each or either of the said Twelve Townships or in the said Parish: And whereas the said Two separate Townships of *Snaith* and *Cowick* have each of them Two Churchwardens, Two Overseers of the Poor, One Poor Law Guardian, and Two Surveyors of their respective Highways, and also separately have Constables and other Parochial or Township Officers, and One of the Two Churchwardens for the Township of *Snaith* hath always been appointed by the Vicar or Incumbent for the Time being of the said Parish of *Snaith*: And whereas the Church of the said Parish of *Snaith* is common for the Use of the Inhabitants of both the said Townships of *Snaith* and *Cowick*, and the Reverend *Robert James Serjeantson* is now the Vicar or Incumbent thereof, and the same is within the Diocese of his Grace the Lord Archbishop of *York*: And whereas the Right Honourable *William Henry* Lord Viscount *Downe* is Lessee under Her Majesty in right of Her Duchy of *Lancaster* of the Manor of *Cowick and Snaith* or *Cowick-cum-Snaith*, and of certain

Lands and Hereditaments, also the Property of Her said Majesty in right of Her said Duchy, in the aforesaid Townships of *Snaith* and *Cowick*, for a Term of Years yet unexpired: And whereas the Queen's most Excellent Majesty in right of Her Duchy of *Lancaster* is Lady of the Manor of *Cowick* and *Snaith* or *Cowick-cum-Snaith* in the Parish of *Snaith*, and also Owner of certain Lands within the aforesaid Townships of *Snaith and Cowick* or one of them: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act the aforesaid Townships of *Snaith* and *Cowick* shall cease respectively to be or to be deemed to be a Township, and shall be and are hereby united and constituted One Township, by the Name of "The Township of *Snaith and Cowick*," the Boundary thereof being as follows, that is to say, on the North or Northwardly by the River *Aire* and partly by the Township of *Rawcliffe*, on the East or Eastwardly by the Townships of *Rawcliffe* and *Goole*, on the South or Southwardly by the Townships of *Thorne*, *Rawcliffe*, and *Sykehouse*, and on the West or Westwardly by the Townships of *Pollington* and *Gowdall*, which Townships (except the Township of *Thorne* in the Parish of *Thorne* in the West Riding of the County of *York*, and the Township of *Sykehouse* in the Parish of *Fishlake* in the West Riding of the County of *York*), as well as the hereby constituted Township, are in the Parish of *Snaith* in the West Riding of the County of *York*.

After passing of this Act Townships of Snaith and Cowick to be united.

II. And be it enacted, That all the several Laws and Statutes relating to or concerning the Relief, Maintenance, Employment, Settlement, and Management of the Poor, or the Maintenance or Repair of the Highways, and every other general Law applicable to Townships in *England*, shall be applicable to the said united Township by the said Name of "The Township of *Snaith and Cowick*," and shall from and after the passing of this Act be executed and enforced therein accordingly.

Extending all Poor and other general Laws and Statutes to the new Township.

III. Provided always, and be it enacted, That the passing of this Act, or the Union of the said Two Townships of *Snaith* and *Cowick*, shall not extend or be construed to annul, defeat, abridge, or prejudice the Right of the Vicar or Incumbent for the Time being of the said Parish of *Snaith* to appoint One Churchwarden for the Township of *Snaith* as heretofore, as aforesaid.

Union not to disturb the Rights of the Incumbent of the Church.

IV. Provided also, and be it enacted, That the passing of this Act, or anything in this Act contained declaring that *Snaith* and *Cowick*

Union not to affect the Church Rate.

Cowick respectively shall cease to be Townships, shall not extend or be construed to invalidate or affect any Church Rate made or to be made for the said Parish of *Snaith* at any General Meeting of the Churchwardens of the several Townships within the said Parish, or to alter or affect the respective Proportions of any such Church Rate apportioned or ordered by any such General Meeting to be contributed or raised by or in each or any of the Townships in the said Parish, or to release or discharge such Townships, or any or either of them, from the Contribution or Payment of such their respective Proportions.

Union not to discharge Officers and Rate-payers of the separate Townships from their Liabilities, &c.

V. Provided also, and be it enacted, That the passing of this Act, or anything in this Act contained, shall not extend or be construed to release or discharge any Person holding at the Time of or before the passing of this Act the Office of Churchwarden, Overseer of the Poor, Surveyor of Highways, or any other Parochial or Township Office or Employment in the separate Township of *Snaith*, or in the separate Township of *Cowick*, from all, any, or either of the Liabilities to which any such Person was then subject by Law, nor to release or discharge any Person assessed before the passing of this Act to any Parochial or Township Rate in either of the said separate Townships from the Payment of any such Rate or Assessment, or from the Payment of any Arrears of any such Rate or Assessment, but that all and every such several and respective Churchwardens, Overseers of the Poor, Surveyors of Highways, and other Officers and Persons, shall continue to be and shall be accountable for all Monies by them respectively received before the passing of this Act, in respect of all, every, and any such respective Rates and Assessments, and shall continue and be subject to all other Liabilities of such Officers or Persons as if they had been respectively appointed to such Offices or Employments respectively after the passing of this Act, in the said united Township, and as if such Rates or Assessments respectively had been made after the passing of this Act for the said united Township; and all such Persons assessed before the passing of this Act to any Parochial or Township Rate in either of said separate Townships shall continue and be liable to the Payment of each and every such Rate and Assessment made before the passing of this Act, or so much of the same respectively as shall not have been paid or collected at the Time of the passing of this Act, and of all Arrears of such Rates respectively, as if such Rates or Assessments had respectively been made after the passing of this Act, for the Purposes of the said united Township.

Rates to continue valid, and to be collected, &c.

VI. And be it enacted, That all Parochial or Township Rates and Assessments made before the passing of this Act for the Purposes of or within the said separate Townships of *Snaith* and *Cowick*, or either of

of them, shall continue and be as valid in Law as if the same respectively had been made or assessed after the passing of this Act for the said united Township; and it shall be lawful for the Persons acting after the passing of this Act as Churchwardens, Overseers of the Poor, Surveyors of the Highways, or as any other Parochial or Township Officer in the said united Township, to collect and levy all Parochial or Township Rates or Assessments made before the passing of this Act within the said separate Townships of *Snaith* and *Cowick*, or either of them, and all Arrears of any such Rates or Assessments, as if such Rates and Assessments had been made after the passing of this Act for the Purposes of the said united Township, and in like Manner as any Parochial or Township Rates or Assessments made or assessed within the said united Township after the passing of this Act, or any Arrears thereof, may by Law be collected or levied; and all Monies collected, levied, or received before the passing of this Act in respect of any such Parochial or Township Rates in such separate Townships shall be respectively applicable for the like Purposes in the said united Township.

As to the holding of Vestry Meetings.

VII. And be it enacted, That it shall be lawful for the Householders, or Occupiers of Lands, Tenements, or Hereditaments, or Rate-payers, within the said united Township, to hold Vestry Meetings within the said united Township, or other Meetings authorized by Law, relating to the Relief or Maintenance of the Poor, or the Repair of the Highways, or other general Parochial or Township Concerns or Purposes; provided that all such Meetings be called and held in the Manner prescribed by Law for calling and holding Parochial or Township Meetings for such Purposes respectively.

As to the Number of Parochial or Township Officers.

VIII. And be it enacted, That the Number of Parochial or Township Officers hereafter to be elected, nominated, or appointed for the Purposes of the said united Township shall or may be as follows, that is to say, Four or more Churchwardens, Two or more Overseers of the Poor, Two or more Surveyors of the Highways, and such lawful Number of Constables and other Parochial or Township Officers or Assistants as shall be required for the Purposes of the said united Township, and such Guardian or Guardians of the Poor as the Poor Law Board shall by their Order direct.

The Churchwarden appointed by the Vicar to act as One of the Churchwardens.

IX. Provided always, and be it enacted, That it shall be lawful for any Churchwarden appointed or to be appointed as aforesaid by the Vicar or Incumbent for the Time being of the said Parish of *Snaith* to act and officiate as One of the Four or more Churchwardens for the said united Township.

The present Officers to continue in the like

X. And be it enacted, That the several and respective Persons who at the Time of the passing of this Act are holding the Offices of Churchwardens

Office for the united Township until others are appointed.

Churchwardens of the aforesaid separate Townships of *Snaith* and *Cowick* respectively, or the Offices of Overseers of the Poor of the said separate Townships respectively, or the Offices of Guardians of the Poor of the said separate Townships respectively, or the Offices of Surveyors of the Highways in the said separate Townships respectively, or the Offices of Constables or other Parochial or Township Office or Employment in the said separate Townships respectively, shall after the passing of this Act hold the like Offices and Employments in the said united Township, and be (according to their several and respective official Capacities aforesaid) the Churchwardens, Overseers of the Poor, Guardians, Surveyors of Highways, and Constables, or other Parochial or Township Officers, of, for, and in the said united Township, and shall be deemed to have been lawfully appointed to such Offices or Employments respectively, and may lawfully hold and execute such Offices respectively in the said united Township until the respective Times for which they respectively were before the passing of this Act appointed to hold such their several and respective Offices or Employments shall expire, or until others shall be elected, nominated, or appointed in their Stead, according to Law, for the said united Township; and all such Persons now holding such Offices or Employments as aforesaid respectively shall be subject to Removal, and to all Regulations, Liabilities, and Provisions mentioned, imposed, or contained in or by any Law or Statute in force concerning Persons appointed to or holding any or either of such Offices or Employments respectively in any Township, Parish, or Place in *England*.

Power to appoint an Assistant Overseer, with a Salary, to be paid out of the Poor's Rate.

XI. And be it enacted, That it shall be lawful for the Householders, or Occupiers of Lands, Tenements, or Hereditaments in the said united Township, assessed to and paying the Poor's Rates of the said united Township, in Vestry assembled, from Time to Time to elect and appoint or nominate some competent Person to be Assistant Overseer of the Poor of the said united Township, and to allow to such Assistant Overseer such Salary or other Remuneration for his Services, to be paid out of the Poor's Rate of the said united Township, as they shall think proper, from Time to Time, and from Time to Time to remove such Person from such Office of Assistant Overseer, and to appoint some other Person thereto in the Stead of the Person so removed; and such Appointments to such Office of Assistant Overseer may be made for the Term of One Year or other Term of Service, and shall be subject (consistently with the Provisions of this Act) to the Regulations by Law required for the Nomination and Appointment of Overseers of the Poor; and every Person who shall be appointed to and hold the said Office of Assistant Overseer in pursuance of this Act shall be and is hereby invested with all the same Powers and Authorities as are by Law vested in Overseers of the

the Poor, and shall be and is hereby authorized and required to execute and perform the like Duties, and shall be subject in all respects to the same Laws, Regulations, Liabilities, and to the Pains and Penalties for Neglect or Default, or for the Nonperformance of any Duties incumbent on Overseers of the Poor, and to Removal from Office, as Overseers or Assistant Overseers of the Poor of any Township, Parish, or Place in *England* are or shall be subject to by Law.

Assistant Overseer to give Security.

XII. Provided always, and be it enacted, That before any Person shall enter upon the aforesaid Office of Assistant Overseer the Overseers of the Poor for the Time being of the said united Township, or any Justice of the Peace, shall take sufficient Security from such Person for the faithful Execution of his Office.

Power to appoint an Assistant Surveyor of Highways.

XIII. And be it enacted, That it shall be lawful for the Householders, or Occupiers of Lands, Tenements, or Hereditaments in the said united Township, assessed to and paying the Highway Rates or Assessments of the said united Township, in Vestry assembled, from Time to Time to elect and appoint or nominate some competent Person to be Assistant Surveyor of the Highways in the said united Township, and to allow to such Assistant Surveyor such Salary or other Remuneration for his Services, to be paid out of the Highway Rates of the said united Township, as they shall think proper from Time to Time, and from Time to Time to remove such Person from such Office, and to appoint some other Person thereto in the Stead of the Person so removed; and such Appointments to the Office of Assistant Surveyor of the Highways may be made for the Term of One Year or other Term of Service, and shall be subject (consistently with the Provisions of this Act) to the Regulations by Law required for the Nomination and Appointment of Surveyors of Highways; and every Person who shall be appointed to and hold the said Office of Assistant Surveyor of Highways, in pursuance of this Act, shall be and is hereby invested with all the same Powers and Authorities as are by Law vested in Surveyors of Highways in *England*, and shall be and is hereby authorized and required to perform and execute the Duties of Surveyor of Highways in the said united Township, and shall be subject in all respects to the same Laws, Regulations, Liabilities, and Pains and Penalties, and to Removal from Office, as Surveyors of the Highways in any Township, Parish, or Place in *England* are subject to by Law: Provided always, that before any Person shall enter upon the aforesaid Office of Assistant Surveyor of Highways the Surveyors of Highways for the Time being of the said united Township, or any Justice of the Peace, shall take sufficient Security from such Person for the faithful Execution of his Office.

XIV. And

Rates to be assessed on the existing Valuation until new Survey, &c.

XIV. And be it enacted, That all Parochial or Township Rates which shall be made for the Purposes of the said united Township after the passing of this Act shall be made and assessed on the Rate-payers of the said united Township according to the Valuation of the Lands, Tenements, or Hereditaments therein accustomed to be used for the Purposes of the aforesaid separate Townships previously to the passing of this Act, until the new Survey and Valuation herein-after authorized to be made shall be made and completed, as herein-after mentioned, and no longer.

Provision for the Collection of the Two Proportions of the Church Rate.

XV. And be it enacted, That the Two Proportions of the Church Rate for the said Parish of *Snaith* made or to be made at the General Meeting of the Churchwardens of the several Townships in the said Parish, as herein-before mentioned, charged or chargeable on the aforesaid Townships of *Snaith* and *Cowick* separately, and raised by an Assessment in each Township separately, before the passing of this Act, shall henceforth be raised by the Churchwardens of the said united Township, as One united Proportion of such Church Rate, by a Rate or Assessment to be by them made on the Householders, or Occupiers of Lands, Tenements, or Hereditaments within the said united Township, liable by Law to be rated for the same, and such Rate or Assessment shall be by them collected, levied, and recovered and applied as the Church Rates of the said Parish of *Snaith* are or shall be by Law directed, required, or authorized to be collected, levied, and recovered and applied.

As to the Expenses of erecting and maintaining the Union Poorhouse.

XVI. And be it enacted, That the Two respective Proportions of the Expenses of providing, erecting, and establishing the District Union Poorhouse situate at or near *Goole* in the said Parish of *Snaith*, incurred before the passing of this Act, or so much thereof as at the Time of the passing of this Act remains unpaid, or chargeable on the Poor's Rates raised in the respective separate Townships of *Snaith* and *Cowick*, shall henceforth be and the same are hereby declared to be jointly charged upon the Poor's Rates of the same united Township; and the Two Proportions of the Expenses of repairing and maintaining the said Union Poorhouse, and of Establishment Charges, Salaries, and Payments connected therewith or relating thereto, which before the passing of this Act were chargeable on the Poor's Rates of the said Two Townships separately, shall henceforth be and the same are hereby united and made One joint Charge on the Poor's Rates of the said united Township, and all such respective Expenses aforesaid shall be paid out of the Poor's Rates to be raised in the said united Township accordingly.

XVII. And

Power to Auditors to pass Payments made out of Rates, &c.

XVII. And be it enacted, That every Auditor of Accounts relating to Poor's Rates or other Rates out of which any Monies are by this Act made payable shall be and he is hereby authorized and directed to pass or allow in such Accounts all such Payments made out of such Rates consistently with the Directions or Provisions of this Act.

Paupers removeable into either separate Township, to be removeable into the united Township.

XVIII. And be it enacted, That after the passing of this Act the said united Township shall be deemed to be the legal Place of Settlement of any Pauper whose legal Place of Settlement at the Time of the passing of this Act shall be in either of the said separate Townships of *Snaith* or *Cowick*, and any such Pauper who shall be or become chargeable to any other Township, Parish, or Place from whence he would have been removeable by Law into either of the said separate Townships of *Snaith* or *Cowick* if this Act had not been passed shall be removeable in like Manner into the said united Township, and that the Residence of any Person in either of the said separate Townships of *Snaith* or *Cowick* previously to the passing of this Act shall after the passing hereof be deemed to have been a Residence in the said united Township.

Short Title.

XIX. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression, "The *Snaith and Cowick* Township Act, 1850."

Limits of the Act.

XX. And be it enacted, That for the Purposes herein-after mentioned the Limits of this Act shall be co-extensive with the Boundary of the said united Township herein-before described.

Appointment of Commissioners.

XXI. And be it enacted, That the Vicar or Incumbent for the Time being of the said Parish of *Snaith*, *Daniel Seaton* of *York*, *Francis Carr* of *York*, *William Cook* of *Cowick*, *James Hanks* of *Snaith*, *Thomas Perkins* of *Snaith*, *Henry Eadon* of *Snaith*, and *Benjamin Graves* of *Cowick*, shall be Commissioners for carrying this Act, so far as relates to the Purposes herein-after mentioned, into execution, and such Commissioners shall be called "The *Snaith and Cowick* Township Commissioners."

Appointment of Successors in case of Death, &c.

XXII. And be it enacted, That in case any Commissioner herein-before named, or any Commissioner to be appointed as herein-after mentioned, shall die or resign, or refuse to act, or become incapable of acting as such Commissioner, it shall be lawful for the surviving or remaining Commissioners, at any Meeting to be called for the Purpose, to appoint some other Person, being an Owner or Occupier of Lands, Tenements, or Hereditaments in the said united Township, to be a Commissioner in the Place or Stead of any Commissioner so dying, resigning, refusing, or becoming incapable to act as aforesaid: Provided always,

always, that in case at any Time the Number of Commissioners by reason of any such Vacancies shall happen to be reduced to Five, it shall thereupon be imperative upon the remaining Commissioners to supply all such Vacancies before they shall be authorized to proceed further in the Execution of any of the Purposes of this Act, except for the Purposes of supplying such Vacancies.

Commissioners to make a Declaration before acting.

XXIII. And be it enacted, That no Person, except the Vicar or Incumbent for the Time being of the said Parish, shall be capable of acting as a Commissioner, except in administering the Declaration herein-after mentioned, until he shall have made and signed before One of the Commissioners a Declaration to the Effect following:

'I *A. B.* do solemnly declare, That I will faithfully and impartially, according to the best of my Skill and Judgment, execute all the Powers and Authorities reposed in me as a Commissioner by virtue of "The Snaith and Cowick Township Act, 1850."'

Declaration to be made at First Meeting.

XXIV. And be it enacted, That every Person appointed a Commissioner shall at the Meeting of Commissioners at which he first attends as a Commissioner make and subscribe the Declaration herein required; and any Commissioner, whether he himself have made such Declaration or not, may administer such Declaration.

Commissioners neglecting to make Declaration or attend Meetings shall cease to be Commissioners.

XXV. And be it enacted, That every Commissioner who for the Space of Six Months after his Appointment neglects to make and subscribe the Declaration herein-before required, or who for Six Months in succession is absent from all Meetings of the Commissioners acting in the Execution of this Act, shall be deemed to have refused to act and shall cease to be a Commissioner.

Commissioners holding Office of Profit, &c. under this Act shall cease to be Commissioners.

XXVI. And be it enacted, That if any Person herein-before appointed One of the Commissioners for executing this Act, or any Person to be appointed in the Place or Stead of any Commissioner dying, resigning, refusing, or becoming incapable to act, as aforesaid, shall accept or continue to hold any Office or Place of Profit under this Act, or be concerned or participate in any Manner in any Contract, or in the Profit thereof, or of any Work to be done under the Authority of this Act, such Person shall thenceforth cease to be a Commissioner, and his Office shall thereupon become vacant.

Commissioners may act as Justices.

XXVII. And be it enacted, That a Person shall not be incapable of acting as a Justice of the Peace in the Execution of this Act with reference to the levying of any Penalty thereunder by reason of his being a Commissioner.

XXVIII. And

Penalty on acting as Commissioner before making the Declaration, or being incapacitated to act, &c.

XXVIII. And be it enacted, That every Person who shall act as a Commissioner before he has made or subscribed such Declaration as aforesaid, or being incapacitated to act, shall be liable to a Penalty of Fifty Pounds for such Offence; and such Penalty may be recovered by any Person, with full Costs of Suit, in any of the Superior Courts; and in every such Action the Person sued shall prove that at the Time of so acting he had made and subscribed the Declaration aforesaid, or was qualified to act as a Commissioner, or he shall pay the said Penalty and Costs, without any other Evidence being required from the Plaintiff than that such Person had acted as Commissioner in the Execution of this Act; nevertheless all Acts as a Commissioner of any Person not having made or subscribed the Declaration aforesaid, or being otherwise incapacitated to act, done previous to the Recovery of the Penalty, shall be as valid as if such Person had been duly qualified.

Certain Provisions of 10&11 Vict. c. 16. incorporated with this Act.

XXIX. And be it enacted, That the several Clauses and Provisions of "The Commissioners Clauses Act, 1847," with respect to the following Matters, (that is to say,)

With respect to the Meetings and other Proceedings of the Commissioners, and their Liabilities;

With respect to the Liabilities of the Commissioners, and to legal Proceedings by or against the Commissioners;

With respect to the Appointment and Accountability of the Officers of the Commissioners;

With respect to the Mortgages to be executed by the Commissioners;

With respect to the Accounts to be kept by the Commissioners; and

With respect to giving Notices and Orders,

Shall be incorporated with this Act, save so far as any of such Clauses are expressly varied or excepted by this Act, and shall be construed as if such Clauses, so varied or excepted, were set forth in this Act.

First and other General Meetings

XXX. And be it enacted, That the Commissioners for executing this Act shall hold their First Meeting at the *Downe Arms* Inn in the Town of *Snaith*, or at some other convenient Place within the Limits of this Act, on the Third *Wednesday* next after the passing of this Act, or on some subsequent *Wednesday*, at the Hour of Ten in the Forenoon, and proceed to put this Act into execution; and all subsequent Meetings of the Commissioners shall be held at the *Downe Arms* Inn aforesaid, or at some convenient Place within the Limits of this Act.

Quorum of Commissioners.

XXXI. And be it enacted, That all Powers vested in the Commissioners under this Act may be exercised by any Three or more of them.

XXXII. And

Power to borrow on Mortgage of the Rates.

XXXII. And be it enacted, That for the Purposes of this Act it shall be lawful for the Commissioners from Time to Time to borrow any Sum or Sums of Money not exceeding in the whole the Sum of One thousand Pounds, at Interest, on the Credit of the Rates or Assessments by this Act granted jointly, or partly on the Credit of the Rates chargeable as herein-after mentioned on the Owners of Property, and partly on the Credit of the Rates chargeable as herein-after mentioned on the Occupiers of Property, so that such Sums of Money shall not exceed in the whole the Sum of One thousand Pounds, and in the event of any Part of such Monies respectively being repaid by the Commissioners, to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing on the Security of this Act any more in the whole than the Sum of One thousand Pounds at any One Time; and for securing the Repayment of the Monies so respectively borrowed, with Interest, the Commissioners may mortgage the said Rates jointly or severally, or any Part thereof respectively, to the Person who shall advance or lend such Monies respectively, or his Trustee, as a Security for the Payment of the Monies respectively so borrowed, together with Interest for the same; and it shall be lawful for any Three of the Commissioners to execute any Mortgages or Assignments on Security of the Rates under this Act, and every such Mortgage or Security executed by any Three or more of the Commissioners shall be valid in Law.

Three Commissioners may execute Mortgages.

Application of Monies to be borrowed.

XXXIII. And be it enacted, That the Money which shall be raised on the Credit of this Act shall be applied, in the first place, in Payment of the Expenses of and preliminary to the Application for and passing this Act, and next in the Payment of the Expenses of making the new Survey and Valuation of the Lands, Tenements, and Hereditaments in the said united Township, and in carrying into execution the Purposes of this Act by the Commissioners.

Appointment of Officer for making a new Survey and Valuation of Lands, &c. in the Township for rating Purposes.

XXXIV. And in order that all public Rates to be made within the Limits of this Act, as well the Rates for the Relief and Maintenance of the Poor, Repair of Highways, Church Rates, and other Parochial or Township Rates, as the Rates by this Act authorized to be made by the Commissioners under the Powers or Provisions of this Act, may be more equally charged, assessed, and borne than the public Rates at present are, be it enacted, That the Commissioners shall and they are hereby required to make or cause to be made a new and correct Survey and Valuation of all the Lands, Tenements, and Hereditaments in the said united Township; and for such Purpose it shall be lawful for the Commissioners, by Writing under the Hands of any Three or more of them, to appoint some competent Person to be Surveyor, and some competent Person to be Valuer, or some competent Person to be Surveyor and Valuer, (subject to the Provision herein-

herein-after contained,) of all Lands, Tenements, and Hereditaments within the Limits of this Act, to continue in Office respectively during the Pleasure of the Commissioners, and on every Vacancy in any such Office of Surveyor, Valuer, or Surveyor and Valuer, to appoint in like Manner some competent Person to execute the Office so becoming vacant from Time to Time, as often as there shall be Occasion.

Surveying and valuing Officers to make a Declaration.

XXXV. Provided always, and be it enacted, That no Person shall act as such Surveyor or Valuer, or Surveyor and Valuer, until he shall have made and subscribed a Declaration in the Words or to the Effect following:

'I *A.B.* do solemnly declare, That I will faithfully, impartially, and 'honestly, according to the best of my Skill and Ability, execute 'and perform the several Duties incumbent on me as Surveyor [*or* 'Valuer, *or* Surveyor and Valuer (*as the Case may be*)] of the several 'Lands, Tenements, and Hereditaments in the Township of Snaith 'and Cowick, for the Purposes of "The Snaith and Cowick Town-'ship Act, 1850," and that I will make such Survey [*or* Valuation, '*or* Survey and Valuation (*as the Case may be*)] according to Equity 'and good Conscience, and without Favour or Affection, or Pre-'judice or Malice, to any Person whomsoever; and that I am not 'interested in any Lands, Tenements, or Hereditaments in the said 'Township, nor Agent for any Person so interested.'

Which Declaration it shall be lawful for any Commissioner for the Time being, or any Justice of the Peace, to administer and receive; and the said Declaration so made and subscribed by such Surveyor and Valuer respectively, or by such Surveyor and Valuer, shall be annexed to and deposited with the Report of such Officers or Officer and other Documents herein-after required to be deposited at the Public Registry Office at *Wakefield*.

Penalty on making false Declaration.

XXXVI. And be it enacted, That if any Person shall falsely or corruptly make and subscribe such Declaration, knowing the same to be untrue in any material Particular, he shall be guilty of a Misdemeanor.

No Party interested to be appointed or continue in Office after becoming interested.

XXXVII. And be it enacted, That no Person shall be appointed or shall act as a Surveyor or Valuer in execution of this Act who shall be interested in the Lands, Tenements, or Hereditaments to be surveyed or valued, or who shall be the Agent ordinarily intrusted with the Care, Superintendence, or Management of the Estate of any Person so interested; and if any Person, after being appointed to such Office, shall become interested in any of such Lands, Tenements, or Hereditaments, or shall become Agent as aforesaid for any Person so interested, his Office shall thereupon become vacant.

Allowance to Officers making the Survey and Valuation.

XXXVIII. And be it enacted, That it shall be lawful for the Commissioners to pay to the Persons or Person for the Time being executing the Office of Surveyor and Valuer, out of the Rate by this Act authorized to be raised for paying the Expenses of the Survey and Valuation, a Sum not exceeding One Shilling and Sixpence *per* Acre for surveying, measuring, mapping, planning, and valuing the Lands, Grounds, Tenements, and Hereditaments required to be surveyed, measured, and valued under the Provisions of this Act, and for making such Schedules or Books of Reference or other Documents as may be required by the Commissioners for effecting the Purposes of this Act with regard to such new Survey and Valuation, and the said Sum of One Shilling and Sixpence *per* Acre shall be apportioned between the Surveyor and Valuer in such Manner as the Commissioners shall think proper, and the said Sum of One Shilling and Sixpence *per* Acre apportioned as aforesaid between the Surveyor and Valuer, or paid to One Person as Surveyor and Valuer, as the Case may be, shall be in full Satisfaction for the Time and Trouble of the Persons or Person executing the Offices or Office of Surveyor and Valuer, and for all travelling and other Expenses of every Description to be incurred by them or him whilst engaged in the Duties of surveying and valuing under this Act.

Surveyor and Valuer, when appointed, to make a correct Survey and Valuation of Lands, &c. in united Township.

XXXIX. And be it enacted, That after the Persons or Person to be appointed Surveyor and Valuer as aforesaid shall have received an Appointment to such Offices or Office, signed by Three or more of the Commissioners, and shall have made and signed such Declaration as aforesaid, they or he shall proceed, under the Orders and Directions of the Commissioners, to make a true and correct Survey, Admeasurement, and Valuation of all Lands, Grounds, Tenements, and Hereditaments within the said united Township, and shall prepare, make, and complete a Map or Plan of the said united Township, of such Size or on such Scale as the Commissioners shall consider expedient, whereon shall be fairly and distinctly delineated and expressed the Boundary Fences of the several Lands and Tenements, and the Lines of all public and private Roads, Paths, and Drains therein, and also a Schedule or Book of Reference describing and setting forth the Quantities and Valuation of all such Lands, Grounds, Tenements, and Hereditaments, and such other Matters and Things as the Commissioners shall think fit, and also such other Maps, Plans, Schedules, and Particulars as the Commissioners shall direct or require to be made; and when such Survey and Valuation and other Proceedings aforesaid shall be completed, according to the Directions and Orders of the Commissioners, the Surveyor and the Valuer shall draw up their several Reports, or One joint Report, if the Commissioners shall think proper and so direct, or in case One Person shall be appointed to execute both Offices of Surveyor and Valuer, he shall draw

draw up his Report; and such Officers or Officer, as the Case may be, shall annex to such Reports or Report the Maps, Plans, Schedules, and other Documents which they or he shall, under the Authority of their or his Appointment, have made and completed, and to which such Reports or Report shall relate and refer, and shall sign such Reports or Report, and also the Maps, Plans, Schedules, and Documents thereto annexed, and shall deliver the Reports or Report and Documents aforesaid to the Commissioners, or their Clerk, for the Purposes of this Act.

Power to use and adopt existing Survey, &c., instead of making a new Survey, &c.

XL. Provided always, and be it enacted, That it shall be lawful for the Commissioners, and for the Surveyor to be appointed as aforesaid, to use and adopt the Plan and Survey made and used in effecting the Commutation of Tithes in the said Townships of *Snaith* and *Cowick*, or in either of the said Townships, or to adopt and make use of any other Survey, Admeasurement, or Plan already made of the Lands, Grounds, Tenements, and Hereditaments within the said Townships or either of them, or of any Part of such Townships respectively, without making or causing to be made a new Survey, Admeasurement, or Plan for the Purposes of this Act, herein-before mentioned.

Reports, &c. as to Survey and Valuation to be deposited at the Public Registry Office at Wakefield, and be open to Inspection.

XLI. And be it enacted, That as soon as conveniently may be after the said Survey and Valuation, Maps, Plans, and Schedules, and other Documents, shall have been completed and signed by the Surveyor and Valuer, and delivered to the Commissioners as aforesaid, the Commissioners shall at the Foot of such Reports or Report, or on a separate Parchment to be annexed thereto, certify their Approval thereof and of the several Documents annexed to such Reports or Report, and which shall be particularly mentioned or specified in such Certificate, and the Commissioners, or any Three or more of them, shall sign such Certificate and also the Documents required to be signed by such Officers or Officer as aforesaid; and the Completion of such Survey and Valuation, and the signing of the Reports or Report, and Documents, by the Surveyor and Valuer, and the signing of the Certificate and Documents aforesaid by the Commissioners, shall be proclaimed upon the next or some subsequent *Sunday*, by affixing a Proclamation on or near the outer Door of the Church of the said Parish of *Snaith* previously to Divine Service, from the Time of which Proclamation only, and not before, such new Survey and Valuation shall be considered as complete; and within Three Months after the Day of making such Proclamation the Commissioners shall cause the said Reports or Report and Certificate, and the said several Documents, and the before-mentioned Declaration of the Surveyor and Valuer, to be delivered to the Public Registrar at the Public Registry Office for the West Riding of the County of *York* at *Wakefield*, who is hereby required to deposit and keep the same among the Records

of

of the said Office, so that recourse may be had thereto by any Person interested in the Premises, for the Reception whereof the Fee of Two Pounds and Two Shillings, and no more, shall be paid, and for the Inspection and Perusal whereof One Shilling, and no more, shall be paid.

Copy of Reports, &c. to be deposited in the Parish Church.

XLII. And be it enacted, That a Copy of the said Reports or Report and Schedules, and Certificate, fairly transcribed in a Book on plain or unstamped Paper or Parchment, with a correct Copy of the aforesaid Map or Plan of the united Township, on the same or on such reduced Scale as the Commissioners shall think proper to direct to be made, shall within the Time aforesaid be deposited in the Parish Church of *Snaith* aforesaid, and there kept in a Box to be provided for that Purpose by the Commissioners.

Deposited Documents to be admitted as Evidence.

XLIII. And be it enacted, That the said several Documents so deposited at the said Public Registry Office at *Wakefield*, and the said Copies thereof so deposited in the Parish Church of *Snaith*, and any other Copy of the same or of any Part thereof, attested by the aforesaid Public Registrar for the Time being, or his Deputy, (for every Sheet of which containing One hundred Words Sixpence, and no more, shall be paid,) shall thereafter be admitted as legal Evidence of the Matters and Things therein contained in all Courts whatsoever.

On Completion of Valuation and Deposit of Documents, Notice to be published in the London Gazette.

XLIV. And be it enacted, That as soon as conveniently may be after the Deposit of the Documents aforesaid at the Public Registry Office at *Wakefield*, as herein-before required, the Commissioners shall cause Notice to be published in the *London Gazette*, specifying that the Commissioners acting under this Act have completed or caused to be completed a new Survey and Valuation of the Lands, Tenements, and Hereditaments within the Township of *Snaith and Cowick* in the Parish of *Snaith* in the West Riding of the County of *York*, and that Maps or Plans and Schedules and other Documents (as the Case may be) relative thereto have been deposited at the Public Registry Office at *Wakefield* in the said West Riding, pursuant to the Powers and Provisions of this Act.

All future Rates to be assessed upon the new Valuation.

XLV. And be it enacted, That all public Rates to be made within the Limits of this Act, as well the Rates for the Relief and Maintenance of the Poor, Repairs of the Highways, Church Rates, and other Parochial or Township Rates, as the Rates authorized to be made by the Commissioners under the Powers and Provisions of this Act, which shall be made, charged, or assessed after the Day of the Publication of the Notice last herein-before mentioned in the *London Gazette*, shall be made, charged, and assessed according to the Survey

and Valuation made as aforesaid under the Powers and Provisions of this Act, any ancient Usage, Practice, or Custom to the contrary notwithstanding.

Certain Provisions of 10 & 11 Vict. c. 34. incorporated with this Act.

XLVI. And be it enacted, That the several Clauses and Provisions of "The Towns Improvement Clauses Act, 1847," with respect to the following Matters, (that is to say,)

With respect to the Manner of making Rates;

With respect to Appeal to be made against any Rate;

With respect to the Recovery of Rates;

With respect to the Recovery of Penalties; and

With respect to affording Access to this Act,

Shall be incorporated with this Act, save so far as any of such Clauses are expressly varied or excepted by this Act, and shall be construed as if such Clauses so varied or excepted were set forth in this Act.

Power to levy Rates.

XLVII. And in order to raise Monies for paying the Expenses of and preliminary to the Application for and passing of this Act, and for paying the Expenses of making the new Survey and Valuation of the Lands, Tenements, and Hereditaments within the said united Township, and for carrying the Purposes of this Act relating thereto into execution, be it enacted, That it shall be lawful for the Commissioners, once in every Year, to be computed from the Day of the passing of this Act, or oftener if they shall think it necessary, to make One or more equal Rate or Rates, Assessment or Assessments, for Payment of the said first-mentioned Expenses, upon the Owners of all Lands, Tenements, or Hereditaments, including Lands used as Arable, Meadow, or Pasture, Woodlands, Market Gardens, and Nursery Grounds, within the Limits of this Act, (except only the Small Tithe Commutation Rent-charge of One hundred and sixty-five Pounds Thirteen Shillings and Three-pence belonging to the Vicar or Incumbent for the Time being of the said Parish of *Snaith*, which shall not be rated under this Act,) not exceeding in the whole in any One Year the Sum of One Shilling in the Pound of the annual Value of such Lands, Tenements, and Hereditaments, such Value to be estimated or computed upon the new Survey and Valuation to be made as herein-before directed, and also to make One or more equal Rate or Rates, Assessment or Assessments, for Payment of the said secondly and lastly mentioned Expenses, upon the Occupiers of all Property within the Limits of this Act now rated or hereafter to be rated to the Relief of the Poor, not exceeding in the whole in any One Year the Sum of One Shilling in the Pound of the annual Value of the same, such Value to be also estimated or computed upon the said new Survey or Valuation; and all such Rates respectively shall be signed by the Commissioners, or by any Three or more of the Commissioners;

sioners; and every such Rate signed by any Three or more of the Commissioners shall be valid in Law.

Rates to be vested in the Commissioners.

XLVIII. And be it enacted, That the several Rates made under this Act shall be vested in the Commissioners, and shall be payable, at such Times as they shall direct, to the Collectors to be appointed by them.

Liability to Rates not to disqualify Witnesses or Justices.

XLIX. And be it enacted, That no Person, although liable to the Payment of Money towards the Rates authorized to be raised under this Act, shall by reason thereof be deemed to be an incompetent Witness in any Proceeding before a Court of Justice under this Act, or be disabled to act as a Justice in the Execution of the same.

Power to remit Rate on Occupier.

L. Provided always, and be it enacted, That it shall be lawful for the Commissioners, with the Consent of any Two Justices, to reduce or remit or allow Time for the Payment of any Rate, on account of the Poverty or Sickness of any Occupier liable to the Payment of the Rate.

Service of Summonses.

LI. And be it enacted, That whenever it shall be necessary, for the Recovery of any Rate or Proportion of any Rate made by the Commissioners in pursuance of this Act, to serve any Summons on any Person liable to the Payment thereof who shall not be resident within the Limits of this Act, such Summons may be left with some Inmate on the Premises in respect whereof the Rate shall have been made, or, in case there be no Inmate, it may be affixed on some conspicuous Part of the Premises, and the same shall be deemed to be good Service of such Summons on the Person so liable.

Application of Monies.

LII. And be it enaeted, That the Monies which shall arise from the said Rates to be made by the Commissioners, in pursuance of this Act, upon the Owners of Lands, Tenements, or Hereditaments as aforesaid, shall be applied in paying the Expenses of and preliminary to the Application for and passing of this Act, and also from Time to Time in Payment of the Interest of the Monies borrowed on Mortgage, under the Powers of this Act, on the Security of such Rates; and that the Monies which shall arise from the said Rates to be made by the Commissioners, in pursuance of this Act, upon the Occupiers of Property as aforesaid, shall be applied in paying the Expenses of making the new Survey and Valuation herein-before directed to be made, and also from Time to Time in Payment of the Interest of the Monies borrowed on Mortgage, under the Powers of this Act, on the Security of such Rates, and in defraying the Expenses of carrying into execution the several Purposes of this Act by the Commissioners, and finally such several Rates shall be applied respectively in paying off the Principal

Principal Monies so borrowed on the Credit of the same respectively, in such Order as the Commissioners shall direct; and all Monies to arise as aforesaid shall be vested in the Commissioners.

Saving the Rights of Her Majesty as Lady of the Manor, and of Her Lessee.

LIII. Provided always, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Powers, or Authorities vested in or enjoyed by the Queen's most Excellent Majesty, Her Heirs and Successors, in right of Her Duchy of *Lancaster*, as Lady of the Manor of *Cowick and Snaith* or *Cowick-cum-Snaith*, or otherwise, or of the Right Honourable *William Henry* Lord Viscount *Downe*, as Lessee under Her Majesty.

Nothing to affect Provisions of 1 G. 4. c. 39. as to rating, &c. of Knottingley and Goole Canal.

LIV. Provided also, and be it enacted, That nothing in this Act contained shall in anywise repeal, alter, prejudice, or affect any of the Powers or Provisions contained in an Act of Parliament passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to enable the Undertakers of the Navigation of the Rivers* Aire *and* Calder *in the West Riding of the County of* York *to make a navigable Cut or Canal from out of the said Navigation at* Knottingley *to communicate with the River* Ouse *near* Goole, *with Two collateral Branches, all in the said Riding, and to amend the Acts of the said Navigation*, with regard to the rating of the Canal and Works made or authorized to be made by virtue of the said Act, or any Exemption or Privilege in respect of the rating of the said Canal or Works to which by virtue of the said Act, or otherwise howsoever, the Owners or Occupiers of the said Canal and Works or any Part thereof respectively are now by Law entitled.

Saving Rights of the Lancashire and Yorkshire Railway Company.

LV. Provided also, and be it enacted, That nothing in this Act contained shall extend to prejudice, diminish, alter, or take away any of the Rights, Privileges, Easements, Powers, or Authorities vested in or belonging to the *Lancashire and Yorkshire* Railway Company, under or by virtue of any Act or Acts of Parliament, but all such Rights, Privileges, Easements, Powers, and Authorities are hereby expressly saved and reserved.

General Saving.

LVI. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all Persons, Bodies Politic, Corporate, or Collegiate, their Heirs, Successors, Executors, and Administrators, all such Estate, Right, Title, and Interest, Claim and Demand, which they or any of them could or might have had in, to, or in respect of any Lands, Tenements, or Hereditaments within the said united Township if this Act had not been passed.

LVII. And

Interpretation of Terms.

LVII. And be it enacted, That in this Act the Expression "the said united Township" shall be construed to mean "the Townships of *Snaith* and *Cowick*," by this Act constituted One Township.

Public Act.

LVIII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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