Anno tricesimo primo

Georgii II. Regis.

An Act for enlarging the Powers granted by an Act passed in the Eighteenth Year of the Reign of His present Majesty, intituled, *An Act for rendering more effectual the several Acts passed for the erecting of Hospitals and Workhouses within the City of* Bristol, *for the better employing and maintaining of the Poor thereof*; and for making the said Act more effectual.

Preamble, reciting Clauses in Act 7 and 8 *W.* III.

WHEREAS by an Act of Parliament made in the Seventh and Eighth Year of the Reign of His late Majesty King William the Third, intituled, An Act for erecting of Hospitals and Workhouses within the City of *Bristol*, for the better employing and maintaining of the Poor thereof, it was, amongst other Things, enacted, That the Mayor and Aldermen of the said City, and eight and forty Persons, and such other charitable Persons elected and constituted as is therein mentioned and expressed, for the time being, should for ever then after, in Name and Fact, be one Body

Politic and Corporate in Law, to all Intents and Purposes, and should have a perpetual Succession, and be called by the Name of The Governor, Deputy Governor, Assistants, and Guardians of the Poor in the said City of *Bristol*; and it was by the said Act further enacted, That it should and might be lawful for the said Corporation, in their Courts or Assemblies, from time to time, to set down and ascertain what Sum or Sums of Money should be needful for the building and erecting of Hospitals, Workhouses, or Houses of Correction, and that the same should not exceed the Sum of Five thousand Pounds, to be raised within the Space of Three Years or any longer Time so as to them should seem meet, by such Quarterly or other Payments as they in their Discretion should think fit; and also, from time to time, to set down and ascertain what Sum or Sums of Money should be needful for the Maintenance of the Poor in the said Hospital or Hospitals, Workhouse or Workhouses, House or Houses of Correction, or within the Care of the said Corporation, so that the same did not exceed what had been paid in the said City, towards the Maintenance of the Poor thereof, in any One of the Three last Years; and should and might, under their Common Seal, certify the same to the Mayor and Aldermen of the said City for the time being; which said Mayor, and any Two of the Aldermen, or any Five of the said Aldermen without the Mayor, might, and were thereby required, from time to time, to cause the same to be raised and levied by Taration of every Inhabitant, and of all Lands, Houses, Tythes Impropriate, Appropriation of Tythes, and all Stocks and Estates in the said City and County of the same, in equal Proportion, according to their respective Worth and Values; and, that in Order thereunto, the said Mayor, and any Two of the said Aldermen, or any Five of the said Aldermen without the Mayor, should have Power, and were thereby required indifferently to proportion out the said Sum and Sums of Money upon each Parish and Precinct within the said City, and by their Warrants under their Hands and Seals, to authorize and require the Churchwardens and Overseers of the Poor of each respective Parish and Precinct to assess the same respectively; and after such Assessment made, by the Warrant under their Hands and Seals, to authorize the said respective Churchwardens and Overseers to demand, gather, and receive, the same; and for Nonpayment thereof (being lawfully demanded) to levy the same by Distress and Sale of the Goods of the Offender, returning the Surplusage to the Party so distrained;

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ed; and if no Distress could be found, then it should and might be lawful to and for the said Mayor, and any Two of the Aldermen, or any Five of the Aldermen without the Mayor, to commit such Offenders to Prison there to remain without Bail or Mainprize till the same should be paid; and after the same should be received, to pay the same unto the Treasurer of the said Corporation for the time being: And it was by the said Act provided, That if any Person or Persons, Parish or Precinct, should find him or themselves to be unequally rated or assessed, he or they might appeal to the Justices of the Peace of the said City and County, at their next General Quarter Sessions after such Assessment made and demanded, who should and thereby had full Power and Authority to make a final Order therein: And whereas by a Clause contained in another Act of Parliament made in the Tenth Year of the Reign of His said late Majesty King William the Third, intituled, An Act for erecting of Hospitals and Workhouses within the Town and Parish of *Tiverton*, in the County of *Devon*, for the better employing and maintaining of the Poor thereof, it was enacted, That if the Mayor and Aldermen of Bristol, should refuse or neglect, by the Space of Twenty Days after such Certificate made, as in the said first recited Act is mentioned, to issue forth their Warrants to the Churchwardens and Overseers of the Poor in the said City, to make Assessments; or, if after the same should be made, to issue forth their Warrants for the levying and paying of the same, pursuant to the said first-mentioned Act, then the Corporation, by the said first recited Act constituted, should have Power, by their Warrants under their Common Seal, to authorize and require the said Churchwardens and Overseers so to do the same; and if the said Churchwardens and Overseers should refuse or neglect, for the Space of Twenty Days next after the issuing forth of such Warrants by the said Mayor and Aldermen, or, upon their Neglect or Refusal, by the said Corporation, to make such Assessments, or to levy or pay the same, that then the said Corporation should have Power to levy by Distress and Sale all such Sums of Money as ought to have been so assessed, levied, or paid, in pursuance of such Warrant: And whereas by another Act of Parliament made in the Twelfth Year of the Reign of Her late Majesty Queen Anne, for making more effectual the said first recited Act, it was, amongst other Things, enacted, That it should and might be lawful to and for the said Mayor and Aldermen of Bristol for the time being, and their Successors for ever in the said Corporation therein before mentioned, to raise

10 *Will.* III.

Ibidem.

and levy annually such further Sum or Sums of Money by the Ways and Methods in the said first recited Act ordered and appointed, as should not, together with the said Sum of Two thousand three hundred twenty six Pounds, Sixteen Shillings, and Five Pence, exceed the Sum of Three thousand five hundred Pounds in any one Year, for the employing and maintaining of the Poor in the said City, and for relieving the casual Poor, and Payment of the Debts of the said Corporation; which said further Sum was to be raised and paid, either by quarterly or other Payments, as the said Corporation, in the said first recited Act constituted, should, from time to time, think necessary and expedient, in the same Method, and with the same Power of Distress, and other Powers for compelling the Payment thereof, with the same Liberty of Appeal to the Quarter Sessions, as in the said first recited Act is given, provided, directed, and appointed: And whereas by One other Act of Parliament made in the Fourth Year of
4 *Geo.* I. the Reign of His late Majesty King George the First, intituled, An Act for the better explaining several Acts therein mentioned, for erecting of Hospitals and Work-houses within the City of *Bristol*, for the employing and maintaining of the Poor thereof, and for making the said Acts more effectual; it was, amongst other Things, enacted, That the respective Churchwardens and Overseers of the Poor for the time being of every Parish and Precinct within the said City, upon any Warrant or Warrants under the Hands and Seals of the Mayor and any Two of the Aldermen, or any Five of the said Aldermen of the said City without the Mayor, issued according to the Two Acts of Parliament first therein before mentioned, or either of them; and in case of Refusal or Neglect of the said Mayor and Aldermen by the Space of Twenty Days next after such Certificate made, as in the said Acts is mentioned, to issue forth such Warrants, then upon any Warrant or Warrants of the said Corporation, under their Common Seal, issued according to the said Act passed in the Tenth Year of the Reign of His late Majesty King William the Third, for assessing, gathering, receiving, and levying, as in and by the said Act is expressed, should, with all convenient Speed, make, assess, gather, receive, and levy, as in and by the same Act is mentioned: And whereas by one other Act of Parliament made in the Eighteenth Year of the Reign of His present Majesty, intituled, An Act for rendering more effectual the several Acts passed for the erecting of Hospitals and Work-houses within the City of *Bristol*, for the better employing and maintaining of the Poor thereof; it was amongst other Things enacted, That

That from and after the passing of the same Act, it should and might be lawful for the Mayor and Aldermen of Bristol for the time being, and their Successors in the said Corporation therein before mentioned, by the Ways and Methods in the said first recited Act ordered and appointed, to raise and levy, within the Space of Four Years, or any longer Time, as to the said Corporation, by the said Act of the Seventh and Eighth Year of King William the Third, constituted, should seem meet and convenient, and by such quarterly or other Payments, as they in their Discretion should think fit, any Sum or Sums of Money not exceeding the Sum of Two thousand Pounds, for Payment of a Debt contracted by the said Corporation, and to be applied by them in the Discharge thereof accordingly; and also, by the like Ways and Methods, over and above the said Sum of Two thousand Pounds, to raise and levy annually such further Sum or Sums of Money as, exclusive of the said Sum of Two thousand Pounds, should not, together with the said annual Sum of Three thousand five hundred Pounds, exceed the Sum of Four thousand five hundred Pounds, in any One Year: And whereas, by reason of the great Dearth and high Price of Provisions, and daily Encrease of the Poor of late years in the said City occasioned thereby, and by the Decay of several Manufactures, and the Death and Absence of many Workers and Supporters of Families in the War by Sea and Land, the said Corporation, notwithstanding their utmost Care and Diligence, and most provident and frugal Management, find that the said whole annual Sum of Four thousand five hundred Pounds is insufficient for the good Purposes of the said several Acts, so that the said Corporation have not been able to relieve many Persons who ought to have had Relief, although they are already several hundred Pounds in Debt; and it will be impossible for them to maintain and relieve the present and increasing Number of Poor within the said City, and to pay off the said Debt, without Power to raise more Money for those Purposes: For Remedy whereof, 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 the Authority of the same, That from and after the passing this Act, it shall and may be lawful to and for the Mayor and Aldermen of Bristol for the time being, and their Successors in the said Corporation herein before mentioned, by the Ways and Methods in the said first recited Act ordered and appointed, to raise and levy, within the

Corporation impowered to raise an additional Sum of 1000 l. for Payment of their Debts.

Space of Two Years, or any longer Time, as to the said Corporation thereby constituted, shall seem meet and convenient, and by such quarterly or other Payments, as they in their Discretion shall think fit, any Sum or Sums of Money not exceeding the Sum of One thousand Pounds for Payment of the Debts due from the said Corporation, and to be applied by them in the Discharge thereof accordingly.

If more than 4500 *l.* shall be necessary to be raised in one Year, the Corporation are to apply to the Justices of the Peace;

And be it further enacted by the Authority aforesaid, That if, at any future Time or Times after the passing this Act, it shall appear to the said Corporation of the Poor herein before mentioned, that there shall be Occasion to raise more than the Sum of Four thousand five hundred Pounds in One Year, for the employing and maintaining the settled Poor of the said City, relieving the casual Poor, and passing and transporting of Vagrants, it shall and may be lawful for the said Corporation from time to time to apply to the Justices of the Peace of the said City, at their next General or Quarter Sessions after Easter-day, or at any other General or Quarter Sessions, for such Sum or Sums of Money; and the said Justices at either of the said General or Quarter Sessions, upon such Application, are hereby impowered and required (upon due Examination of the Premisses) to order and appoint such further Sum of Money as upon such Examination shall be duly proved, and appear to the said Justices necessary to be raised and levied, for the Purposes aforesaid, for One Year, to commence from the Twenty fifth Day of March next preceeding such General or Quarter Sessions; and the said further Sum or Sums of Money which shall by so ordered and appointed by the said Justices, shall, from time to time, be raised and levied, and be also paid either by quarterly or other Payments, as the said Corporation of the Poor shall, from time to time, think necessary and expedient, in the same Method, and with the same Power of Distress, for raising, levying, and compelling the Payment thereof, and with the same Liberty of Appeal to the Quarter Sessions, as in the said recited Acts, or any of them, is given, provided, directed, and appointed.

who are to order such further Sums, as shall be wanting, to be raised.

And whereas, in order to enable the said Corporation of the Poor to make the Proof by this Act directed to be made, of the Necessity for raising a further Sum than the Sum directed to be raised by the said Act of the Eighteenth Year of the Reign of his present Majesty, it will be necessary that the Churchwardens and Overseers of the Poor, and the Treasurer of the said Corporation, and all other Officers and Persons accountable to the said

Corporation, should settle and make up their Accounts sooner than they are required to do by the said Act of the Eighteenth Year of His present Majesty; be it therefore enacted by the Authority aforesaid, That from and after the passing this Act the Churchwardens and Overseers of the Poor within the said City of Bristol, shall, within Fifteen Days after the Twenty ninth Day of September, and Twenty fifth Day of March, in every Year respectively, deliver to the said Corporation of the Poor, or to a Committee to be appointed by the said Corporation, such Accounts for the preceeding half Year, as by an Act passed in the Seventeenth Year of the Reign of His present Majesty, intituled, An Act for remedying some Defects in the Act made in the Forty third Year of the Reign of Queen *Elizabeth*, intituled, *An Act for the Relief of the Poor*; they are directed to do yearly within Fourteen Days after quitting their respective Offices; and shall verify the same upon Oath, in Manner as by the said Act of the Seventeenth Year of His present Majesty's Reign is directed; and that the Treasurer and other Officers and Persons accountable as aforesaid, shall yearly and every Year within Thirty Days after another Treasurer and other Officers, and Persons respectively accountable as aforesaid, shall be nominated and appointed to succeed them, deliver their respective Accounts to the same Corporation or Committee thereby appointed, and verify the same by Oath, as aforesaid, in like Manner as Churchwardens and Overseers of the Poor are by the said last mentioned Act required to do, and under the like Penalties and Forfeitures, in case of Neglect or Refusal.

Churchwardens to deliver in Half-yearly a State of their Accounts to the Corporation; according to the Regulations of Act 17 Geo. II.

Treasurer and other Officers to account yearly in like Manner to the Corporation also.

Provided always, That if it shall happen that the said Treasurer, Officers, and Persons, intrusted and accountable as aforesaid, or any of them, shall continue in their respective Offices, Trusts, or Employments, above the Space of One Year, in such Case the said Treasurer, Officers, and Persons, intrusted and accountable as aforesaid, and every of them, so continuing above One Year, shall within Thirty Days after the End of the First Year, and so within Thirty Days after the End of every Year that they shall continue in their respective Offices, Trusts, and Employments; and also within Thirty Days after they shall respectively quit or be discharged from such Offices, Trusts, and Employments, render an Account, and verify the same upon Oath, as aforesaid, in like Manner as Churchwardens and Overseers of the Poor are required to do by the said last mentioned Act, and subject to the like Penalties in case of Neglect or Refusal; any thing in this Act to the contrary notwithstanding.

Treasurer and other Officers continued in their Trusts above 1 Year, are to account, notwithstanding, within 30 Days after the End of every such Year, &c.

Limitation of Actions.

Provided always, and be it further enacted by the Authority aforesaid, That if any Person shall be sued for any Matter or Thing which he shall do in Execution of this Act, in such Case, the Action or Suit shall be brought within Six Months next after the Fact committed, and not afterwards; and the Defendant may plead the General Issue, and give this Act, and the Special Matter, in Evidence; and if a Verdict shall pass for the Defendant, or the Plaintiff shall be Nonsuit, or discontinue his Suit, the Defendant shall recover his Treble Costs: And this Act shall be taken and allowed in all Courts within this Kingdom as a Public Act; and all Judges and Justices are hereby required as such to take Notice thereof, without specially pleading the same; and all Mayors, Justices, Sheriffs, Constables, and all other Officers and Ministers of Justice, are hereby required to be aiding and assisting to the Mayor, Aldermen, and Corporation aforesaid, and to all such Officers as shall be employed by them, or any of them, in the Execution of this Act, or of any the Powers and Authorities hereby given.

General Issue.

Treble Costs.

Publick Act.

Magistrates and Civil Officers to assist in putting this Act in Execution.

FINIS.