Anno tricesimo secundo

Georgii II. Regis.

An Act to explain, amend, and render more effectual, an Act passed in the Sixth Year of the Reign of Her late Majesty Queen *Anne*, intituled, *An Act for erecting a Workhouse in the Town and Borough of* Plymouth *in the County of* Devon; *and for setting the Poor on Work, and maintaining them there;* and for obliging the Mayor and Commonalty of *Plymouth* to contribute towards the County Rates of *Devon;* and for applying for the Relief of the Poor in the said Workhouse, certain Surplus Monies which have formerly arisen by the Assessments for raising the Land Tax in the said Town.



WHEREAS by an Act of Parliament made and passed in the Sixth Year of the Reign of her late Majesty Queen Anne, intituled, An Act for erecting a Workhouse in the Town and Borough of *Plymouth* in the County of *Devon*; and for setting the Poor on Work, and maintaining them there; the Mayor and Recorder of the said Town for the time being, Six of the Masters or Magistrates of the said Town, Six more of the Four and Twenty or Common Council of the said Town, and Twenty other Persons to be chosen out of the ablest and discreetest Inhabitants

Preamble, reciting Act 6 *Annæ.*

habitants of the Parish of Saint Andrew within the said Town, and Eighteen others of the ablest and discreetest Inhabitants of the Parish of Charles within the said Town, were made and constituted a Corporation and Body Politick, by the Name of The Guardians of the Poor of the Town of *Plymouth* in the County of *Devon*, to have a perpetual Succession, and impowered to purchase Lands, Tenements, or Hereditaments, unto, or for the Use of the said Corporation; and certain Lands, Tenements, and Hereditaments, and Real and Personal Estate and Effects in the said Act mentioned and specified, were thereby vested in the said Guardians, and their Successors, in Trust, to manage, govern, direct, and employ the same, for the Benefit and Advantage of the Poor of Plymouth aforesaid, under the Rules and Directions, and in the Manner, therein mentioned; and the said Corporation was thereby impowered to ascertain what Sum should be necessary for the settling, building, and repairing of Hospitals, Workhouses, or Houses of Correction, to be built, purchased, or used, for the Purposes therein mentioned, and for the Maintenance and Employment of the Poor within the same, and the said Town and Parishes; and also to rate and assess the said Sum and Sums of Money on the respective Inhabitants or Occupiers of Lands, Houses, Tenements, Tythes Impropriate, and Appropriation of Tythes, and on all Persons having and using Stocks and Personal Estate in the said Town and Liberties, and Precincts of the same, and Parishes aforesaid, in equal Proportion according to their several and respective Values, to be assessed, collected, and received, by such Ways and Means, and in such Manner, as is therein mentioned, so as the same should not exceed what had been paid in the said Town and Parishes, towards the Maintenance of the Poor thereof, in the Year of our Lord One thousand seven hundred and two; and thereby it was enacted, That the said Corporation should take Care of, and provide for, all the Poor of the said Town and Parishes, who ought by Law to be relieved and provided for by their respective Parishes (except as therein mentioned) and also apprehend or cause to be apprehended, all Rogues, Vagabonds, Vagrants, Beggars, idle or disorderly Persons, to be carried to the Workhouse, and there kept and set to work as therein mentioned: And whereas the Assessment made for the Relief of the Poor of the said Town and Parishes of Plymouth, amounted in the said Year, One thousand seven hundred and two, to the Sum of Six hundred and seventy two Pounds, Fifteen Shillings, and Three Pence; and that Sum

hath since the making the said Act, been usually and for the most Part assessed and rated, pursuant to, and under the Directions of the said Act; but the said yearly Sum, or so much thereof as hath or could be raised under the Powers and Directions of the said Act, together with the annual Income of the said Real and Personal Estates intrusted with, and vested as aforesaid, in the said Guardians of the said Poor, have been greatly deficient to answer the Purposes for which the same were directed: And whereas since the passing the said Act, the Poor of the said Town and Parishes of Plymouth, are become much more numerous, and the making Provision for them more chargeable and expensive, by Means whereof the said Guardians of the Poor of the said Town of Plymouth have been obliged to borrow and take up at Interest, and do now owe, the Sum of One thousand six hundred and forty four Pounds; and are also engaged and obliged to pay Three several Annuities for the Lives of Three Persons respectively, amounting in all to the clear annual Sum of Thirty three Pounds, in Satisfaction of Four hundred Pounds by the said Guardians borrowed of such Annuitants; which said Sum of Four hundred Pounds was also borrowed and taken up of the said Three Annuitants, and hath been expended for the necessary Uses and Purposes of the said Act: And whereas the necessary annual Expences for maintaining and providing for the Poor under the said Act, including therein the Payment of the said Annuities, and Interest of the said Debt, have, for Six years last past, annually exceeded one Year with another the Monies received by the Guardians of the said Poor, by and under the said Act, upwards of the Sum of Three hundred and twenty Pounds; and the Expences of maintaining and providing for the said Poor being likely still to increase, the said Corporation, notwithstanding their great Care, and most frugal and prudent Management, under the said Act, must inevitably sink, unless some further Provision be made for enabling them to discharge their present Debt, and to employ and maintain the Poor under their Care, agreeable to the Designs and Intentions of the said former Act: And whereas by the said Act, the monthly Court for the said Corporation is to be held by the Governor, or, in his Default, by the Deputy Governor, or, in both their Defaults, by the Assistants, or the major Part of them for the time being: And whereas, in the Absence both of the Governor and Deputy Governor, which hath frequently happened, it hath been very difficult, and sometimes not possible, to get the major Part of the Assistants to hold the said Court,

which hath been attended with great Inconvenience and Delay to the Business of the said Corporation: And whereas the Sums to be assessed and raised by virtue of the said Act, being thereby directed to be assessed on the Inhabitants or Occupiers of Lands, Houses, Tenements, Tythes Impropriate, Appropriation of Tythes, and on all Persons having and using Stocks and Personal Estates in the said Town, and Liberties and Precincts of the same, and Parishes aforesaid, it hath been doubted whether Persons living and residing there as Lodgers, or Boarders, or any other Persons than Housekeepers in their own Rights, are liable to be assessed and pay to the said Rates, though such Persons living there as aforesaid are very numerous, and have large Incomes, and carry on considerable Trades in the said Town: And by the said Act the Churchwardens and Overseers of the Poor of the Parishes in Plymouth are directed to pay the Money they receive to the Treasurer of the said Corporation for the time being; but there is no Time limited by the said Act for their Payment thereof, nor any Penalty on them for Non-payment, or any Remedy given by the said Act to enforce the Payment thereof by such Churchwardens and Overseers, by reason whereof the Churchwardens and Overseers, and such Collectors, have often neglected their Duty in collecting and paying in the said Rates within proper Times, whereby Losses have happened to the said Corporation: And whereas all Elections of the Governor or other Officers to be made by virtue of the said Act, are to be by Ballot (to wit) By the Mayor, Recorder, and Justices of the Peace of the said Town and Borough for the time being, or by any Two of them; and it hath happened, and may frequently happen, that Two of the said Persons, by reason of Sickness, or otherwise, may not be able to attend such Elections, which by the said Act are directed to be on the Second Tuesday in May in every Year; and it hath been questioned, whether, for want of such Elections so regularly made, any Poor Rates can be made and collected for the ensuing Year, which hath occasioned, and may hereafter occasion, great Disturbances and Inconveniencies in the said Town, and prevent the Execution of the said Act, unless provided against for the future: And whereas by a Clause in an Act of Parliament of the Seventeenth Year of His present Majesty, intituled, An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and disorderly Persons, and to Houses of Correction, Masters of Vessels bound for Ireland, the Isles of Man, Guernsey, Jersey, or Scilly, are obliged to take on Board them respectively no

more than One Vagrant for every Twenty Tons Burden of their respective Ships or Vessels: And whereas the Ships and Vessels bound from Plymouth to the said Places are mostly of small Tonage, by reason thereof Vagrants whose last legal Settlements are in Ireland, or One of the said Islands, are, for want of timely Opportunities of Passage over to the said Kingdom or Islands, sometimes necessarily obliged to lie and continue for a long Time in the said Town and Parishes of Plymouth, to the great Burthen and Charge of the said Corporation: Therefore, for providing proper Relief and Redress in the Premisses; 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 of this Act, it shall and may be lawful to and for the said Guardians of the Poor of the said Town of Plymouth for the time being, and their Successors, and the same Corporation are hereby authorized and impowered to raise and levy within the Space of Three Years then next ensuing, or within such longer Time as the said Corporation shall see meet and convenient, by such quarterly or other Payments as they in their Discretion shall think fit, any Sum of Money not exceeding the Sum of Two thousand Pounds of lawful Money of Great Britain, by the Ways and Means, and for the Purposes, herein after mentioned; so that no more be raised in any One of the said Three Years than the Sum of One thousand Pounds.

Guardians of the Poor impowered to raise 2000 *l.*

of which no more than 1000 *l.* is to be raised in One Year;

And, for that Purpose, it is hereby also enacted, That the said Guardians of the said Poor of Plymouth shall and may, and they are hereby authorized and impowered to meet on the Third Wednesday in June next after the passing of this Act, in the Council Chamber belonging to the Hospital of the Poors Portion, within the said Town, or at some other convenient Place in the said Town; and then and there to set down and ascertain what Sum or Sums of Money shall be raised and levied within the next ensuing Year, to be applied by them towards the Discharge of the said Debt, and Interest, and Expences, and Charges of passing this Act, to be raised within Twelve Calendar Months, as to them shall seem meet, by such Quarterly or Monthly Payments as they in their Discretion shall see fit; and they the said Guardians of the Poor of the said Town of Plymouth shall also in such Court or Courts to be held, as is directed by the said Act, for raising the Sums thereby directed to be raised for the Maintenance and Employment

and in order thereto, they are to meet in the Council Chamber, and ascertain the Sum to be raised within the Year,

and applied towards their Debt, and Charges of passing this Act;

and are to make a Rate for the same;

ployment of the said Poor, indifferently proportion out, rate, and assess, the said Sums of Money so to raised within the next ensuing Year, towards the Discharge of the said Debt and Interest, and the Charge of passing this Act, on the respective Inhabitants or Occupiers of Lands, Tenements, Tythes Impropriate, Appropriation of Tythes, and on all Persons, owning, possessing, having, and using Stocks and Personal Estates, or residing as Lodgers, Boarders, or House-keepers, in the said Town, Liberty, and Precincts of the same, and Parishes aforesaid, in equal Proportion, according to their several and

which is to be certified to the Mayor and Magistrates of the Town;

respective Values and Abilities; and shall and may, under their Common Seal, certify the same unto the Mayor, Recorder, and Magistrates of the said Town, for the time being; which said Mayor, Recorder, Magistrates, or

who are to issue their Warrant for the collecting thereof;

any Three or more of them, may, and are hereby required, to issue out and grant their Warrant under their Hands and Seals, thereby to authorize and require the Churchwardens and Overseers of the Poor of the said Parishes respectively, or some or One of them, to demand, gather, and receive, the same; and for Nonpayment thereof, being lawfully demanded, upon such Demand,

and levying the same, in case of Non-payment;

or within Ten Days after, to levy the same by Distress and Sale of the Goods of such Person or Persons who ought to pay the same, restoring the Overplus, after the Charges of Distress and Sale deducted, to the Owner of the Goods so distrained: And when and as the Sum

and the Money as received, to be paid over to the Treasurer of the Corporation, and applied by him in Discharge of the said Incumbrance;

so assessed shall be received, the said Churchwardens and Overseers so respectively receiving the same, shall pay the same immediately to the Treasurer of the said Corporation for the time being, to be by him applied in Payment of the said Debt, Interest, and Charges, rateably and proportionably to each Person's Debt.

Guardians to meet annually on the Third *Wednesday* in *May*,

And be it further enacted by the Authority aforesaid, That the said Guardians of the Poor of the said Town of Plymouth shall also meet on the Third Wednesday in May in the Year of our Lord One thousand seven hundred and sixty, and also on the Third Wednesday in May in the Year One thousand seven hundred and sixty one, and on the like Day in each successive Year or Years, or until the said Sum of Two thousand Pounds shall be assessed and raised as aforesaid, at the Council Chamber belonging to the Hospital of the Poors Portion within the said Town, or at some other convenient Place

and ascertain the Sums necessary to be raised in each Year for the said Purposes;

within the said Town; and at such respective Times and Places, shall set down and ascertain what Sum or Sums of Money, other Part of the said Sum of Two thousand Pounds, shall be raised and levied within each

of

of the said Years respectively, to be applied by them towards the Discharge of the said Debt; and such Proceedings shall be had and taken, and such Ways and Methods be pursued, for the assessing, raising, gathering, levying, demanding, and receiving the said respective Sums so to be set down, ascertained, or certified, in the Years One thousand seven hundred and fifty nine, One thousand seven hundred and sixty, and One thousand seven hundred and sixty one, and any successive Year, as is herein before directed and enacted for the assessing, raising, gathering, levying, demanding, and receiving the said First Sum, by the Guardians of the said Poor, as is herein before mentioned.

Proceedings, and Method of assessing and levying the additional Rates.

Provided always, That if any Person or Persons so to be assessed, shall find him or themselves unequally assessed or tared, for or towards the raising the said Sum of Two thousand Pounds, he or they may appeal to the next General Quarter Sessions of the Peace to be holden for the said Town or Borough after such Assessment made and demanded, or to any other Sessions of the Peace to be holden by Adjournment, or otherwise, for the said Borough, within One Calendar Month after; and the Justices of the Peace at such Sessions shall, and have hereby Power to make such Order therein as to them shall seem just; which Order shall be final.

Persons aggrieved may appeal to the Quarter Sessions, &c.

Order of Justices therein to be final.

And be it further enacted by the Authority aforesaid, That from and after the passing of this present Act, it shall and may be lawful to and for the said Guardians of the Poor of the said Town of Plymouth for the time being, and their Successors, in the said Corporation, yearly, and every Year, to raise and levy, by Assessment and Taration of and on the respective Inhabitants or Occupiers of Lands, Houses, Tenements, Tythes Impropriate, Appropriation of Tythes, and on all Persons owning, possessing, having, and using Stocks, and Personal Estates, or residing as Lodgers, Boarders, or Housekeepers, in the said Town, and Liberty and Precincts of the same, and Parishes aforesaid, in equal Proportion, according to their several and respective Values and Abilities, by the Ways and Methods in the first recited Act ordered and appointed, as well the aforesaid former Sum of Six hundred and seventy two Pounds, Fifteen Shillings, and Three Pence, as such further Sum or Sums of Money, as, exclusive of the said Sum of Two thousand Pounds, shall not, together with the aforesaid annual Sum of Six hundred and seventy two Pounds, Fifteen Shillings, and Three Pence, exceed the Sum of One thousand Pounds in any One Year, for the employ-

Guardians impowered to raise, in the Whole, a Sum not exceeding 1000*l. per Ann.* (exclusive of the 2000*l.* aforesaid) for the maintaining and employing the Poor, and Payment of Annuities, &c.

ing and maintaining the Poor of the said Town, for Payment of the said Annuities, and for the Purposes in the said Act, and in this present Act, mentioned; which said further Sums so to be annually raised for the Maintenance and Provision of the said Poor, as aforesaid, shall be also assessed, raised, and paid, by such Quarterly, Monthly, and other Payments, as the said Guardians of the Poor of the said Town and Parishes of Plymouth, shall, from time to time, think fit and expedient, in the same Methods, and with the same Power of Distress, and other Powers, for raising, levying, and compelling the Payment thereof, and with the same Liberty of Appeal to the Quarter Sessions, as in the said recited Act is given, provided, directed, or appointed, of or concerning the Money thereby directed to be raised for the Purposes of the said recited Act.

Monthly Courts of the Corporation to be regularly kept up.

And, to the Intent that the said Monthly Courts of the said Corporation may, from time to time, be regularly kept up and continued, and that all Elections of the Governor and other Officers, may be duly and effectually made; be it further enacted by the Authority aforesaid, That the Governor of the said Corporation of the said Poor, or in his Default, the Deputy Governor, or in both their Defaults, any Three of the said Assistants for the time being, shall have Power, and are hereby required, from time to time, to hold and keep the said Monthly Court or Courts of the said Corporation, of which there shall be Seven of the said Guardians at least to constitute the said Court or Assembly, in some convenient Place of the said Town; and also to hold and keep extraordinary Courts or Assemblies to be called and summoned by the said Governor, or by the said Deputy Governor for the time being, at the Desire of Seven of the said Guardians; and that all such Courts or Assemblies, or extraordinary Courts or Assemblies, shall have full Power and Authority, from time to time, to do all and every Act and Acts, and to transact all Business, which, by the said former Act the Monthly and extraordinary Courts and Assemblies, are thereby directed and impowered to do: At all which Courts or Assemblies, all and every the said Guardians and Members of the said Corporation for the time being, are hereby enjoined to appear and be present, and not to depart from the same, without the Licence of the said Court or Assembly, on Pain to forfeit such reasonable Sum and Sums of Money, not exceeding Ten Shillings, to the Use of the Poor of the said Corporation, as by the said Court or Assembly, or by the next succeeding Court or Assembly, or the major Part of them assembled,

5 Members constitute the Court;

and may call extraordinary Courts;

Members not to depart the Court without Licence, on Forfeiture of 10 s.

assembled, shall be assessed upon them, unless they can shew some reasonable Cause to excuse them from the same, to be allowed of by the said Court or Assembly, or the major Part of them; and further, that all future Elections of the Governor, or other Officers, to be made by virtue of the said Act, when and as often as Two of them the said Mayor, Recorder, and Justices of the Peace of the said Town or Borough for the time being, shall not be present, or attend, that then it shall and may be lawful to and for the Mayor, Recorder, or any One Justice of the Peace of the said Town or Borough, together with Two of the said Masters or Magistrates of the said Town or Borough, then present, or in case neither of them the said Mayor, Recorder, or Justices, shall be present, and attend, then to and for Three Masters or Magistrates of the said Town then present, and they are hereby required to take the Scrutiny of the Ballot thereby directed to be taken, and proceed in such Election and Elections, in such Manner as the said Mayor, Recorder, and Justices of the said Town or Borough, or any Two of them, are by the said Act impowered and directed to act and proceed; and that such Election and Elections shall be as good and effectual to all Intents and Purposes, as if made under the Direction of the said former Act.

unless they can shew good Cause for the same.

Regulations with respect to the future Elections of the Governor and Officers.

And be it further enacted by the Authority aforesaid, That if the said Churchwardens or Overseers shall neglect or refuse, by the Space of Forty Days next after issuing forth of the said Warrants by the said Mayor, Recorder, Magistrates, or any Three or more of them, and after the Monies directed by such Warrants to be levied shall become due and payable, to gather, receive, levy, or pay, the same Money mentioned in such Warrants to be gathered and received, that then and so often, the Mayor, Recorder, and Justices of the Peace of the said Borough for the time being, or any Two of them, shall, and they hereby have Power and Authority to raise and levy by Distress and Sale of the Offenders Goods, restoring to the Person and Persons so distrained, the Overplus (if any shall be) after deducting the Charges of Distress and Sale, all such Sum and Sums of Money as ought to have been gathered, received, levied, and paid, in pursuance of such Warrants; and that the same shall be applied to such Uses as the said Sum or Sums of Money, so to be gathered, received, levied, and paid, ought to have been applied and employed.

Churchwardens or Overseers neglecting their Duty in collecting the Rates, liable to have the same levied on them by Distress and Sale.

And be it further enacted by the Authority aforesaid, That from and after the passing of this present Act, all and every Master and Masters of any Pacquet Boat, Ship,

Vagrants may be sent on Board Vessels to their proper Place of Residence.

and Masters to receive One Vagrant for every 15 Tons, and convey them at the like Rate, and under like Penalty, as by the former Act is directed.

Ship or Vessel, bound from the said Port of Plymouth to Ireland, or to the Isles of Man, Guernsey, Jersey, Scilly, or either of them, shall, and they and each of them are and is hereby required, upon such Warrant as in the said recited Act of the Seventeenth of His present Majesty is mentioned, to take on Board such Pacquet Boat, Ship, or Vessel, and convey to such Place in Ireland as the same shall be bound to, or arrive at, or to such of the said Isles of Man, Guernsey, Jersey, or Scilly, as the same shall be bound to, or arrive at, all and every such Vagrant or Vagrants as shall be named and expressed in the said Warrant, not exceeding One Vagrant for every Fifteen Tons Burthen of such Pacquet Boat, Ship, or Vessel, at the like Rate per Head, and under the like Penalty, as in and by the said last mentioned Act is directed and appointed; any thing therein contained to the contrary notwithstanding.

And whereas many of His Majesty's Ships of War being built, repaired, harboured, stationed, fitted out, and rendezvousing in the Bay and Port of Plymouth, the Wives of the Seamen belonging to the said Ships resort to Plymouth from all Parts of Great Britain and Ireland, as do also the Wives of Soldiers who embark from Plymouth to serve in His Majesty's Armies and Garrisons Abroad, and on Departure of such Seamen and Soldiers, many of their Wives and Children are left in the said Town and Parishes of Plymouth in great Distress, and being forced to beg for their Sustenance, and frequently committing Acts of Vagrancy, the said Guardians of the said Poor of Plymouth are obliged not only to relieve and maintain them, but also to send and convey them by Vagrant Passes to their several Places of Settlement, to the great Expence of the said Corporation of the Poor of Plymouth: And whereas these last-mentioned Expences were formerly allowed and reimbursed out of the County Rates of the said County of Devon, but for about Twenty Years last past the said Expences of Passing and Conveying the said Vagrants have been withheld, on a Suggestion that the Mayor and Commonalty of Plymouth had neglected or refused to pay their usual Quota or Proportion of the Charge of supporting and maintaining the Publick Gaols and Hospitals of the said County of Devon, and that therefore such Expences of Passing and Conveying Vagrants ought not to be reimbursed them under and by virtue of an Act of Parliament passed in the Twelfth Year of His present Majesty's Reign, intituled, An Act for the more easy assessing, collecting, and levying, of County Rates: And whereas

Act 12 *Geo.* II.

whereas the said Mayor and Commonalty applied to the General Quarter Sessions of the Peace, held in and for the said County of Devon, on the Twelfth Day of July, in the Year of our Lord One thousand seven hundred and fifty seven, to be reimbursed for the future out of the said County Stock, the Expences of conveying Vagrants from the said Town, and to be admitted to all other Privileges to which the Towns and Parishes in the same County who contribute to all the County Rates now consolidated, are intitled, upon their paying to the Treasurer of the said County Stock the Sum of Five Pounds, Eight Shillings, and Four Pence, as their Proportion of every County Rate to be made for the future, and upon their procuring a Clause in an Act of Parliament, obliging themselves to pay such Proportion, with proper Powers for the levying thereof: And whereas the said Court of Sessions declared and agreed, That the said Mayor and Commonalty complying with the aforesaid Proposal, ought from thenceforth to receive, and should be admitted to all the Advantages which other Towns and Parishes in the said County are intitled unto, who contribute to all the said County Rates, consolidated by the said Act of Parliament passed in the said Twelfth Year of His present Majesty's Reign, and they the said Mayor and Commonalty have agreed thereto: To the Intent therefore that the said Agreement and Proposal may be effectually carried into Execution; be it further enacted by the Authority aforesaid, That from and after the passing of this Act, the Mayor and Commonalty of the said Borough of Plymouth shall be rated and assessed in every General Rate or Assessment which shall be made by the Justices of the Peace of the County of Devon, at their General or Quarter Sessions, under and by virtue of the said Act of the Twelfth of His present Majesty, the said Sum of Five Pounds, Eight Shillings, and Four Pence, as and for the Proportion of the said Borough and Town of Plymouth, and the Parishes and Precincts thereof, for and towards each and every of such Rates; which said several Rates so assessed, shall be paid to, and collected by, the High Constable or Constables of the Hundred of Roborrough, in the County of Devon, in which said Hundred the said Borough and Town of Plymouth doth lie, in such Manner, and at such Times, as is herein after directed.

Town of *Plymouth* to be rated 5*l.* 8*s.* 4*d.* in all General Assessments for the County of *Devon*, as their Proportion thereto;

the same to be paid to, and collected by, the High Constable of *Roborrough* Hundred.

And, to the End that the said several Sums so assessed and collected may be well and truly paid to the said High Constables of the said Hundred of Roborrough, be it further

The Corporation to pay the said Sum within 30 Days after Demand made thereof by the High Constable.

enacted by the Authority aforesaid, That the Mayor and Commonalty of the said Town and Borough of Plymouth shall, and they are hereby required, to pay to the said High Constables the said Sum or Sums of Money so to be rated and assessed, within the Space of Thirty Days next after Demand made thereof in Writing to be given to the said Mayor of the said Town and Borough of Plymouth for the time being, or left at his Dwelling-house, or affixed at the Door of the Guild Hall of the said Town of Plymouth, by the High Constable or High Constables of the said Hundred of Roborrough; which said Demand the said High Constable or High Constables, or any or either of them, is and are hereby authorized and required to make, at such Times as the said Justices of the Peace of the said County of Devon, or the major Part of them, by their Order in Sessions, shall direct; and the Receipt or Receipts of such High Constable or High Constables shall be a full and sufficient Discharge for the same: And further, that the said High Constable or High Constables shall, and they are hereby required, to pay such Sum or Sums of Money to the Treasurer or Treasurers for the time being of the said County of Devon, under such Penalties, in case of Neglect or Default in demanding, paying, or accounting for the same; and that the Treasurer or Treasurers of the said County for the time being shall pay, apply, and account for the said Money, in the same Manner, and for the same Purposes, as are mentioned and directed of and concerning the said County Rates so directed to be assessed, collected, and levied, in and by the said last-mentioned Act.

Justices by an Order of Session to direct when the said Demand shall be made.

Money to be paid over to the Treasurer,

and to be applied and accounted for as the County Rates.

Corporation refusing to pay the said Sum, forfeit 50 *l.*

And be it further enacted by the Authority aforesaid, That in case the Mayor and Commonalty of the said Town and Borough of Plymouth shall neglect or refuse to pay any Sum or Sums of Money so to be assessed, after Demand made as aforesaid, the said Mayor and Commonalty shall, for every such Refusal or Offence, forfeit and pay to the Justices of the Peace for the said County of Devon, the Sum of Fifty Pounds, to be recovered and disposed of in such Manner, and to such Uses, as are herein after mentioned; that is to say, That it shall and may be lawful to and for the said Justices of the Peace for the said County of Devon, from time to time, and as often as the Case shall happen, to sue the said Mayor and Commonalty of the said Town of Plymouth for the same, in the Name of the Treasurer or Treasurers of the said County of Devon for the time being, by Action of Debt, or on the Case, in any of His Majesty's Courts of Re-

to be recovered by Action of Debt, *&c.* in any of the Courts at *Westminster*, with Double Costs.

cord

for at Westminster; wherein no Essoin, Protection, or Wager of Law, or more than One Imparlance shall be allowed; and wherein the Plaintiff or Plaintiffs, if he or they recover, shall likewise have his or their Double Costs; which said Sum and Sums of Money so to be recovered, shall be accounted for from time to time, by the said Treasurer or Treasurers, and paid and applied in the same Manner, and for the same Purposes, as are mentioned and directed of and concerning the said County Rates, directed to be assessed, collected, and levied, in and by the said last mentioned Act.

The Money to be applied as the Rates are directed.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor, Recorder, and Justices of the Peace of the said Town and Borough of Plymouth, or any One of them, from time to time, from and after the passing of this Act, to make such Orders, and to give such Rules and Directions, for the passing, conveying, or maintaining, of Rogues, Vagrants, and Vagabonds, or Incorrigible Rogues, from the said Town and Parishes of Plymouth, and the Liberties and Precincts thereof, in the same Manner, and as fully and effectually, as any of the Justices of the Peace of the said County of Devon, are impowered to give or make, for the passing of Rogues, Vagrants, Vagabonds, or Incorrigible Rogues, from or through any other Part or Parts of the said County of Devon, in and by the said Act of Parliament passed in the Seventeenth Year of His present Majesty's Reign; and that the Rates, Allowances, and Charges, of passing, conveying, and maintaining, of such Rogues, Vagrants, Vagabonds, or Incorrigible Rogues, shall be allowed and paid by the Treasurer of the said County of Devon, in such Manner as is directed in and by the said last-mentioned Act, as to the other Monies to be allowed by the said Treasurer for the like Purposes.

Corporation impowered to make such Orders and Regulations for the passing, &c. of Vagrants, &c.

as the Justices for the County are enabled to do.

Charges thereof to be paid by the Treasurer of the County.

Provided always, and it is hereby further enacted, That all such Rates, Allowances, Orders, Rules, and Directions, which have at any Time heretofore been made, and now subsist, or which shall at any Time hereafter, from time to time, be made by the Justices of the Peace of the said County of Devon, at the General or Quarter Sessions of the Peace under and by virtue of the said last-mentioned Act, for the limiting, appointing, and directing, what Rates and Allowances per Mile or otherwise, shall be paid or allowed for the passing, conveying, or maintaining, of Rogues, Vagabonds, or Incorrigible Rogues, to be passed or conveyed as aforesaid; and also all such other Orders, Rules,

The Orders and Directions of the Justices for the County at their General or Quarter Sessions, for limiting, &c. the Allowances for passing Vagrants,

and for the more regular proceeding and acting therein,

Rules, and Directions, for the more regular proceeding or acting therein, within the Limits and Jurisdiction of the said Justices of the Peace of the said County of Devon, as they have made, or at their Discretion shall think

to be observed and conformed to by the Mayor and Justices of *Plymouth*.

proper to make as aforesaid, shall, from time to time, be observed, performed, and conformed to by the said Mayor, Recorder, and Justices of the Peace, of and for the said Town or Borough of Plymouth, and by all Constables, Officers, and other Persons, acting under them, any or either of them, as aforesaid.

Charges of obtaining this Act to be first paid out of the Money to be raised.

And be it enacted by the Authority aforesaid, That the Charges and Expences of procuring this Act of Parliament shall be first borne, paid, and defrayed out of the said Sum of Two thousand Pounds to be raised as aforesaid by virtue of this present Act.

Act 6 *Annæ* to be in Force, except where altered, &c. by this Act.

And be it further enacted, That the said former Act of Parliament of the said Sixth Year of Her late Majesty Queen Anne, and all and every the Clauses, Powers, Articles, Matters, and Things, therein contained, and not hereby varied, altered, or otherways explained, shall be, and the same are hereby, continued, and shall be and remain in Force, as fully and effectually as if this Act had not been made; and shall be executed with respect to the Matters herein contained as fully and amply as if such Clauses, Powers, Articles, Matters, and Things, were, with such Alterations or Variations, herein re-enacted with respect to this Act.

And whereas several Sums of Money, being the Surplusses of the Assessments for raising the Land Taxes before the Year One thousand seven hundred and fifty seven, in the said Town, are now in the Hands of several Persons, and the Land Owners and Inhabitants who contribute and pay to the Relief of the Poor of the said Town, are desirous that the said Monies may be applied for the Purposes of the said former Act and this present Act; be it therefore enacted by the Authority aforesaid, That all and

Surplusses in Hand of Monies arisen by the Rates for the Land Tax before the Year 1757,

every Person or Persons who hath or have in his or their Hands or Custody, any Surplus Monies which shall have arisen by the Rates and Assessments for raising the Land Tax within the said Town, at any Time or Times before the Year One thousand seven hundred and fifty seven, and shall have remained over and above the general Sum directed to be assessed and raised upon the said Town for their Quota to the Land Tax, and paid to the Receivers General of the Land Tax for the time being, shall, and they are severally hereby required, to account for and pay

all such Surplus Monies so remaining, on or before the Twenty ninth Day of September, One thousand seven hundred and fifty nine, into the Hands of the Treasurer or Receiver of the said Corporation of the Workhouse for the time being; and the Receipt of such Treasurer or Receiver shall be a full and sufficient Discharge and Acquittance to every such Person or Persons for the Payment of the said Monies: And if any such Person or Persons shall neglect or refuse to account for or pay such Monies, before the said Twenty ninth Day of September, One thousand seven hundred and fifty nine, being required so to do, by any Notice in Writing, signed by such Treasurer or Receiver, and delivered to any such Person, or left at his or their usual Place or Places of Abode, such Treasurer or Receiver is hereby impowered and required to sue for, and shall recover such Monies, in the Name, and for the Use, of the said Corporation of the Workhouse, with Double Costs of Suit, in any of His Majesty's Courts of Record at Westminster; in which no Essoin, Protection, Wager of Law, or more than One Imparlance, shall be allowed: And that all such Monies, when paid or recovered, shall be applied under the Direction of the said Corporation of the Workhouse, for such Uses and Purposes, and accounted for in such Manner, as any Monies authorized to be raised or received by virtue of the said former Act, or this present Act, are directed to be applied and accounted for; any Law to the contrary thereof in any wise notwithstanding.

to be accounted for, and paid over to the Treasurer of the Corporation of the Workhouse.

Treasurer impowered to sue for the same;

the Monies to be applied under the Direction of the said Corporation.

And, for the better preventing veratious Suits which may be occasioned by the Execution of this Act; be it further enacted by the Authority aforesaid, That if any Person or Persons shall be sued for any Matter or Thing which he or they shall do in Execution of this Act, in such Case, the Action or Suit shall be brought within Six Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants 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 Defendants, or the Plaintiff shall be Nonsuit, or discontinue his Suit, the Defendant or Defendants shall have and recover his or their Treble Costs: And this Act shall be taken and allowed in all Courts within this Kingdom, as a Publick Act; and all Judges and Justices are hereby required to take Notice thereof as such, without specially pleading the same; and all Mayors, Justices, Sheriffs, Bailiffs, Constables, and

Limitation of Actions.

General Issue.

Treble Costs.

Publick Act.

Civil Officers to be assisting to the Guardians of the Poor, in the Execution of this Act.

all other Officers and Ministers of Justice, are hereby required to be aiding and assisting to the said Guardians of the Poor of the said Town of Plymouth, and to all such Officers as shall be employed by them, or any of them, in the Execution of this Act, or in any of the Powers and Authorities hereby given.

FINIS.
