ANNO QUADRAGESIMO NONO

GEORGII III. REGIS.

Cap. 22.

An Act for explaining and amending an Act paſſed in the Thirty-firſt Year of His preſent Majeſty, for the better Maintenance and Support of the Poor of the Pariſh of *Sunderland* near the Sea, in the County Palatine of *Durham*; and for increaſing the Rates therein directed to be impoſed.

[28th *April* 1809.]

WHEREAS an Act was paſſed in the Thirty-firſt Year of the Reign of His preſent Majeſty King *George* the Third, intituled, *An Act for the better Maintenance and Support of the Poor of the Pariſh of* Sunderland *near the Sea, in the County Palatine of* Durham: And whereas the Commiſſioners appointed in and by virtue of the ſaid recited Act have made great Progreſs in the Execution thereof, and have ſince the paſſing of the ſaid Act impoſed the ſeveral Rates and Duties therein mentioned, and applied the ſame for the Purpoſes therein directed: But the ſaid Rates and Duties have been found inadequate for the Purpoſes of the ſaid recited Act, and it is therefore expedient that the ſaid Rates and Duties ſhould be increaſed, and that the Powers and Proviſions of the ſaid recited Act ſhould in other reſpects be altered, amended and enlarged; may it therefore pleaſe your Majeſty, That it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *Edward Aiſkell, William Blaikiſton, John Bell, Thomas Burn, John Burrell,* Commiſſioners.

rell, John Bonner, John Booth, William Bell, James Burnett, William Braſs, John Braſs, Thomas Blackett, Benjamin Bray, William Beckwith, Chriſtopher John Cay, Robert Cropton, Thomas Cockerill, William Cockerill, William Croudace, John Chriſp, Solomon Chapman, Thomas Caſſap, John Daviſon, John Daviſon of the Panfield, *Robert Daviſon, Matthew Daviſon, Hugh Dixon, William Dobſon, James Dobſon, John Dodds, John Elſtob, John Edmons, George Fenwick, Addiſon Fenwick, John Goodchild, John Goodchild* the younger, *William Geldart, Michael Hick, Thomas Horn, William Horn, Nathan Horn, Thomas Horn* the younger, *William Haddock, Thomas Hunter, John Hunter* of Sunderland, *John Hunter* of Monk Wearmouth, *William Hayton, Edward Hinde, Thomas Hudſon* of Biſhop Wearmouth, *Thomas Harriſon, Benjamin Heward, Robert Hutton, William Hemſley, Avery Hornſby, Thomas Hardy, John Harriſon, William Kirk, John Lotherington, James Lee, John Laing, Philip Laing, Michael Laws, William Lincoln, William Marſaw, Richard Markham, William Maſterman, James Myers, Thomas Mordey, Richard Metcalfe, William Middleton, John Martin, Thomas Nicholſon, Jackſon Nattraſs, William Nattraſs, Robert Ord, Robert Richardſon, Thomas Robſon, Matthew Robſon, Robert Reay, Robert Reay* of Hylton, *John Raw, William Rudd, George Raffield, Thomas Reed* of Biſhop Wearmouth, *Thomas Reed* of Sunderland, *Thomas Rudd, Michael Rowe, William Robſon, William Reynolds, Bracey Robſon, Thomas Sanderſon, Andrew Simpſon* of Biſhop Wearmouth, *Bryan Scurfield, John Smith, William Spence, John Spence, Joſeph Spence, John Stafford, Matthew Shout, William Surtees, Andrew Simpſon* of Sunderland, *Robert Thompſon, Henry Tanner, Thomas Taylor, Cuthbert Vaux, John Vaux, John White, Robert Whinnem, Thomas Wake, William Wake, George Wylam, William Weelands, George Wood, Thomas Young, John Young,* and *Andrew Young* the younger, and their Succeſſors, to be elected in Manner herein-after mentioned, ſhall be and are hereby appointed Commiſſioners for executing the Powers, Proviſions and Directions of the ſaid recited Act and this Act.

Power to elect new Commiſſioners.

II. And be it further enacted, That when any of the Commiſſioners appointed or to be appointed by virtue or in purſuance of this Act ſhall die, or refuſe or become incapable to act, it ſhall be lawful for the ſurviving or remaining Commiſſioners, or any Seven of them, by Writing under their Hands and Seals, to elect and appoint ſuch other Perſon to be a Commiſſioner in the Place or Stead of ſuch Commiſſioner ſo dying, refuſing or becoming incapable as aforeſaid, as they ſhall think fit; and every Commiſſioner ſo from Time to Time elected and appointed, ſhall have the ſame Power and Authority in all Things touching the Execution of this and the ſaid recited Act, as if he had been named a Commiſſioner in this Act.

Qualification of Commiſſioners.

III. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, unleſs he ſhall be *bonâ fide* the Owner of a Ship or Ships, or of ſome Part or Parts of a Ship or Ships regiſtered at the Port of *Sunaerland* aforeſaid, and of the Value of One thouſand Pounds at the leaſt, clear of all Deductions; and if any Perſon ſhall ſit and act as ſuch Commiſſioner (except in adminiſtering the Oath or Affirmaaion herein-after mentioned) not being ſuch Owner as aforeſaid, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Fifty Pounds to any Perſon or Perſons who ſhall

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inform or ſue for the ſame, to be recovered by Action of Debt or on the Caſe, or by Bill, Plaint or Information, wherein no Eſſoign, Protection, or Wager of Law, or more than One Imparlance ſhall be allowed; and upon Suit or Proſecution, the Proof of ſuch Qualification ſhall lie upon and be made out by ſuch Perſon ſo to be ſued or proſecuted.

IV. Provided alſo, and be it further enacted, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act (except in adminiſtering the Oath or Affirmation herein-after mentioned) until he ſhall have taken and ſubſcribed an Oath or Affirmation before any Seven or more of the ſaid Commiſſioners at a Meeting to be holden by virtue of this Act, who are hereby required and authorized to adminiſter to each other the ſame Oath or Affirmation, in the Words or to the Effect following; (that is to ſay),

Commiſſioners Oath.

'I *A. B.* do ſwear, [*or*, being one of the Perſons called *Quakers*, do ſolemnly affirm], That I am truly and *bonâ fide* the Owner of a Ship or Ships, or of ſome Part or Parts of a Ship or Ships regiſtered at the Port of *Sunderland* near the Sea, in the County Palatine of *Durham*, and that ſuch my ſaid Intereſt therein is of the Value of One Thouſand Pounds at the leaſt, clear of all Deductions, and that I will truly and impartially according to the beſt of my Skill and Judgement execute and perform all and every the Powers and Authorities repoſed in me, by virtue of an Act paſſed in the Forty-ninth Year of the Reign of His preſent Majeſty King *George* the Third, intituled, *An Act*, [*here ſet forth the Title of this Act.*] So help me GOD.'

Acts of Commiſſioners previous to Conviction, valid.

V. Provided always, and be it further enacted, That all Acts and Proceedings made had or done by any Perſon touching the Execution of this Act, previous to his being convicted of acting without being qualified as aforeſaid, ſhall, notwithſtanding ſuch Convicton, and whether he ſhall or ſhall not have taken the Oath or Affirmation hereby required as aforeſaid, be as valid and effectual as if ſuch Perſon had been duly qualified according to the Directions of this Act.

First and other Meetings of Commiſſioners.

VI. And be it further enacted, That the ſaid Commiſſioners ſhall meet at the *George* Inn, in *Sunderland*, on the Firſt Day of *Auguſt* next, on which Day this Act ſhall commence and take effect, and proceed to the Execution of this Act, and ſhall then and from Time to Time afterwards adjourn themſelves to meet at the ſame Place, or at ſuch other Place or Places in the ſaid Town of *Sunderland*, or in the Town of *Biſhop Wearmouth*, in the ſaid County of *Durham*, as they ſhall think proper, for the Purpoſes of this Act; and if there ſhall not appear at any Meeting a ſufficient Number of Commiſſioners to act or to adjourn to another Day (Three Commiſſioners being deemed ſufficient for the Purpoſe of Adjournment only), or in caſe the Commiſſioners at any Meeting aſſembled ſhall not adjourn themſelves, the Clerk to the ſaid Commiſſioners ſhall adjourn the Meeting to ſuch Time as he ſhall think fit, not exceeding Twenty-one Days from the Time of the laſt Default, and ſhall give Notice thereof by advertiſing the ſame in ſome or one of the *Newcaſtle* Papers, or any other Newspaper printed or circulated in the ſaid County of *Durham*; and in caſe no Adjournment ſhall be made, or Notice or Appointment for meeting ſhall be given by the Clerk, then it ſhall be lawful for any Three or more of the

the ſaid Commiſſioners, when Occaſion ſhall require, to cauſe Notice of a Meeting to be given in manner aforeſaid, appointing the Commiſſioners to meet at ſuch Time as the ſaid Three or more Commiſſioners ſhall think proper, not exceeding Ten Days, nor leſs than Seven Days from the Time of adverting ſuch Notice.

Rates. VII. And whereas the Rates and Duties granted by the ſaid recited Act have been found inſufficient; be it therefore further enacted, That the ſame ſhall, from and after the Firſt Day of Auguſt next after the paſſing of this Act, ceaſe and determine, and that inſtead thereof the Rates and Duties following ſhall and may be demanded and taken, (that is to ſay):

For every Ship or decked Veſſel belonging to any Perſon reſiding or carrying on any Trade or Buſineſs in any of the Pariſhes of *Sunderland*, *Biſhop Wearmouth* and *Monk Wearmouth*, (except ſuch Ships or decked Veſſels as ſhall be employed in the Eaſt India Trade for and during ſuch Period only as the ſame ſhall be ſo employed, and alſo except Ships or decked Veſſels belonging either in the whole or in part to Perſons reſiding or carrying on any Trade or Buſineſs in any of the aforeſaid Pariſhes, and alſo carrying on any Trade or Buſineſs either ſeparately or in Partnerſhip in any other Port in *Great Britain* at which ſuch Ships ſhall be regiſtered, provided ſuch Ships are attached to or employed for the benefit of the Trade or Buſineſs ſo carried on in ſuch other Port as aforeſaid, and for ſo long Time only as the ſame ſhall be ſo attached or employed), whether ſuch Ships or decked Veſſels ſhall be regiſtered at the Port of *Sunderland* or at any other Port (except as hereinbefore is mentioned), a Rate or Duty of one Halfpenny per ton of the Regiſtered Burthen of ſuch Ship or decked Veſſel per Calendar Month, and a like proportionable Monthly Rate or Duty for all and every Parts or Part belonging to any Perſon reſiding in any of the ſame Pariſhes, of any ſuch Ship or decked Veſſel as is hereby made liable to the Rates and Duties aforeſaid; provided always, that in caſe any ſuch Ship or decked Veſſel, the whole or any Parts or Part whereof ſhall be liable to the Rates and Duties impoſed by this Act, ſhall be Copper-bottomed, or ſhall be employed excluſively in the Carriage of Lime or Lime Stones, then and in every ſuch Caſe the Burthen of ſuch Ship or Veſſel ſhall, for the Purpoſe of aſcertaining the Rates and Duties hereby impoſed, be accounted and reckoned at One-half only of the actual Regiſtered Tonnage thereof.

Aſſeſſment by Commiſſioners. VIII. And be it further enacted, That the ſaid Commiſſioners or any Seven of them ſhall and they are hereby required to make an Aſſeſſment once in every Three Calendar Months upon all and every the Ships and Shares of Ships liable to the aforeſaid Rates and Duties, and ſign the ſame, and deliver ſuch Aſſeſſment to the Collector or Collectors appointed by them for collecting and receiving the ſame Rates and Duties, and who are hereby authorized and required to collect and receive the ſame once in every Three Months and not oftener, and to pay the ſame to the Treaſurer or other Perſon or Perſons authorized or appointed by the ſaid Commiſſioners in that behalf: Provided always, that the firſt Aſſeſſment under this Act ſhall be made on the firſt Day of *Auguſt* next, and ſhall be for the Three Calendar Months then next enſuing: and that every future Aſſeſſment ſhall be made in like manner, and ſo that the Rates and Duties thereby aſſeſſed may be collected Three Months in advance.

IX. Provided

Power to Commiſſioners to reduce the Rates.

IX. Provided always, That it ſhall and may be lawful to and for the ſaid Commiſſioners or any Seven of them, in and by any ſuch Aſſeſſment ſo to be made by them as aforeſaid, to leſſen and reduce the Rates and Duties impoſed by this Act at their Diſcretion, when and as often as it ſhall appear to them to be unneceſſary to collect the full Amount of ſuch Rates and Duties for the Service of the Three Calendar Months then next enſuing.

Power to increaſe the Rates when neceſſary.

X. Provided always, and be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners or any Seven of them, at a public Meeting (Notice whereof, ſpecifying the particular Cauſe of ſuch Meeting, ſhall be given in ſome or one of the *Newcaſtle* Newspapers, or in ſome other Newspaper publiſhed in the County of *Durham*,) to increaſe the ſaid ſeveral Rates and Duties impoſed by this Act, when and as often as Occaſion ſhall require the ſame to be increaſed above the Rate in this Act ſpecified; but ſo as that ſuch increaſed Rates and Duties ſhall not in the whole exceed double the amount of the Rates and Duties hereby impoſed.

Ships not to be cleared, &c. till Duties paid.

XI. And to the Intent that the ſaid Rates or Duties hereby directed to be reſpectively paid as aforeſaid, may be duly anſwered and paid accordingly; be it enacted, That the Collector of His Majeſty's Cuſtoms, Comptroller, Surveyors or Searchers, Waiters or other Officers of the Cuſtoms at or belonging to the ſaid Port of *Sunderland*, or their reſpective Deputies or Clerks, ſhall not after the ſaid Firſt Day of *Auguſt* take or receive any Clearance or Report inwards or outwards reſpectively for any Ship or Veſſel liable or ſubject to any of the ſaid Rates or Duties reſpectively, until the ſaid Rates or Duties ſhall be paid purſuant to the Directions of this Act to the ſaid Commiſſioners, or the Perſon or Perſons to be appointed by them to receive the ſame, and until the reſpective Maſter or Owner of any Ship or Veſſel ſubject to the Payment thereof ſhall ſhew to ſuch reſpective Officer a Receipt for the ſame.

Recovery of Arrears of Duties.

XII. And be it further enacted, That in caſe Three full Calendar Months Amount of any of the ſaid reſpective Rates or Duties impoſed by or under the Authority of this Act, ſhall at any Time or Times be unſatisfied and in arrear, for or on Account of any Ship or Veſſel or Part of any Ship or Veſſel belonging either in the whole or in part only to any Owner or Owners reſident or carrying on any Trade or Buſineſs within any of the ſaid Pariſhes of *Sunderland*, *Biſhop Wearmouth* and *Monk Wearmouth*, then and as often as the caſe ſhall ſo happen, it ſhall be lawful for the ſaid Commiſſioners or any Seven of them, or the Perſon or Perſons to be appointed by them to receive the ſaid Rates or Duties reſpectively, to demand Payment of all ſuch Rates or Duties ſo unſatisfied and in arrear as aforeſaid, of and from any ſuch Owner or Owners of ſuch Ship or Veſſel or Part of any Ship or Veſſel reſident or carrying on any Trade or Buſineſs in any of the ſeveral Pariſhes aforeſaid (although ſuch Ship or Veſſel ſhall not have arrived or been at the ſaid Port of *Sunderland*, after having become chargeable with or liable to the ſaid Rates or Duties), and to levy the ſaid Rates or Duties ſo in arrear and unſatisfied, upon any ſuch Owner or Owners as aforeſaid, who (after Demand made thereof) ſhall neglect or refuſe to pay the ſame, according to the true Intent and Meaning of this Act, by Diſtreſs of his, her and their Goods and Chattels, and to detain and keep the ſame until ſuch Rates or Duties with

the reaſonable Charges of ſuch Diſtreſs ſhall be paid and ſatisfied; and in caſe of any Neglect, Refuſal or Delay in Payment of the ſaid Rates or Duties for the Space of Five Days after ſuch Diſtreſs taken, then it ſhall be lawful for the Perſon or Perſons ſo diſtraining to cauſe the ſaid Goods and Chattels ſo diſtrained to be appraiſed by Two or more Sworn Appraiſers, and afterwards to ſell the ſame Goods and Chattels, or a competent Part thereof, returning the Overplus of the Monies ariſing by ſuch Sale (if any) upon Demand to the Owner or Owners thereof, after deducting the Sums or Duties ſo unſatisfied and in arrear, together with the reaſonable Charges of diſtraining, keeping and Sale of the ſaid Goods and Chattels ſo diſtrained and ſold.

Application of Duties.

XIII. And be it further enacted, That all Monies collected under the Authority of this Act, and paid over to the ſaid Treaſurer or other Perſon appointed by the ſaid Commiſſioners to receive the ſame, ſhall be depoſited for ſafe Cuſtody in ſome Bank within the ſaid Pariſhes of *Sunderland* and *Biſhop Wearmouth* or one of them, to be appointed by the ſaid Commiſſioners or any Seven of them for that Purpoſe; and that the ſaid Commiſſioners ſhall pay or cauſe to be paid out of the ſame Monies into the Hands of the Churchwardens and Overſeers of the Poor of the Pariſh of *Sunderland* for the Time being, in the Firſt Week of every Month, ſuch Sum of Money as ſhall appear from the Liſt of the Poor then actually receiving Relief from the ſaid Pariſh, to be equal to One-half of the Monthly Expence attending the Relief of the Sailor Poor of the ſaid Pariſh of *Sunderland*, that is to ſay, ſuch Poor as ſhall be entitled to legal Settlements in the ſame Pariſh of *Sunderland*, by reaſon of any Service or Apprenticeſhip performed or ſerved by them or their Parents or Huſbands reſpectively on board of any Ship or Veſſel belonging to the ſaid Port of *Sunderland*, or by reaſon or under and by virtue of the ſpecial Proviſions of the ſaid recited Act or this Act, touching the Settlements of Perſons who would or could have gained or become entitled to Settlements in the ſeveral Townſhips of *Biſhop Wearmouth*, *Biſhop Wearmouth Pans*, *Monk Wearmouth*, and *Monk Wearmouth Shore* reſpectively, in caſe the ſaid recited Act had not paſſed.

Definition of Sailor Poor.

Church-wardens and Overſeers to give Receipts.

XIV. And be it further enacted, That the ſaid Churchwardens and Overſeers of the ſaid Pariſh of *Sunderland* ſhall give proper Receipts in Writing for the Monies ſo received by them to the Perſon or Perſons paying the ſame, and ſhall apply and diſpoſe of all Monies or ſuch Part thereof as ſhall from Time to Time be neceſſary in the Payment of One-half of the Expence attending or incurred on account of the Relief of ſuch Sailor Poor as aforeſaid, and which Receipts ſhall be a full Diſcharge to the Perſon or Perſons paying ſuch Monies; and ſuch Perſon or Perſons ſhall not be in any way accountable for any Miſapplication or Non-application thereof or any Part thereof.

Church-wardens and Overſeers to keep proper Books of Account.

XV. And be it further enacted, That the ſaid Churchwardens and Overſeers ſhall keep a fair and true Account of all Monies paid to them by the ſaid Commiſſioners in purſuance of this Act, and of the Application of the ſaid Monies reſpectively, in a Book or Books diſtinct and apart for that Purpoſe, to which the ſaid Commiſſioners or their Treaſurer or Clerk may have free Acceſs at all ſeaſonable Times without Fee or Reward; and if any ſuch Churchwarden or Overſeer ſhall refuſe to permit the ſaid Commiſſioners or their Treaſurer or Clerk to peruſe or inſpect the ſaid Book or

or Books, or to take any Copy thereof or Extract therefrom at ſuch ſeaſonable Time or Times as aforeſaid, he or they ſhall for every ſuch Refuſal forfeit and pay the Sum of Ten Pounds to be recovered before any one of His Majeſty's Juſtices of the Peace for the ſaid County of *Durham*, in like manner as the Penalties and Forfeitures impoſed by the ſaid recited Act are thereby directed to be recovered.

Accounts to be delivered to Commiſſioners once a Year upon Oath.

XVI. And be it further enacted, That a yearly Account of all Monies received by the ſaid Churchwardens and Overſeers by virtue of this Act, and of the Application of all ſuch Monies reſpectively, ſhall be ſtated in Writing by the ſaid Churchwardens and Overſeers, and delivered to the ſaid Commiſſioners or any Seven of them, or to their Treaſurer or Clerk, on the Firſt Day of *May* in every Year, or within One Calendar Month afterwards, and which Account ſhall be verified upon the Oath or Oaths, Affirmation or Affirmations of one or more of ſuch Churchwardens and Overſeers (which Oath or Affirmation the ſaid Commiſſioners or any Two of them are hereby authorized and required to adminſter); and in caſe it ſhall appear upon ſuch Account that the Monies ſo paid to the ſaid Churchwardens and Overſeers for the Year then next preceding ſhall have been more than ſufficient for the Purpoſe aforeſaid, then and in every ſuch Caſe the Balance remaining in the Hands of the ſaid Churchwardens and Overſeers ſhall be paid over by them to the ſaid Commiſſioners or any Seven of them, or to ſuch Perſon as they ſhall appoint to receive the ſame; but in caſe it ſhall appear upon ſettling ſuch Account that the Monies ſo paid to the ſaid Churchwardens and Overſeers have not been ſufficient for the Purpoſe aforeſaid, then that ſuch Deficiency ſhall be forthwith paid by the ſaid Commiſſioners to the ſaid Churchwardens and Overſeers, to the End and Intent that all Accounts between the ſaid Commiſſioners and the ſaid Churchwardens and Overſeers reſpecting the Rates and Duties impoſed by and under the Authority of this Act ſhall be finally balanced and cloſed once in every Year.

Penalty on Refuſal to deliver and verify ſuch Yearly Account, etc.

XVII. Provided always, That if any ſuch Churchwardens or Overſeers ſhall refuſe or neglect to ſtate and deliver ſuch Yearly Account in writing as aforeſaid, or ſhall refuſe or neglect to verify any ſuch Account upon Oath or Affirmation if thereunto required by the ſaid Commiſſioners or any Seven or more of them, or ſhall refuſe or neglect to pay over ſuch Money as upon the Balance of any ſuch Account ſhall be and remain in his or their Hand or Hands to the ſaid Commiſſioners or any Seven of them, or as they ſhall direct or appoint, or in caſe any Diſpute or Difference ſhall happen between the ſaid Commiſſioners or their Clerk or Treaſurer and the ſaid Churchwardens and Overſeers touching the ſaid Accounts or the Account of the Balance which ought to be paid over to the ſaid Commiſſioners, then and in any of ſuch Caſes, upon Complaint made by the ſaid Commiſſioners or any Three of them, or their Clerk or Treaſurer or other Perſon or Perſons ſo appointed by the ſaid Commiſſioners to receive ſuch Balance as aforeſaid, of any ſuch Refuſal or Neglect or touching any ſuch Diſpute or Difference as aforeſaid, to any Two or more of the Juſtices of the Peace for the ſaid County of *Durham*, ſuch Juſtices may and they are hereby authorized and required to ſummon ſuch Churchwarden or Overſeer or Churchwardens or Overſeers before them, and upon his or their appearing, or in Default of ſuch Appearance after ſuch Summons as aforeſaid, to hear and determine the Matter of ſuch Complaint in a ſummary way, and if upon the Confeſſion

feſſion of the Party or Parties or by the Oath or Affirmation of one or more credible Witneſs or Witneſſes, which Oath or Affirmatian ſuch Juſtices are hereby empowered to adminiſter, it ſhall appear to ſuch Juſtices that any ſuch Churchwarden and Overſeer hath refuſed or neglected to pay over ſuch Sum of Money or Balance as ought to be paid over by them according to the true Intent and Meaning of this Act, ſuch Juſtices may and they are hereby authorized and required to aſcertain the Balance which ought ſo to be paid, by Writing under their Hands, and in caſe the ſame ſhall not be forthwith paid, by a Warrant or Warrants under their Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Churchwarden and Overſeer or Churchwardens and Overſeers, returning the Overplus (if any) after payment of the ſaid Money and the Coſts and Charges of ſuch Sale, to the Owner or Owners of ſuch Goods and Chattels upon Demand.

Carpenters ſettled in the Pariſh of Sunderland, under the Act of the 31ſt of His preſent Majeſty, not to gain Settlements under this Act unleſs they ſerve at ſea three Years.

XVIII. And whereas it was by the ſaid recited Act (amongſt other Things) enacted, That all and every Perſon and Perſons who then already had gained or become entitled to, or who at any Time or Times thereafter could or might in caſe the ſaid Act had not been paſſed, have gained or become entitled to any legal Settlement or Settlements in the ſeveral Townſhips of *Biſhop Wearmouth*, *Biſhop Wearmouth Pans*, *Monk Wearmouth*, and *Monk Wearmouth Shore*, or in any of the ſaid Townſhips, under or by reaſon of any Apprenticeſhip in the Trade or Buſineſs of a Ship Carpenter, and who afterwards ſhould have been at or ſhould go to Sea in the Capacity or Capacities of a Ship Carpenter or Ship Carpenters, Sailor or Sailors, or in any other Capacity or Employment, for any Period or Periods of Time either ſucceſſively or at intervals amounting in the whole to the ſpace of Three Years, ſhould be, and all and every ſuch Perſon and Perſons were and was thereby declared to be thereby legally ſettled in the ſaid Pariſh of *Sunderland*, and not elſewhere, to all Intents and Purpoſes whatſoever, and in the ſame and as ample a manner as if ſuch Perſon and Perſons had actually gained and become entitled to his and their legal Settlement and Settlements in the ſaid Pariſh of *Sunderland* by performing or ſerving their ſaid reſpective Services or Apprenticeſhips within the ſame Pariſh, and by reſiding or lodging within the ſame Pariſh during the laſt Forty Days of their reſpective Services or Apprenticeſhips, or by any other good and valid Means of acquiring a legal Settlement or Settlements within the ſame Pariſh; any Law, Statute or Uſage to the contrary notwithſtanding: And whereas it is expedient that the ſaid Power of gaining Settlements in the ſaid Pariſh of *Sunderland*, by the Perſons hereinbefore particularly deſcribed under the ſaid recited Act, ſhould in future be reſtricted as hereinafter mentioned; be it therefore enacted, That no Perſon who already has gained or become entitled to, or who at any Time or Times hereafter could or might have gained or become entitled to a legal Settlement in any of the ſaid Townſhips of *Biſhop Wearmouth*, *Biſhop Wearmouth Pans*, *Monk Wearmouth*, and *Monk Wearmouth Shore* reſpectively, under or by reaſon of any Apprenticeſhip in the Trade or Buſineſs of a Ship Carpenter, and who ſhall at any Time, after the paſſing of this Act, go to Sea in the Capacity of a Ship Carpenter or Sailor, or in any other Capacity or Employment, ſhall be deemed to be thereby legally ſettled in the ſaid Pariſh of *Sunderland* under and by virtue of the ſaid recited Act, unleſs ſuch Perſon ſhall go to Sea for the Space of Three Years in ſome Ship or Veſſel trading from and regiſtered at the ſaid Port of *Sunderland*; any Thing in the ſaid recited Act contained to the contrary notwithſtanding.

Powers of the Act of the 31ſt of His preſent Majeſty, for aſſeſſing, etc. the Rates, to apply to this Act.

XIX. And be it further enacted, That all and every the Powers, Proviſions, Clauſes, Penalties, Matters and Things given, impoſed or contained in the ſaid recited Act, for aſſeſſing, collecting, levying, paying and accounting for the Rates and Duties thereby granted, ſhall be in full force and effect for aſſeſſing, collecting, levying, paying and accounting for the Rates and Duties impoſed by or under the Authority of this Act, and alſo for collecting, levying and accounting for any Arrears of the ſeveral Rates and Duties impoſed by or under the Authority of the ſaid recited Act and which may then remain unpaid, and which Arrears the Commiſſioners under this Act ſhall and are hereby authorized and required to collect and levy accordingly, and pay the ſame to the Churchwardens and Overſeers of the ſaid Pariſh of *Sunderland* for the Purpoſes of the ſaid recited Act.

Expences of obtaining this Act how to be paid.

XX. And be it further enacted, That One-fourth Part of all Coſts, Charges and Expences of obtaining and paſſing this Act ſhall be borne, paid and defrayed by the ſaid Commiſſioners out of the firſt Monies that ſhall be collected and received by them by virtue of this Act, and that the remaining Three-fourth Parts of ſuch Coſts, Charges and Expences ſhall be paid by the Churchwardens and Overſeers of the ſaid Pariſh of *Sunderland*, who are hereby authorized and required to make a Rate for that Purpoſe upon the Inhabitants of the ſaid Pariſh of *Sunderland* according to the Rate made for the Time being for the Relief of the Poor of the ſame Pariſh, which Rate ſo to be made by the ſaid Churchwardens and Overſeers (being approved of by any Juſtice of the Peace for the ſaid County of *Durham*) it ſhall be lawful for ſuch Churchwardens and Overſeers and their Succeſſors to collect and to apply the Money ſo collected in the Payment of the ſaid Three-fourth Parts of all ſuch Coſts, Charges and Expences as aforeſaid, and the Overplus (if any) ſhall be applied as Part of the Poors Rate of the ſaid Pariſh of *Sunderland*; and if any Perſon ſhall refuſe to pay ſuch Rate it ſhall be lawful for any Juſtice of the Peace for the ſaid County of *Durham*, upon Complaint thereof made by any ſuch Churchwarden or Overſeer, by Warrant under his Hand and Seal to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the Perſon ſo refuſing, returning the Overplus (if any) after Payment of the ſaid Rate and the Coſts and Charges of ſuch Diſtreſs and Sale to the Owner or Owners of ſuch Goods and Chattels upon Demand: Provided always, that if any Perſon ſhall think himſelf aggrieved by any ſuch Rate as aforeſaid, ſuch Perſon may appeal to the next General Quarter Seſſions for the ſaid County of *Durham* in like manner as is provided in the Caſe of Appeals againſt Rates for the Relief of the Poor.

Diſtreſs not unlawful for want of Form.

XXI. And be it further enacted, That where any Diſtreſs ſhall be made for any Rate or Duty, or other Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs or other Proceedings relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer *ab initio*, on account of any Irregularity which ſhall be afterwards committed by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe.

Appeal to the Quarter Seſſions.

XXII. And be it further enacted, That any Perſon or Perſons whomſoever aggrieved by the Act of any Juſtice or Juſtices of the Peace out of Seſſions, in or concerning the execution of this Act, may appeal to the next General or Quarter Seſſions of the Peace for the County, Riding, Liberty, Diviſion, Precinct or Diſtrict wherein ſuch Act was done, giving Fourteen Days Notice thereof to the Party againſt whom the Complaint ſhall be made, and giving Security by Recognizance to be acknowledged before a Juſtice of the Peace of the ſame County, Riding, Liberty, Diviſion, Precinct or Diſtrict, with a ſufficient Surety to pay the Coſts attending ſuch Appeal, if the Matter ſhall be determined againſt the Appellant; and the Juſtices at ſuch Quarter Seſſions are hereby authorized to hear and determine ſuch Appeal, and to award Coſts for or againſt the Appellant, as they ſhall ſee juſt Cauſe ſo to do, which Determination ſhall be final, and ſhall not be removed by *Certiorari*.

Limitation of Actions.

XXIII. Provided always, and be it further enacted, That if any Suit or Action ſhall be brought or proſecuted againſt any Perſon or Perſons for any Act, Matter or Thing done in purſuance of this Act, every ſuch Action or Suit ſhall be commenced within Six Calendar Months next after the Fact committed, and ſhall be laid and brought in the ſaid County of *Durham*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to have been ſo done, the Jury ſhall find for the Defendant or Defendants, and in ſuch Caſe or in caſe the Plaintiff or Plaintiffs ſhall become Nonſuit, or ſhall diſcontinue his, her or their Action or Actions, the Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for the ſame as any Defendant or Defendants hath or have in any Caſe by Law.

Inhabitants of Sunderland, etc may be Witneſſes.

XXIV. And be it further enacted, That no Inhabitant of the ſaid Pariſhes of *Sunderland*, *Biſhop Wearmouth* and *Monk Wearmouth*, or any of them, ſhall be deemed to be an incompetent Witneſs to give Evidence in any Action, Suit or other Proceeding either at Law or in Equity, which ſhall or may be had, commenced or proſecuted by any Perſon or Perſons whomſoever, touching or concerning the collecting, raiſing, levying or applying of any Duties, Penalties or other Sums of Money by this Act directed to be ſo raiſed, levied and applied as aforeſaid, or touching or concerning any other Matter or Thing whatſoever relating to the execution of this Act.

Public Act.

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

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