ANNO DECIMO TERTIO

Georgii III. Regis.

CAP. L.

An Act for better regulating the Poor, and repairing the Highways, within the Town and County of the Town of *Southampton*.

WHEREAS the Poor of the Town and County of the Town of Southampton are very numerous, and are maintained and supported at a great Expence, by the respective Parishes within the same: And whereas the uniting of the said several Parishes, for the Purposes and in the Manner hereinafter mentioned, and the granting of proper Powers for the better Government, Employment, and Regulation of the Poor therein, and the providing a Place for their general Reception, will tend more effectually to their Assistance and Relief, and be also of considerable Advantage to the Community, to which they have hitherto been only a heavy and grievous Burthen: 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, Preamble.

The several Parishes of *Southampton* united into One District, &c.

ral, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Twenty-fourth Day of June, One thousand seven hundred and seventy-three, the several Parishes within the said Town and County of Southampton, and Liberties thereof, shall be for ever united into One District, for the Purpose of maintaining, relieving, and employing, the Poor of the said several Parishes; and that, from and after the said Twenty-fourth Day of June, there be and shall be a Corporation of Guardians, to continue for ever, within the said District, to whom the Care and Management of the Poor of the said several Parishes shall be committed; which Corporation shall consist of the several Persons hereafter mentioned; that is to say, The Mayor and Bailiffs, Recorder, Three senior Aldermen, and resident Justices of the Peace of and for the said Town and County for the Time being, and also Eighteen other of the most discreet Inhabitants of the said Town and County, to be elected in Manner following, out of the said several Parishes; (that is to say,) Four for each of the Parishes of Holy Rhood, Saint Michael, and All Saints; and Two for each of the Parishes of Saint Lawrence, Saint John, and Saint Mary, all within the said Town and County, or so many of such Inhabitants as shall, from Time to Time, be so elected, shall be, and are hereby declared to be, incorporated, by the Name of The Guardians of the Poor within the Town and County of the Town of *Southampton*; and shall for ever, in Name and Fact, be One Body Politick and Corporate in Law, to all Intents and Purposes; and shall have perpetual Succession, and a common Seal; and shall be and be called, Guardians of the Poor within the Town and County of the Town of *Southampton*; and shall be enabled to sue and plead, and be sued by that Name in all Courts and Places of Judicature within that Part of Great Britain called England; and by that Name shall and may, without Licence in Mortmain, purchase, take, or receive, any Lands, Tenements, or Hereditaments, of the Gift, Alienation, or Demise, of any Person or Persons for any Estate or Interest whatsoever; and such Person or Persons are hereby enabled to give, convey,

Persons who are to be elected Members of the Corporation.

Name of the Guardians incorporated;

who are by that Name impowered to purchase and receive Estates,

or demise the same, and to give or bequeath any Money, Goods, and Chattels whatsoever, for the Use and Benefit of the Corporation aforesaid; and by that Name the said Corporation may and are hereby impowered to convey, assign, release, transfer, or dispose of, any of such Lands, Tenements, or Hereditaments, Money, Goods, or Chattels, for the Benefit and Use of the said Corporation, as there shall be Occasion: And the said Guardians shall have, and are hereby declared to have, Power and Authority, from Time to Time, at any Court or Assembly to be held in pursuance of this Act, to make and ordain such Bye-laws, Rules, Ordinances, and Regulations, and also to vary, alter, change, or repeal the same, or any Part thereof, for the better governing such Corporation, and the Master and Matron, and other Officers by them to be elected, and also the Poor which shall be under their Care, and for carrying on any Trade, Business, or Manufacture, that shall be set on Foot by such Corporation for the Employment of the Poor, and other the Ends and Purposes of this Act, as by the major Part of the Guardians present at such Court or Assembly shall be thought fit: And the said Guardians shall cause to be provided and kept a Book or Books, wherein the several Courts or Assemblies, and the Names of the Guardians attending such Courts, and the Nomination of all Officers and Persons who shall be employed in the Execution of this Act, and all Bye-laws, Rules, Orders, Ordinances, and Regulations, of the said Guardians at such Court or Assembly, shall, from Time to Time, be fairly written, and entered by their Clerk, or by such other Person as the President for the Time being, at any such Court or Assembly, (in case of the Absence or Disability of the Clerk), shall nominate or appoint; and the said Guardians, or the major Part of them, present at such Court or Assembly, shall subscribe their Names at the End of the Proceedings of every such Court; and all such Entries and Proceedings, so signed, shall be deemed Originals, and shall be admitted to be read as Evidence in all Causes, Suits, and Actions, touching any Thing done in pursuance of or by the Authority of this Act; and all such Books shall, at

and transfer the same.

every such Court, be liable to the Inspection of any Person rated, and paying to the Rates, which shall be made in pursuance or by virtue of this Act.

Proviso. Provided always, That no Bye-law, Rule, Order, Ordinance, or Regulation, made by the Guardians as aforesaid, shall be revoked, varied, altered, changed, or repealed, unless the Guardians present, and concurring to revoke, vary, alter, change, or repeal the same, shall exceed in Number the Guardians who were present, and concurred in making such Bye-laws, Rules, Orders, Ordinances, or Regulation.

First Meeting for the Election of Guardians. And be it further enacted by the Authority aforesaid, That on the said Twenty-fourth Day of June, One thousand seven hundred and seventy-three, between the Hours of Two and Six in the Afternoon, the Churchwardens and Overseers for the Time being, or some or One of them, (and in the Parish where there shall be no Churchwarden, the Overseers, or some or One of them), and also such of the Inhabitants of the said several Parishes as now are or hereafter shall be rated towards the Relief of the Poor of the said Parishes respectively, shall and may, and they are hereby required to meet in the Vestry-room of their respective Parishes, or in the Place or Places where the Business of the said Parishes is usually done; and the said Churchwardens, Overseers, and Inhabitants, so met and assembled, or the major Part of them, and in Default of any other Inhabitants, then the said Churchwardens and Overseers, or such One or more of them as shall be present, shall then and there, and they are hereby required to nominate, chuse, and appoint, the said respective Numbers of the most discreet Inhabitants (qualified as herein-after mentioned) to represent each such Parish, to be joined with the said Mayor, Bailiffs, Recorder, and Three senior Aldermen and Justices, and to act as Guardians of the Poor of the said Town and County, who shall severally continue in, and execute such Office, until others shall be chosen in their Places, at the Times herein-after mentioned; and that the next Election, and also all future Elections of such Guardians, shall be on Tuesday in Easter

Manner of Election.

Easter Week, yearly for ever: And in case any Person so elected Guardian shall die, or remove or depart out of or from the said District before the Expiration of his Office; then it shall be lawful for the said Churchwardens and Overseers, or some or One of them, and the Inhabitants of the Parish for which such Person was elected, and they are hereby required, within the Space of Sixteen Days, to meet in the Church or other Place aforesaid, and, from Time to Time, to elect some other Person in his Stead, to serve the Remainder of the Year; but Four Days Notice at the least shall be given in the said Parish by the Parish Clerk, or other Person officiating as such, on the Sunday next preceding such Day of Election, of the Day and Time of such eventual Election: And if any Dispute shall arise at any such Meetings touching the Persons so to be nominated, chosen, and elected, and any Two of the said Inhabitants there present shall demand a Ballot for such Nomination and Election, that then the same shall be made by Ballot, and the Names of the Persons to be first elected, and also the Names of the Persons to be annually or eventually elected in Manner aforesaid, shall be entered in the Church Book of every such Parish, and a Copy thereof shall be returned by the respective Churchwardens or Overseers, or some or One of them, in Writing, under his or their Hands, to the Guardians, at their First Meeting next after such Elections respectively: And the said Churchwardens and Overseers, or some or One of them, shall and are hereby required, within Three Days next after such first Election, to give to the Persons so elected Guardians, severally, or cause to be left at their several Places of Abode, a Notice in Writing, under the Hands of the said Churchwardens and Overseers, or some or One of them, signifying that such Persons have been so elected Guardians; and also signifying the Time and Place hereby appointed for the First Meeting of the said Guardians to carry this Act into Execution; And if the said Churchwardens and Overseers, or some or One of them, and the said Inhabitants of any of the said Parishes, shall refuse or neglect to chuse Guardians as aforesaid, or having elected them, no Return shall be made

How Guardians may be chosen in case of Disputes.

Churchwardens, &c. to give Notice to Persons elected, and of the First Meeting.

Churchwardens, &c. neglecting to elect, Justices to nominate them.

at the several Times, and according to the Manner in this Act specified and directed; then it shall and may be lawful for Two Justices of the Peace of and for the said Town and County, and they are hereby required, by Warrant under their Hands and Seals, to appoint such a Number of the ablest and most discreet Inhabitants of each respective Parish as is herein-before directed, to be chosen for the same, to be the Guardians of such respective Parish refusing or neglecting to chuse Guardians as aforesaid.

Qualification of Guardians.

Provided also, and be it further enacted, That no Person shall be capable of being elected or appointed, or of acting as a Guardian under this Act, for the said Parish of Saint Mary, unless he shall be resident, and in the Possession or Occupation of an Estate therein of the yearly Rent or Value of Ten Pounds or upwards, and for which Estate he shall be rated and pay towards the Relief of the Poor of the said Parish; and no Person shall be capable of being elected, or of acting as a Guardian for either of the other Parishes herein-before named, unless he shall be resident, and in the Possession or Occupation of an Estate in the Parish, for which he shall be so elected, of the yearly Rent or Value of Twenty Pounds or upwards, and for which Estate he shall be rated and pay towards the Relief of the Poor of the Parish for which he shall be so elected Guardian.

After *June* 24, 1778, Qualifications in point of Estate may be reduced by Guardians.

And whereas the yearly Rent or Value of Houses, Lands, and other Property, rateable to the Relief of the Poor of the said several Parishes, hath of late Years very much increased, but may hereafter fall and decrease, whereby the Choice of Guardians, qualified as aforesaid, may with Difficulty be made, and Persons in other Respects qualified for that Office may be excluded; for Remedy whereof, be it enacted by the Authority aforesaid, That from and after the Twenty-fourth Day of June, One thousand seven hundred and seventy-eight, it shall and may be lawful to and for the said Guardians, or the Majority of them, (such Majority to consist of Eleven Guardians at the least), at any or either of the said Courts, to ascertain and fix the yearly Rent or Value of the Estate, in respect whereof every such Guardian shall be eligible, and so from Time to Time from thenceforth to

reduce such Qualification by Estate, as they shall judge the same to be proper and expedient:

Qualification for *St. Mary* to be reduced not lower than 8*l. per Ann.* and other Parishes not less than 12*l.*

Provided always, That nothing herein contained shall extend to authorise the said Guardians, at any Time, to reduce the Qualification in Point of Estate, of any Guardian for the said Parish of Saint Mary, lower than the yearly Rent or Value of Eight Pounds, nor lower than Twelve Pounds, for any of either of the other Parishes by this Act united.

The original Institution of *St. John's* Hospital recited.

And whereas in and by a certain Indenture tripartite, bearing Date the Fourth Day of June, which was, in the Year of our Lord One thousand six hundred and seventy-three, inrolled in the High Court of Chancery the Twentieth Day of August following, and made between the Mayor, Bailiffs, and Burgesses, of the Town and County of the Town of Southampton of the First Part, Major Dunch of Baddesley in the County of Southampton, Esquire, (Son and Heir and Administrator with the Will annexed of John Dunch, then late of Baddesley aforesaid, Esquire, deceased) of the Second Part, and John Stepto of the said Town and County of Southampton Clothier, Francis Ludwell, William Hickman, John Smith, William Scammel, Philip Warton, and James Burrell, poor Children of the said Town and County of Southampton, of the Third Part, in pursuance of the Will of John Major, and of a decretal Order of the High Court of Chancery, in the said Indenture recited, the said Mayor, Bailiffs, and Burgesses, did erect, found, and establish, a Messuage, with the Appurtenances, then in the Possession of the said Mayor, Bailiffs, and Burgesses, situate in a certain Place within the Parish of Saint John, in the said Town of Southampton, in a Street there called French Street, for an Hospital, to have Continuance for ever, and did limit, assign, and appoint, that the said Hospital, and the said poor Children therein placed, should from thenceforth be incorporated by the Name of The Warden and poor Children of the Hospital of *Saint John Baptist*, founded by the said Mayor, Bailiffs, and Burgesses, and by John Major Esquire; and that it should be lawful for the said Mayor, Bailiffs, and Burgesses, and their Successors, upon the

Death or removing of the Warden, or any of the said poor Children, (except One poor Boy only, who was to be, from Time to Time, placed therein, and removed from thence, by the said Major Dunch, and his Heirs) to place, from Time to Time, One other Warden, and such other poor Boys in the Room of him or them that should die or be removed successively for ever: And the said Mayor, Bailiffs, and Burgesses, and the said Major Dunch, being those who founded and agreed to endow the said Hospital, did thereby constitute, limit, and appoint, That the Mayor and Bailiffs, and the Recorder, and Three senior Aldermen of the said Town and County for the Time being, and the said Major Dunch, and his Heirs, for ever, should be the perpetual Visitors of the said Hospital; and that the same should be always used for a Workhouse, and for the setting of poor People on Work therein, and that any other poor People in the said Town of Southampton, over and besides the said poor Children for the Time being, should and might be set on Work therein, in such Manner as the said Visitors of the said Hospital for the Time being, or the major Part of them, should direct and appoint: And the said Major Dunch being obliged to lay out the Sum of Seven hundred and twenty-eight Pounds in the Purchase of Lands, Rents, or Hereditaments, for the Endowment of the said Hospital, the said Mayor, Bailiffs, and Burgesses, by another Indenture, bearing Date the Twentieth Day of August, which was in the Year of our Lord One thousand six hundred and seventy-three, inrolled in the High Court of Chancery the Tenth Day of September following, in consideration of Seven hundred and twenty-eight Pounds paid to them by the said Major Dunch, did grant and confirm a clear Annuity or Rent Charge of Forty Pounds by the Year, out of the several Messuages, Lands, Tenements, and Hereditaments, belonging to them the said Mayor, Bailiffs, and Burgesses, therein particularly described, to be paid to the Warden and poor Children of the said Hospital for the Time being, for ever, in Trust, that the poor Boy for the Time being, placed and to be placed in the

said Hospital by the said Major Dunch, and his Heirs, should receive thereout the clear yearly Sum of Four Pounds, for and towards the Maintenance of the said poor Boy; and also that the said poor Boy for the Time being should further, yearly, out of some other Parts of the said yearly Rent, have his teaching, washing, and lodging, provided for him in the said Hospital; and that the Residue of the said yearly Rent should, for ever, yearly, be employed for and towards the Payment of a yearly Salary to the Warden of the said Hospital, for his Pains in governing and teaching the said Boy, and other Five poor Children for the Time being, and also for and towards the Maintenance of the said other Five poor Children, and for the setting of Poor on Work in the said Hospital, and other Necessaries and Charges, for the better Support and Continuance of the said Hospital and Charity, in such Manner and Form as the Visitors of the said Hospital for the Time being, or the major Part of them, should, from Time to Time, direct and appoint, according to the true Intent and Meaning of the said recited Indenture tripartite, made for the Incorporation of the said Hospital as aforesaid, and of the said recited Decree.

St. John's Hospital vested in the Guardians for a Workhouse;

And whereas the said Hospital is a spacious Building, and capable of receiving the general Poor of the said Town, and the major Part of the Visitors of the said Hospital, and also the Warden thereof, and the poor Children now being therein, are desirous that the said Hospital may be used as a Workhouse for the Poor within the District hereby united; and that the said Annuity or Rent Charge of Forty Pounds by the year, (except so much thereof as shall be necessary for the maintaining and providing for the said One poor Boy, to be placed therein by the Heirs of the said Major Dunch, and also so much thereof as the Guardians hereby constituted shall, at any of their Courts or Assemblies, think reasonable and proper to be allowed for teaching the said Six Boys as aforesaid), may be applied to the Purposes of this Act: be it therefore further enacted by the Authority aforesaid, That from and after the said Twenty-

fourth

fourth Day of June, One thousand seven hundred and seventy-three, the said Messuage or Tenement in French Street, called Saint John's Hospital, with the Appurtenances, and also the said Annuity or Rent Charge of Forty Pounds by the Year, be and are, and from and after the said Twenty-fourth Day of June shall be, settled and vested in the Corporation of Guardians hereby constituted, to have and to hold the said Messuage called Saint John's Hospital, with the Appurtenances, unto the said Corporation of Guardians, and their Successors, for ever, to be by them used and employed as a Workhouse for the Habitation and Employment of the Poor within the said District; and to have and to hold the said Rent Charge of Forty Pounds per Annum unto the said Corporation of Guardians, and their Successors, for ever, by them to be paid and applied for the Purposes of this Act, in Aid of the Assessments herein-after mentioned, as far as the same will extend, without Prejudice to the Rights and Interests of the said Six poor Children for the Time being, according to the true Intent and Meaning of the said several Indentures of the Fourth Day of June and Twentieth Day of August: Provided always, That nothing herein contained shall extend to annihilate or defeat the Provisions made, or intended to be made, by the said several Indentures of the Fourth Day of June and Twentieth Day of August, for and for the Benefit of the said Six poor Boys; but that the said Mayor, Bailiffs, and Burgesses, and also the Heirs of the said Major Dunch, shall and may, from Time to Time, for ever hereafter, nominate and place in the said House Six poor Boys of the said Town, and remove and displace them; and shall and may have and exercise the like visitorial Power over and for the Benefit of the said poor Boys, in such and the same Manner as they might have done if this Act had not been made; and so as that the said poor Boys shall and may have and receive the like Proportion and Allowance out of the said Forty Pounds per Annum, for their Maintenance, Education, and Apprenticeship; and also such Rooms and Accommodations in the said House, as are in and by

and also the Annuity of 40*l. per Ann.*

the before-recited Indentures provided and established for them.

First Meeting of Guardians for electing Officers.

And be it further enacted, That as well the said Guardians hereby appointed, as also the Guardians to be elected in Manner aforesaid, or any Nine or more of them, shall meet on Thursday, the First Day of July, One thousand seven hundred and seventy-three, in the Audit-house in the said Town and County; and being so assembled, shall proceed to the Execution of this Act, and elect and constitute out of and from among themselves, by the Votes of the major Part of them as shall be then present, the several Officers to act in, and as Part of, the said Corporation, as follows; that is to say, One Deputy President, and One or more Treasurer or Treasurers, and such other nominal Officer and Officers, to continue until others shall be chosen in their Room, in such Manner as is by this Act directed, and no longer: And that every such Treasurer shall, at the Time of his Election, or before the End of Thirty Days then next ensuing, give Security by Bond, with or without Sureties, as shall be directed by the Guardians, or the Majority of them present at his Election, and unto such Two of the said Guardians, and in such Penalty as shall in the like Manner be directed, with Condition for his well and truly accounting for all Monies that shall come to his Hands, and paying the same from Time to Time, in such Manner as shall be directed by the Guardians at their Meetings, or the Majority of them, during his Continuance in the Office of Treasurer, by virtue of such his Election, or any Re-election, and for his paying to his Successor, when any new One shall be chosen, all such Money as shall be in his Hands; and that no Bond shall be put in Suit but by the Order of the said Guardians, present at a Meeting, or the major Part of them; nor shall any Suit to be brought thereupon be stayed, released, or discharged, nor such Bond delivered up or cancelled, but by such Order; and that all Costs of any such Suit so to be brought or defended, by Order of the said Guardians, present at a Meeting, or the major Part of them, shall be paid and defrayed out of the Monies to be by them raised

by virtue of this Act; and that all Penalties, Costs, and Sums of Money, to be recovered in any such Suit or Action, shall be paid to the Treasurer, to be applied to the Uses and Purposes for which other Monies to be by them raised by virtue of this Act are to be paid and applied; and from and after such First Election of such several Officers, the said Guardians, or any Nine or more of them, shall and may, and they are hereby required, on the Monday next after Easter Tuesday in every Year, for ever, or within Ten Days next after such Monday, to assemble in the said Hospital, or in the Workhouse for the Time being, appropriated to the Use of the said Poor, or in such other Place within the said District as the President for the Time being shall appoint, and there elect and constitute, out of and from and amongst the whole Number of the said Corporation of Guardians for the Time being, One Deputy President, and One or more Treasurer or Treasurers, and other Officers as aforesaid, to continue in their respective Offices for One Year, or until others shall be chosen, within the Time, and according to the Directions aforesaid; and in case the said Deputy President, Treasurer, or Officer so chosen by and out of the said Corporation of Guardians, or any or either of them, shall die, or remove or depart out of or from the said District, before the Expiration of his or their said Office, it shall and may be lawful to and for the said Guardians, or the major Part of them, assembled at either of their Courts, within Sixteen Days next afterwards, to elect other and others of the said Corporation of Guardians in the Place of him or them so dying, removing, or departing out of or from the said District, to hold the said Offices respectively for the Remainder of the Term such deceased or removing Officer would have held the same; and the said Guardians, or the Majority of them, (such Majority to consist of Nine at the least) are hereby authorised, for just Cause, at any special or other Court or Courts, to remove and displace any or either of the aforesaid Officers out of his and their said Offices, and thereupon to elect and constitute One or more fit Person or Persons to supply the Office for the Time such removed

moved Person would have continued therein, in case he had not been removed.

Guardians to take the following Oath.

Provided always, and be it further enacted, That the said Guardians, before they, or any of them, shall take upon him or themselves the Execution of any of the Powers or Authorities hereby given to him or them, (other than the administering the Oath following to one another), shall severally take the Oath following; (that is to say),

The Oath.

I *A. B.* do swear, That I will truly and faithfully execute the Office of a Guardian of the Poor of the Town and County of the Town of *Southampton*, according to the best of my Skill and Knowledge; and that, in making all Assessments and Poors Rates, I will act without Favour or Affection, and without any View of receiving any private Advantage, directly or indirectly.

Which Oath, the said Guardians, or any One or more of them, is and are hereby required and impowered to administer at their First Meeting or Court, or at any subsequent Meeting or Court to be from Time to Time had and held in pursuance of this Act.

Penalties on Guardians refusing the Office.

And be it further enacted by the Authority aforesaid, That if any Person or Persons inhabiting within the said District, (other than the said Mayor, Bailiffs, Recorder, and Three senior Aldermen, and resident Justices for the Time being), shall be duly qualified, elected, and constituted into the Trust or Office of a Guardian, President, Treasurer, or of any other nominal Office of and belonging to the said Corporation, by virtue of and according to the Tenor of this Act; and shall, after Ten Days Notice thereof in Writing, signed by the President, or any Three Guardians for the Time being of the said Corporation, and delivered to him or them, or left at his or their own House or Houses, or Place or Places of Abode, wilfully and obstinately, and without reasonable Cause to be by him or them shewn, and to be approved of by the said Corporation, or the Majority thereof, present at their next Court, to be held after the Expiration of such Ten Days, refuse or neglect to accept of, and take upon him or them such Trust or Office, or shall refuse or neglect to act in such Trust or Office from

from Time to Time, for and during the Time mentioned for that Purpose in this present Act, and as the Duty of such Trust or Office may require; then, and in either or any of such Cases, all and every such Person and Persons, so refusing or neglecting as aforesaid, shall respectively forfeit and pay to the Use of the said Corporation the Sum of Ten Pounds; and in case of any such Refusal or Neglect to accept any such Trust or Office, or to act therein as aforesaid, some other qualified or fit Person or Persons shall, with all convenient Speed, be duly and according to the Directions of this Act elected and constituted as in the first Instance, in the Stead of him or them so refusing or neglecting as aforesaid.

No Penalty for refusing to serve Two Years together.

Provided nevertheless, That no Person shall be compellable to serve in the said Office of Guardian for any Parish within the said District Two Years together, or be liable to any Fine or Penalty for his refusing to serve Two Years together.

5*l.* Penalty on Guardians serving more than Two Years.

Provided also, That no Person to be chosen out of any of the said Parishes shall be capable of acting as a Guardian for any longer Term than Two Years successively; and if any Person so chosen shall act as a Guardian for any longer Term than Two Years successively, he be shall forfeit and pay the Sum of Five Pounds.

Guardians to hold monthly Courts.

And be it further enacted by the Authority aforesaid, That the said Guardians for the Time being shall have Power, and are hereby required, upon the First Monday in every Calendar Month in the Year, to hold and keep a Court or Assembly, in some convenient Place within the said Hospital or Workhouse, or the Work-house for the Time being, or in some other convenient Place within the said District; and that at every such Court or Assembly, as also at every other Court or Assembly to be held in pursuance of this Act, the Mayor of the said Town and County for the Time being, if present, shall be, and is hereby constituted President.

No Court can be held unless the President and Six Guardians at least be present.

And be it further enacted by the Authority aforesaid, That at every such Court or Assembly there shall be present the said Mayor, the said Deputy President for the Time being, or One of them, and also Six other Guardians at least, to constitute the said Court or Assembly; and

and in case the said Mayor, and Deputy President for the Time being, or One of them, cannot be present at any such Court or Assembly, the Guardians who shall be so assembled, not being less than Seven, are hereby impowered to appoint any One Member of their Body to act as President at such Court or Assembly, from which the said Mayor and Deputy President shall be absent; and the said Guardians, so assembled as aforesaid, are hereby impowered to adjourn themselves to any other Time and Place as they shall think convenient; and the said President for the Time being shall have, and hath hereby Power and Authority, at such other Time and Times as to him shall seem meet, to summon, assemble, and hold a Court or Assembly of the said Corporation, upon Three Days Notice or Warning of such Assembly to be holden; and in case any Five of the said Guardians shall signify under their Hands to the President for the Time being their Desire that an extraordinary Court or Assembly of the said Corporation may be called and held, the said President is hereby enjoined and required to call and hold such Court or Assembly at such Times as the said Five Guardians shall desire; and in case of an Equality of Voices on any Transaction, at any Court to be held in pursuance of this Act, including the Voice of the President for the Time being, the Person so presiding shall have another, and the casting Voice; and the President, or Deputy President, and Guardians, at any such Court or Assemby, are hereby impowered to summon to appear before them any of the Inhabitants of the several Parishes, to answer to all Matters relating to the Property and Effects of the said Corporation, or the Behaviour of the said Poor, or of the Officers appointed to take Care of them, or any other Matters relating to the Management of the Poor of the said Corporation; and such Inhabitants are hereby required to appear upon such Summons, and to answer to all Questions (upon Oath) as shall be put to them, relating to the Matters aforesaid, by the said President, Deputy President, or any of the Guardians so assembled, as aforesaid, on Pain of forfeiting any Sum, not exceeding Forty Shillings, for every such Default; which Oath the President, or Deputy Pre-

sident, shall have and hath hereby Power to administer: And all and every the Guardians by this Act constituted, are hereby required to give due and regular and constant Attendance at all and every the said Courts; and in case either of the said Guardians, to be elected in Manner aforesaid, having Notice of the Time and Place of holding any or either of the said Courts, shall absent himself therefrom without reasonable Cause, to be allowed at some subsequent Court by the Majority of the Guardians then present, he shall forfeit to the Use of the said Corporation the Sum of One Shilling; and if he shall absent himself Twice successively, the Sum of Two Shillings and Six-pence, and if Three Times successively, the Sum of Five Shillings; and in case either of the said Guardians present at such Court shall depart the same without the Permission of the President, or Deputy President for the Time being, he shall forfeit and pay to the Use of the said Corporation the Sum of Five Shillings.

Penalty on Guardians for Nonattendance.

Guardians to appoint inferior Officers,

And be it further enacted by the Authority aforesaid, That the said Guardians, or any Nine or more of them, shall, and hereby have Power and Authority, in any of their said Courts, or Assemblies, to nominate, appoint, and employ, from Time to Time, such Person and Persons as they shall think proper, to be and officiate as Clerk, Assistant, Master, Matron, Beadle, or Porter, or in any other Office or Place which shall be thought needful by the said Guardians; and, from Time to Time, to remove and displace such Person or Persons as they shall find Cause; and upon the Death or Removal of them, or any of them, to chuse others in their Place, and to make, pay, and allow out of the Stock of the said Corporation, and the Rates to be levied as herein after mentioned, such reasonable Salary and Allowance to any such Clerk, or other Officer or Person, as the said Guardians, or any Nine or more of them, shall think fit.

and remove them and appoint others.

Guardians may contract for supplying Materials, &c.

And be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Guardians, at either of their Courts, to be held under the Authority of this Act, and they are hereby required to contract with any Person or Persons whatsoever to furnish the said Work-

house,

house, or the Workhouse for the Time being, with Materials, Clothing, and Provisions; but previous thereto, Ten Days Notice of the Time and Place appointed by the said Guardians to meet, and enter into such Contract, shall be given in Writing, and signed by Three of them at the least, and affixed upon some publick Place or Places within the said District, in order that any Person or Persons, willing to supply such Materials, Clothing, and Provision, may tender Proposals for that Purpose; but no Contract shall be made with any Person or Persons but such as shall make a Tender as aforesaid, and neither of the said Guardians who shall be concerned in any Tender shall be present at the Court when the said Proposals shall be examined, nor when any Order for such Contract shall be made.

Power to borrow Money.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Guardians, from Time to Time, to borrow any Sum or Sums of Money, for the Purposes of this Act, not exceeding in the Whole the Sum of Three thousand Pounds, at Interest, and to assign over by Writing, signed by Nine of the said Guardians at the least, under the Common Seal of the said Corporation, all or any Part of the Rates to be collected in the said several Parishes, in pursuance of this Act, as a Security for the Repayment of the Principal and Interest so to be borrowed; and such Securities may be, from Time to Time, assigned and transferred by Indorsement, or otherwise, without Stamps; and such Assignments and Transfers shall intitle the Person to whom the same shall be made to all Principal and Interest Monies due, and to grow due, upon such Securities.

St. John's Hospital to be fitted up.

And, for the further better enabling the said Guardians of the Poor to begin and carry on with Effect so pious and charitable a Work, be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Guardians, at their First Meeting, or at any subsequent Court or Assembly to be holden before the said President, or Deputy President, by the Votes of the major Part of such of the Guardians as shall be then present, to order the said Hospital, and the Rooms, Outhouses, and Offices

fices thereunto belonging, to be repaired, fitted up, altered, or enlarged, for the better Accommodation of the said Poor, or to contract with any Workman or Workmen for those Purposes, the Charges and Expences whereof shall be provided for, defrayed, and paid, out of the Assessments to be made by virtue of this Act.

Guardians to hold Quarterly Courts.

And be it further enacted, That the said Guardians hereby constituted, and also the Guardians to be elected as aforesaid, shall, and are hereby authorised and required to hold Four General Quarterly Meetings in every Year, for ever, on the Four several Days following; (that is to say), On the Second Monday next after the Nativity of our Lord Christ, on the Second Monday next after Easter Tuesday, on the Second Monday next after the Nativity of Saint John the Baptist, and on the Second Monday next after the Feast of Saint Michael the Archangel; the First of which said Quarterly Meetings shall be held in the said Hospital or Workhouse, or at such other Place as the President for the Time being shall appoint, on the Second Monday next after the Feast of the Nativity of our Lord Christ next happening after the passing of this Act; and the said Treasurer or Treasurers for the Time being shall personally attend at each of the said Quarterly Courts, and then and there, and also at such other Time or Times as the said Guardians, or any Nine or more of them, shall order and direct, shall account on Oath (which Oath the said Guardians, or any One or more of them, have hereby Power to tender and administer) for all such Sums of Money as shall be in, or come to their respective Hands, and shall pay over, apply, and dispose of, the Balance which shall, from Time to Time, be found to be due from them respectively, according to the Direction and Appointment of the said Guardians; and the said Guardians shall duly attend at such Quarterly Courts, and receive and pass such Accounts accordingly; and in case any such Treasurer or Treasurers shall wilfully neglect, or obstinately refuse, to attend to account as aforesaid, or to pay over, apply, and dispose of, such Balance, or shall refuse to verify the same, on his or their Oath, if thereunto required, such Treasurer or Treasurers so offending shall forfeit and pay,

Treasurer to attend Meetings.

pay, to the Use of the said Corporation, such Sum of Money, not exceeding One hundred Pounds, and not less than Ten Pounds, as the Majority (such Majority not being less than Nine) of the Guardians present at any or either of their said Courts shall order and adjudge.

Penalty for Neglect not less than 10*l.* nor more than 100*l.*

And be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Guardians, (not being a Justice or Justices of the Peace of and for the said Town and County), or any Nine or more of them, at the said General Quarterly Meetings, or at any or either of them which shall be held as aforesaid, to rate and assess, and with as much Equality and Indifference as possible, to raise by Taxation of every Inhabitant, Parson, Vicar, and others, and of every Occupier or Renter of any Houses, Lands, Tenements, Tythes impropriate, and Propriation of Tythes, within the said District, distinguishing each Parish, such Sum and Sums of Money as they the said Guardians shall think necessary for defraying the Expences of repairing, fitting up, altering, and enlarging, the said Hospital, as aforesaid, and keeping the same in Repair, (which they are hereby required to do), or for the purchasing, erecting, repairing, or finishing, any other Workhouse or Workhouses, for the Purposes in this Act mentioned, and for paying the Interest of any Money to be by them borrowed, and for defraying the Expences of the current Quarter, and for and towards paying off and discharging the principal Money so to be borrowed: And the said Guardians hereby constituted, and also the Guardians to be from Time to Time elected in Manner aforesaid, are hereby required and authorised, at all and every the said General Quarterly Meetings, to make the like Rates, Assessments, and Taxation, and for the like Purposes, as are herein-before expressed, if the said Guardians so assembled shall judge the same to be necessary.

Rates to be levied from every Inhabitant, &c.

And be it enacted by the Authority aforesaid, That the several Rates and Assessments to be made, at the Times, and in Manner aforesaid, shall be certified under the Hands of the major Part of the said Guardians, present at the making the same, unto the Mayor, Recorder, and Justices of the Peace for the Time being of the Town

Guardians to certify the Rates to the Mayor, Recorder, and Justices.

and County of the Town of Southampton; which said Mayor, Recorder, and Justices of the Peace, of and for the said Town and County, or any Three or more of them, may, and are hereby required to grant and issue out their Warrants, under their Hands and Seals, to the respective Overseers of the Poor of the several Parishes within the said Town and County, and thereby to authorise and require them to publish such Rates and Assessments in their respective Parish Churches, on the Sunday next after the Day of the Date of such Warrant, in the same Manner as the Poor Rates are now by Law directed to be published, or have been usually published, in the said several Parishes, and to collect, gather, and receive, such Rates or Assessments, within the Space of Forty Days after such Publication, of the several Persons and Inhabitants aforesaid, within their said Parishes; and when and as the Sums so assessed, or any Part of the same, shall be received, the Overseers respectively shall, from Time to Time, pay the same to the Treasurer of the said Corporation for the Time being.

Rates to be levied as the Act of the 43d *Eliz.* and others direct.

And be it further enacted by the Authority aforesaid, That the said Rates or Assessments shall be levied and recovered on the Persons hereby directed to pay the same, in such Manner as the Rates made for the Relief of the Poor are directed to be levied and recovered, by an Act passed in the Forty-third Year of the Reign of Queen Elizabeth, intituled, An Act for the Relief of the Poor, or by any subsequent Act or Acts relating to the Relief of the Poor; which said several Methods of levying or recovering the said Rates or Assessments for Relief of the Poor shall, and they are hereby declared to be the legal Methods and Ways of enforcing the Payments of the Rates or Assessments directed to be made in pursuance of this Act, as fully and effectually as if such Rules and Methods were repeated and re-enacted in the Body of this present Act: And in case any Distress shall be taken, and Sale made of the Goods of any Person for Non-payment of any Sum of Money with which such Person shall be rated and assessed by virtue of this Act, then, and in such Case, the Overplus to be returned shall be

only such Overplus as shall remain after the Charges of Distress and Sale shall be deducted.

Poor to be maintained as heretofore till the Hospital be fitted up.

And be it further enacted by the Authority aforesaid, That, until the said Hospital of Saint John, or some other House or Building, shall be fitted up and repaired for the Reception of the said Poor, according to the Power hereby given for that Purpose, every poor Person and Persons, incapable of providing for him or herself within the said Town and County, shall continue under the Government and Management of the Churchwardens and Overseers of the Poor of his, her, or their Parish or Place, in the same Manner as he, she, or they now are, and be provided for accordingly.

Landlords or Tenants letting out their Houses in separate Apartments, or ready-furnished, to be considered as Occupiers.

And whereas there are divers Houses, and also Out-houses and Offices thereto belonging, in the said Town and County of the Town of Southampton, which are let out in separate Apartments, and distinct Tenements, and other Houses, are let ready-furnished to Lodgers, and divers Persons have and let Tenements, built on Ground appurtenant to their principal Dwelling, to Strangers, and others, unable to pay the said Assessment, or improper to be rated towards the same, whereby the Payment of the said Rates or Assessments may by some of them be evaded, and a just Proportion and Contribution towards the Relief of the said Poor, in respect of the Premises, may be defeated; for Remedy whereof, be it enacted by the Authority aforesaid, That every Person, whether Landlord or Tenant, who shall let out his or her House in separate Apartments, or ready-furnished, to a Lodger or Lodgers, or have or let any such Buildings as aforesaid, shall, for the several Purposes of this Act, be deemed and taken to be the Occupier thereof; and such Landlord or Landlords, Tenant or Tenants, or any or either of them, at the Discretion of the said Guardians, may be rated or assessed accordingly, and shall be liable and subject to the Payment of the Sum so rated or assessed.

Goods of Persons renting, &c. such Tenements, liable to the Rate,

Provided always, That the Goods and Chattels of each and every Person renting or occupying any separate Apartment in such House, or renting or occupying any ready-

ready-furnished, or any such Tenements or Buildings as aforesaid, shall be liable to be distrained and sold for Payment of the said Rate or Assessment; and that each and every Person who shall pay such Rate or Assessment, so charged on his or her respective Landlord or Landlords, or upon whose Goods and Chattels the same shall be levied in pursuance of this Act, shall and may deduct the same out of the next Rent due and payable to his, her, or their respective Landlord or Landlords so letting out the same, and the Receipt for such Payment shall be a sufficient Discharge to his or her said Landlord or Landlords for so much Money as he or she shall have so paid, or shall have been levied on his or her Goods and Chattels, in pursuance of this Act.

and they may deduct the Sum out of their Rent.

Provided always, That nothing in this Act contained shall extend or be construed to vacate or dissolve any Leases or Contracts taken or made by the Churchwardens and Overseers of the said respective Parishes, for the Hire of any House or Houses for the Habitation of their Poor; but such Leases and Contracts shall remain and be of the same Force and Effect, and continue for the same Times and Terms respectively, as they would have done if this Act had not been made; and the Rents, and Covenants and Agreements therein respectively reserved and contained on the Part of the said Churchwardens and Overseers, or their Successors respectively, shall, from and after the said Hospital, or other Workhouse, shall be fitted up for the Reception of the said Poor, be paid and performed by the Corporation of Guardians hereby constituted, and the Expences thereof be provided for and defrayed out of the Rates and Assessments to be from Time to Time made for the Purposes of this Act; and then, and from thenceforth, the said several Houses shall vest in the said Corporation of Guardians, who may and shall, and are hereby authorised and required to demise and let the same for the Residue of the Time and Term to come therein respectively, at the best and most improved Rents; and to apply the Rents and Profits so to be made in Aid of the said Assessments.

Not to extend to dissolve Leases of any Houses made by the Churchwardens, &c.

Provided

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Provided also, That in case the said Guardians shall, at either of their said Courts, think fit to purchase any other House, or any Part thereof, in lieu of the said Hospital, or to purchase any Piece or Parcel of Ground, and to build a Workhouse thereon, for the better Accommodation of the said Poor, and other the Purposes of this Act, it shall and may be lawful to and for the said Guardians to purchase and build on the same accordingly; and then, and from thenceforth, the House and Ground so to be purchased and built upon shall vest in the Corporation of Guardians hereby appointed, and be had and held by them for ever for the Benefit of the said Poor, and other the Purposes of this Act, in the same Manner as the said Hospital of Saint John is hereby vested in them; and from thenceforth also all and every the Powers, Privileges, and Authorities, by this Act granted and reserved, in respect of the said Hospital of Saint John, and the poor Boys therein placed, and the said Annuity, shall extend and have Relation to the House or Houses so to be purchased, as fully and effectually as if the same were here again repeated and reenacted: And in case such new Purchase shall be made, the said Guardians shall and may have Power, and they are hereby authorised absolutely to grant, sell, and convey the said Messuage, called Saint John's Hospital, to any Person willing to purchase the same, and to apply the Money arising by such Sale towards Payment of the Consideration-money for such Purchase, as aforesaid, and other the Purposes of this Act; and, in the mean While, until such Sale shall be made, the Rents and Profits of the said Hospital shall be received and applied by the said Guardians, in such and the same Manner, as the said Rates and Assessments are to be applied and disposed of.

Guardians impowered to purchase or build another House in lieu of *St. John's Hospital*;

and thereupon to sell the said Hospital.

Provided also, That no such Purchase, nor any Order or Resolution for such Purchase, shall be taken or made at either of the said Courts, nor any Contract for the same, unless Fourteen Days Notice, at the least, of the Time and Place of holding a Court for that Purpose, shall be signed by the President and Three of the said

No Purchase may be made but on 14 Days previous Notice,

Guardians, and affixed up in some publick Place or Places within the said District, nor unless Eighteen Guardians at the least shall be present at such Court, and subscribe their Names to such Order or Resolution: And in case any Overseers, to whom any Warrant shall be directed as aforesaid, shall neglect or refuse to receive and obey the same, and to collect the Money thereby required to be raised by such Taxation, and in all Respects before mentioned to enforce the raising thereof, and afterwards to pay over such Money, when collected, unto the said Treasurer for the Time being; or if the said Churchwardens and Overseers, or any or either of them, shall neglect or refuse to attend the said Courts, or either of them, upon reasonable Summons and Warning for that Purpose, or shall neglect or refuse to attend at the Time and Place appointed for the annual or eventual Election of Guardians as aforesaid, or, being present thereat, shall refuse or neglect to give Notice to the Person or Persons so elected, or to make such Return in Writing of their being so elected, in the Manner herein-before specified and required, every such Churchwarden and Overseer so offending in all, or any or either of the Matters aforesaid, in the Judgement of the said Guardians, at any or either of their said Annual, Quarterly, Monthly, or Special Courts or Meetings, shall forfeit and pay, for each such Offence, any Sum not exceeding Ten Pounds, nor less than Forty Shillings, for the Use of the said Corporation; and, for want of such Payment on Demand, made by Order of any such Court, the same shall be levied by Distress and Sale of the Offender's Goods, in Manner hereafter directed as to the Recovery of pecuniary Penalties or Forfeitures.

and 18 Guardians concur in the Resolution.

Penalty on Churchwardens, &c. neglecting their Duty.

And be it further enacted by the Authority aforesaid, That in case any or either of the said Churchwardens and Overseers appointed to collect the said Rates and Assessments shall, after he or they, or any of them, shall have so collected and received all or any of the Monies mentioned in such Rates and Assessments, embezzle or expend the same, or shall refuse or neglect to pay over the same Money, and to account to the said Treasurer of the said Corporation, or to such other Person as the said Corporation

Penalty on Collectors of Rates embezzeling Money.

Corporation shall direct, it shall be lawful for any One Justice of the said Town and County, on Complaint thereof to him made by and on Oath of the said Treasurer, or either of the said Guardians for the Time being, by Warrant under the Hand and Seal of such Justice, (and who is hereby required to grant the same), to cause such Money to be forthwith levied by Distress and Sale of the Goods and Chattels of every such Person or Persons, with the Costs of such Distress and Sale, to be allowed of by such Justice; and in case no such sufficient Distress and Sale can be had and made, then, by such like Warrant, to cause such Person or Persons so offending to be apprehended, and to commit him or them to the common Gaol of the said Town and County, there to remain, without Bail or Mainprize, until he or they shall pay all such Money and Charges, and shall account and conform according to the Effect of such Warrant, and according to the Tenor of this Act, or have compounded for such Money, which Composition the said Guardians, or any Nine or more of them, are hereby impowered to make.

Proviso. Provided always, That no Rate or Assessment shall be made for the Relief of the Poor of the said several Parishes, or of either of them, other than is in and by this Act directed.

County Rate to be paid as formerly. Provided further, That it shall and may be lawful for the said Overseers, and they are hereby required, out of the Monies to be by them collected as aforesaid, to pay and discharge the annual Rate, commonly called The County Rate, in and for the said Town and County, in such and the same Manner as they have heretofore done, out of the Rates by them respectively made for the Relief of the Poor of the said several Parishes; which Sum, so paid, shall be allowed to such Overseers, and deducted out of the Money by them to be received for the then current Quarter.

Rates under this Act liable to former Burdens. And be it further enacted by the Authority aforesaid, That all and every Sum and Sums of Money, which, by any Law now in being, is and are directed to be paid out of the Rates collected for the Relief of the Poor, shall, from and after the passing of this Act, be paid out of,

of, and remain a Charge upon, the Rates to be collected under and by virtue of this Act; any Thing in this or any former Act or Acts of Parliament to the Contrary notwithstanding.

Charges of the Act how to be paid.

And be it further enacted by the Authority aforesaid, That the Costs and Expences of procuring this Act of Parliament shall be paid out of the Monies to arise by the Rates and Assessments aforesaid, to be made in pursuance of this Act.

Guardians may purchase Provisions and provide Materials for the Service of the Poor.

And be it further enacted by the Authority aforesaid, That the said Guardians shall, and hereby have full Power and Authority to purchase and provide such Goods, Cattle, Chattels, Provisions, Clothing, Utensils, and Materials, by and out of the Money to be raised as hereinbefore mentioned, as shall by any of such respective Courts be thought proper for the effectual setting to work, receiving, employing, maintaining, and clothing of the Poor under the Care and Power of the said Guardians, of what Sex, Age, or Condition soever they be; and that the said Guardians shall have, and are hereby impowered to have, the Care of, and Power over, and shall provide for the Maintenance and Employ, and other Management, according to this Act, of all the Poor in the several Parishes and Places in the said Town and County of the Town of Southampton, wanting or seeking Relief, and of such other Poor who shall be taken and received into the said Poor-house, or under the Care of the said Guardians, pursuant to any Power hereby given; except such Poor of the said several Parishes who shall be otherwise sufficiently provided for in the Almshouses, or by the charitable Gifts of others, within the said Town; and the said Corporation of Guardians shall, and hereby have Power and Authority to receive, and to order and compel all and every idle and disorderly Person and Persons, who shall neglect or refuse, or be unable to maintain himself, herself, or themselves, or shall leave and desert their Families, not being afterwards able to maintain themselves; and also all the other People who shall beg, seek, or want Relief, for the Time being, and who shall belong to, and ought, according to this

Act, or by any other Law in Force, to be relieved and provided for by any of the said several Parishes within the said Town and County of the Town of Southampton, to come into, work, dwell, and inhabit in the said Workhouse, hereby vested in, or any other such House as shall belong to, the said Corporation for the Time being, by virtue of this Act; and to detain, keep, maintain, and employ, all such respective poor Persons therein, so long as it shall not appear to the said Guardians, on the Part of any such poor Persons, that any of them respectively are of Ability, or can otherwise be sufficiently maintained and provided for without the Aid and Provision of the said Corporation; and to employ, set, and compel all such Poor, who shall be so received, or come in to dwell and be in the said Workhouse, during such their Abode or Residence there, and whilst maintained by the said Corporation, as aforesaid, to do, execute, and perform such Work, Labour, Business, and Employ, as the said Guardians, or any Five or more of them, shall think and judge such respective Poor are and shall be able and fit to do and perform, for the Use of the said Corporation; and to detain and keep all such idle and disorderly Persons, who shall have so deserted, neglected, or refused, to maintain himself, herself, or themselves, or his, her, or their Families, and to set each of them to work in such Workhouse, during such Time as the said Guardians shall think reasonable.

Treasurer, &c. to account on Oath for Money, Goods, &c. come to their Hands.

And be it further enacted by the Authority aforesaid, That the Treasurer, and every other Officer and Person who shall belong to, or be employed by, the said Corporation, shall, from Time to Time, account upon Oath to the said Guardians, or to such Person or Persons as they, or any Nine or more of them, shall appoint, for all such Sums of Money, Stock, Goods, and other Things whatsoever, belonging to the said Corporation, which shall come to their respective Hands, or be under their respective Care, when thereunto required by the said Guardians; and if, upon such Account, as aforesaid, there shall appear to be any Money, or other Thing, in his or their Hands, belonging to the said Corporation, he or they

they shall pay and deliver the same as the said Guardians shall direct, on Pain of forfeiting Double the Value thereof; and if the said Treasurer, or any other Officer or Person belonging to, or employed by, the said Corporation, shall refuse or neglect to account as aforesaid, such Person, so refusing or neglecting, shall forfeit such Sum or Sums of Money as the said Guardians, or any Nine or more of them, assembled as aforesaid, shall appoint, not exceeding One hundred Pounds.

Punishment of the Poor for embezzeling Goods, &c. or Misbehaviour.

And be it further enacted by the Authority aforesaid, That if any poor Person, maintained in the said Workhouse or Workhouses, belonging to the said District for the Time being, shall embezzle or purloin any Part of the Apparel provided for him, her, or them, or for any or either of the other Poor therein, or the Goods or Provisions provided for, or belonging to, the said Workhouse, or any Materials for work; or be guilty of profane Cursing or Swearing, Drunkenness, or of any lewd, immoral, or indecent Behaviour; or refuse to perform the Work or Service which he, she, or they, shall be required to do, or shall be remiss therein; it shall and may be lawful to and for the said Guardians, or any Five or more of them, to cause such Person or Persons so offending to be punished in such Workhouse, either by Confinement, Distinction in Dress, Diet, or such other Method as may best tend to remedy such Offences for the future.

Provisions, Materials, &c. vested in the Corporation,

And be it further enacted by the Authority aforesaid, That all the Goods, Furniture, Provisions, Clothes, Linen, and Wearing Apparel, Tools, Utensils, and Materials whatsoever, to be from Time to Time had, brought, and procured, and in the Possession, Use, and Employ, of the said Corporation for the Time being, and also all Debts due to the Corporation for the Poor's Works, or otherwise, shall be, and are hereby absolutely vested in the said Guardians, for the Use of the said Corporation, who are hereby authorized and impowered by their said Name of Incorporation, to bring Actions for the Recovery thereof, or to prefer any Bill or Bills of Indictment, as the Case shall require, against any

who may bring Actions.

Person

Person or Persons, who shall steal, take, carry away, sell, imbezzle, pawn, pledge, or wilfully destroy or spoil, any such the aforesaid Goods, Cattle, Chattels, Furniture, Provisions, Clothes, Linen, Wearing Apparel, Tools, Utensils, and Materials: And in case any Person or Persons shall knowingly buy or receive, or cause to be bought or received, or shall otherwise take or get into his, her, or their Custody or Power, any such of the aforesaid Goods, Cattle, Chattels, Furniture, Provisions, Clothes, Linen, Wearing Apparel, Tools, Utensils, and Materials whatsoever, before named, from or by Means or Contrivance of any of the Poor under the Care and Management of the said Guardians, or from any other Person or Persons, without the Privity and Consent of the said Guardians in some of their said Courts; or shall knowingly receive, entertain, keep, or conceal, any of the said Poor, under the Care of the said Guardians, who shall have absconded, eloped, or deserted from the said Workhouse, without the Privity and Consent of the said Guardians; every such Person or Persons so offending, and being convicted of any of the Offences aforesaid, on his or her own Confession in Writing, or upon the Oath of any One Witness, or upon the Oath of any such poor Person, having so sold, pawned, or delivered, any of such Goods, Cattle, Chattels, Apparel, Provisions, or Materials aforesaid, or having so eloped as aforesaid, before any One Justice of the Peace of the said Town and County of the Town of Southampton, (which Oath any such Justice hath hereby Power to administer), shall forfeit and pay, for every such Offence, the Sum of Five Pounds, for the Use of the said Corporation; to be levied by Distress and Sale of the proper Goods, Cattle, and Chattels, of every such Offender or Offenders, together with the Charges of such Distress and Sale, by a Warrant for that Purpose, to be forthwith granted, under the Hand and Seal of such Justice before whom any such Conviction shall be made; and for want of sufficient Distress, it shall be lawful for the same, or any other Justice having Jurisdiction, by Warrant under his Hand and Seal,

to apprehend any such Offender or Offenders, and to commit him, her, or them to the common Gaol of the said Town and County, there to remain, without Bail or Mainprize, until Payment of such Penalty, with the Charges of Recovery thereof, to be fixed by such Justice, or until such Persons shall have compounded for the same, and paid such Composition; which Composition the said Guardians, or any Five or more of them, are hereby impowered to make; and each or any of such Convictions, and also all and every other Convictions for any Penalties whatsoever, in pursuance of this Act, and relating to the said Corporation in any wise, shall be drawn up by the Justice or Justices, or other Person or Persons impowered to determine the Case and Offence, in the following Manner, or in Words to the same Effect, and shall not be quashed or vacated, or any Advantage taken thereof, for want of Form.

Form of Conviction.

Town and County of the Town of *Southampton.*

BE it remembered, That on the Day of in the Year of His Majesty's Reign, is (*or* are) convicted before in the Sum of for (*specifying the Offence and Facts, as the Case shall be*)

Given under Hand and Seal, (*or* Hands and Seals), the Day and Year aforesaid.

Guardians impowered to apprehend Vagrants and idle Persons, and commit them to the Workhouse.

And be it further enacted by the Authority aforesaid, That the said Corporation of Guardians shall have, and hereby have Power and Authority to order and direct the Constables, and all other Officers of the respective Parishes for the Time being, and they are hereby required to compel all Vagabonds and Vagrants, and other idle Persons, who have no visible Means of living, and who do not betake themselves to some lawful Employment, and all other Persons, who shall be found within any Part of the said Parishes begging or seeking Relief, and such other Poor, who do or shall hereafter receive Alms, or ask Relief of any of the said Parishes, or that by any

Children of the Poor to be taken in and employed,

of the Laws in force, or hereafter to be in force, ought to be relieved, to dwell, inhabit, and work in such Workhouse, and to do and perform all such Manner of Work as they shall judge them able to perform; and also to detain and keep in the Service of the said Corporation, or to let to work any poor Child or Children of the said Parishes, who shall be, or whose Father, Mother, or such other Relation, who by Law are obliged to maintain such Child or Children, are or shall be chargeable to any of the said Parishes in this Act mentioned: And the said Corporation, by Indenture under their Common Seal, have hereby Power to bind and put forth such Children Apprentices to any honest Persons within the Kingdom of England, who are willing to take such Children, for any Number of Years the said Corporation shall think fit, provided no such Child be bound for a longer Term than until he or she shall have attained the respective Ages following; that is to say, a Boy the Age of Twenty-one Years, and a Girl the Age of Nineteen Years: And in case he, she, or they, shall desert, or not duly perform such Service and Apprenticeship, the said Guardians shall, and hereby have Power, by Warrant under the Seal of the said Corporation, to apprehend each such Apprentice in any City, County, or Place in Great Britain, where he, she, or they shall or may be found, and thereupon every such Apprentice shall be brought back to the said Workhouse, in order to fulfil the said Apprenticeship; and the said Guardians may, and hereby have Power, to confine and inflict such reasonable Punishment on him, her, or them, for any such Misdemeanour, as the said Guardians, or any Five or more of them, shall think most suitable to the Case; and the said Guardians, or any Five or more of them, may, and hereby have Power, to assign or turn over any such Apprentice, or wholly to release or discharge him or her from such Apprenticeship, by any Writing under their common Seal, as they shall in any Court think fit to order and direct.

and may be put forth as Apprentices.

How Apprentices may be punished who desert their Apprenticeships.

One Justice may order Relief in extra Cases.

And whereas it may happen, that by Casualties or sudden Illness, or for other Causes, several poor Persons may stand in need of an immediate Relief, before Application can be made for the same, at any of the said Courts or Assemblies to be held in pursuance of this Act; for Remedy whereof, be it enacted by the Authority aforesaid, That it shall and may be lawful, at any Time or Times, for One Justice of the Peace of and for the said Town and County, upon Application made to him, or upon his own Knowledge of the Fact and Necessity of the Case, by Writing under his Hand, to order the Treasurer for the Time being to pay unto every such Person, who shall, from any Casualty, Accident, or sudden Illness, stand in Need of immediate Assistance and Support, any reasonable Sum or Sums of Money for his or her Support, until the next Court shall be held in pursuance of the Directions of this Act, which said Sum or Sums of Money such Treasurer shall immediately pay and apply in such Manner as such Justice, so ordering the same, shall direct, out of the Monies received by him for the Purposes of this Act, and shall be allowed the same in his Accounts; and the said Treasurer, upon whom such Order or Orders shall be made by such Justice, as aforesaid, shall attend at the next Court to be held by the said Guardians, and lay before such Court the State and Circumstances of the Person or Persons so ordered to be relieved, when the said Court shall give such further Directions for the Maintenance and Relief of such poor Person or Persons as to them shall seem expedient.

Poor Persons may be relieved though not residing in the Workhouse.

And whereas there may be industrious poor Persons belonging to the said Parishes, who may require some Relief, and yet it may not be necessary to receive or to compel such Persons to go into the Workhouse; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Guardians, from Time to Time, at any of their said Courts, if they see Cause, to relieve any industrious poor Person or Persons belonging to the said Parishes, although such poor Person or Persons do not belong to or reside in the said Workhouse.

And

And be it further enacted by the Authority aforesaid, That after the Poor are under the Government of the said Guardians, at the Time appointed by this Act, it shall and may be lawful to and for the said Guardians, at any of their said Courts, to grant Certificates under the common Seal of the said Corporation, to any Person whose legal Settlement shall be within any Parish or Place within the said Town and County, and who shall be willing to remove, or shall have removed, out of the said Town and County; which respective Certificates under the common Seal of the said Guardians as are now by Law directed to be, shall be good and valid to all Intents and Purposes, and no other Certificates whatsoever hereafter to be granted within the said Town and County shall be valid, or of any Effect, any Law, Statute, or Custom, to the Contrary notwithstanding. Guardians to grant Certificates.

And be it further enacted by the Authority aforesaid, That all Certificates now remaining in the Custody of the respective parochial Officers, or hereafter to be delivered to them, or any or either of them, by Persons coming to reside or residing within the said District; and also all Rates and Books purporting to be Rates made for Relief of the Poor of the said several Parishes, and all other Writings and Papers whatsoever relative to the Settlement of any Poor within the said several Parishes, shall be delivered by the said Churchwardens and Overseers respectively to the Clerk of the said Guardians for the Time being, who shall cause the same to be preserved and filed, so that Reference may be had thereto at any future Time. Certificates to be delivered to the Clerks.

And be it further enacted, That all Bonds already given to parochial Officers within the said Town and County by private Persons, to indemnify the Parishes from any Charge that may arise from particular Bastard Children, shall be delivered likewise by such respective Officers to the said Guardians of the Poor; and it shall and may be lawful for the said Guardians to sue on such Bonds on their corporate Name, and they shall recover the Penalties thereof, as if such Bond had been originally made to them; and all Bonds hereafter to be given for the same, or any of the like Purposes as aforesaid, shall be Bonds relating to Bastard Children to be delivered to Guardians.

be made to the said Guardians of the Poor; any Law, Statute, or Custom, to the Contrary notwithstanding.

No Appeal shall be made by the Overseers.

And be it enacted by the Authority aforesaid, That no Appeal shall be made, prosecuted, or defended, by any of the Churchwardens or Overseers of the said several Parishes for the Time being, touching the Settlement of any poor Person or Persons whatsoever, without an Order of the said Guardians at One of their said Courts for that special Purpose to be made.

Proviso.

Provided always, and be it enacted by the Authority aforesaid, That neither this Act, nor any Thing herein contained, shall be construed, deemed, or taken, to alter or change the Laws, now subsisting, respecting the Removal of the Poor between any Parish or Place without the District hereby united, and any or either of the Parishes within the same; but such Laws shall continue and be in Force, any Thing herein-before contained to the Contrary notwithstanding, save and except in the Case of Certificates and Appeals upon such Removals as herein-before mentioned.

Costs of prosecuting Appeals to be paid out of the Rates.

And be it further enacted by the Authority aforesaid, That all Costs and Charges which shall accrue to any or either of the Parishes hereby united, by or on account of the Prosecution or Defence of any Appeal or Appeals touching or concerning the Settlement of any Person or Persons, shall and may be defrayed, from Time to Time, by and out of the Rates to be raised by virtue of this Act, and not otherwise.

Roads.

And whereas a considerable Part of the Roads leading to the said Town lies in the Parish of All Saints, and in an extraparochial Place there called The Common, within the Liberties of the said Town, and hath been repaired partly by the said Parish, and partly by the Parishes of Holy Rhood and Saint Lawrence, by ancient Custom; and Part of the said Roads being now made Turnpike, the said Parishes of Holy Rhood and Saint Lawrence may not now be obliged by Law to make such Reparations, or compound for the same: And whereas other Part of the Roads leading to the said Town have been repaired by the Parish of Saint Mary, and by the Ward of Saint Michael and Saint John, by ancient Custom, but many Disputes

Disputes have arisen between the Inhabitants of the said Ward and Parishes, as to the Extent of the said Reparations: And whereas the uniting of the said several Parishes and Ward into One District, for the Purpose of repairing and amending the said Roads, will tend to prevent the said Disputes in future, and be also for the Advantage of the Inhabitants of the said Town and Country in general; be it therefore enacted by the Authority aforesaid, That from and after the Thirty first Day of August, One thousand seven hundred and seventy-three, the said several Parishes and Ward shall be, and are hereby united into One District, for the Purpose of amending, repairing, and preserving all and every the publick Highways, Bridges, and Causeways, within the said Town and County; and the same shall for ever hereafter be under the Direction and Management of his Majesty's Justices of the Peace of and for the said Town and County for the Time being; and they the said Justices, or any Three or more of them, of whom the Mayor of the said Town and County for the Time being to be One, are hereby authorised and required, on the First Monday in September next after the passing of this Act, or within Twenty-one Days after, and so on every First Monday in September which shall from thenceforth successively happen in every Year for ever, or within Twenty-one Days next after such First Monday in September, by Warrant under their Hands and Seals, to appoint Two Persons out of each of the Parishes of Holy Rhood, Saint Michael, All Saints, and Saint Mary, and One out of each of the said Parishes of Saint John and Saint Lawrence, to be Surveyors of the Highways within the said Town and County for the Year ensuing; which said Surveyor or Surveyors respectively shall be, and shall be deemed, Surveyors of all and every the Highways, Bridges, and Causeways, within the District hereby united; and they and every of them shall, during the Continuance of their said Offices, respectively execute and perform all such Acts in and upon, and relating to the Highways, as such Surveyor or Surveyors, by any Law now in being, or hereafter to be made for the

Parishes united for the Purpose of repairing the Roads.

Amendment and Preſervation of the publick Highways of this Kingdom, are or ſhall be obliged to do and perform, without Regard to the particular Situation of the ſaid Roads; and in caſe the Perſon or Perſons ſo appointed ſhall refuſe to take upon him or themſelves the ſaid Office of Surveyor or Surveyors, and from Time to Time to obey ſuch Orders and Directions as ſhall be given to them by the ſaid Juſtices, at their ſaid Special Seſſions, touching the ſaid Highways, Bridges, and Cauſeways, or any Nuiſances or Annoyances therein; he and they ſo offending ſhall forfeit ſuch Sum of Money not exceeding Five Pounds, nor leſs than Forty Shillings, as the ſaid Juſtice or Juſtices, at either of their ſaid Special Seſſions, ſhall, at their Diſcretion, ſet and impoſe.

Foot and Carriage Way leading from *Godſhouſe Gate* to *Croſshouſe*, deemed Part of the Roads.

And be it enacted by the Authority aforeſaid, That the Foot-way and Carriage-way leading from Godſhouſe Gate to Croſshouſe, and all the Sea Banks, Mounds, Fences, Bunnies, Drains, and Cauſeways, appertaining thereto, and alſo the Foot-path leading along the Town-ditch from Godſhouſe Gate to Eaſt Street, ſhall, from and after the paſſing of this Act, be deemed Part of the publick Roads of the Diſtrict hereby united, and be repaired, maintained, cleanſed, and ſupported accordingly.

Juſtices may order Highways, *&c.* to be amended.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Juſtices, and they are hereby required, on the Firſt Monday after paſſing this Act, and at ſuch other Time and Times afterwards as they ſhall think proper, to hold a Special Seſſions at the Audit-houſe or Council Chamber within the ſaid Town, and then and there to order and appoint the ſaid Highways, Bridges, and Cauſeways, to be amended, and at what Time, and in what Manner the ſame ſhall be performed, according to which Order all and ſingular the reſpective Surveyors of the ſaid Highways are hereby required to proceed; and the ſaid Juſtices are alſo hereby impowered, at any of their ſaid Special Seſſions, to compound with the Truſtees for the Time being of any Turnpike Act, for the Repairs of ſuch Parts of the ſaid Highways as now are, or at any Time hereafter may be under their Management, either by the Year, or otherwiſe;

wise, and the Money agreed to be paid for such Composition shall be a Charge on, and be paid and defrayed out of, the Rates and Assessments appointed to be made as hereinafter mentioned, for defraying the Expences of the said Reparations.

Justices may enquire into the State of the Highways, and make Rates for repairing them.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Justices, or any Three of them, (of whom the Mayor of the said Town for the Time being shall be One), and they are hereby required, at their said Annual and Special Sessions in September, by and on the Oaths of the said Surveyors for the Time being, or on the Oaths of any able and experienced Workman or Workmen, to enquire into the State and Condition of the Reparations of the said Highways; and thereupon to make, or cause to be made, an Estimate of the Charges of putting the same into Repair, and of keeping them so for the current Year; which Estimate the said Justices so met shall certify under their Hands to the next General Quarter Sessions of the Peace in and for the said Town and County, or at some Adjournment of the same Sessions; and the Justices of the Peace, at their said General Quarter Sessions, or at some Adjournment thereof, or the greater Part of them then and there assembled, shall have full Power and Authority, and they are hereby required to order and direct the said Charges, or so much thereof as they shall judge necessary for the then current Year, to be paid by and as the Quota of the said several Parishes; distinguishing the Sum assessed as the Quota of each Parish; which Sum and Sums of Money shall, from Time to Time, be paid within Three Calendar Months after Notice of such Order by the respective Churchwardens and Overseers, out of the Money by them collected, or to be collected, for the Relief of the Poor of the several Parishes herein-before united, to the Treasurer of the said Town and County for the Time being, or to such other Person as the said Justices so assembled at their said Sessions shall appoint to be the Treasurer of the said Monies; and from and after such Payment to the said Treasurer, the same Monies shall be by him applied, according to such Order as the said Justices, at any General

ral Quarter Sessions of the Peace, or at any Adjournment thereof, shall from Time to Time make concerning the same.

The Rate not to exceed in One Year 100 *l.*

Provided always, That the Rate or Assessment so directed to be made for repairing the said Highways shall not exceed in the Whole the Sum of One hundred Pounds in any One Year; and in case the said Churchwardens and Overseers of the Poor or any of them, shall neglect or refuse to pay the Sum and Sums of Money so rated and assessed on the said respective Parishes, the said Sum and Sums of Money shall and may be levied by Distress and Sale of the Goods and Chattels of such Churchwardens and Overseers, or either of them, so refusing or neglecting to pay the same as aforesaid, by Warrant under the Hands and Seals of Two or more Justices of the Peace of the said Town and County, rendering the Overplus, (if any there shall be) after deducting the Money assessed, and the Charges of the Distress and Sale, to the Owner or Owners thereof.

Surveyors of the Highways to account on Oath.

And be it further enacted by the Authority aforesaid, That the Surveyor or Surveyors of the Highways to be from Time to Time appointed under the Authority of this Act, shall, when thereunto required by any Two or more of the Justices of the Peace for the said Town and County, account upon Oath, for all Monies which shall have been received by them, or any of them, and shall pay the Balance which shall appear to remain in their Hands to the Treasurer, or other Person or Persons appointed to receive the Rate and Assessment to be made for the Reparation of the said Highways, as aforesaid; and in case any such Surveyor or Surveyors shall refuse or neglect to make such Account and Payment as aforesaid, such Surveyor or Surveyors shall forfeit and pay, for every such Refusal or Neglect, the Sum of Five Pounds; to be levied and recovered in such Manner as the Penalties and Forfeitures by this Act inflicted are directed to be levied and recovered; and such Penalties and Forfeitures, when recovered, shall be applied towards repairing and amending the said Highways.

And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, all and every of the Inhabitants for the Time being of the said several Parishes and Ward respectively hereby united, shall be, and are by this Act absolutely exonerated, discharged, and indemnified, of and from the Performance of all Statute-work, and of and from the Payment of all Rates, Assessments, Taxes, Impositions, Penalties, Forfeitures, and Sums of Money whatsoever, which they the said Inhabitants, or any of them, would or might by Law have been subject or liable to the Performance or Payment of, for or on account of the repairing, amending, and keeping in Repair, the Highways within the said several Parishes and Ward respectively, or any Part thereof, in case this Act had not been made.

Inhabitants exonerated from the Performance of Statute-work.

And be it further enacted by the Authority aforesaid, That if any Person or Persons shall think him, her, or themselves, aggrieved by any Rate or Assessment made, or any other Thing done by virtue of and in pursuance of this Act, he, she, or they, shall and may appeal to the General Quarter Sessions of the Peace to be held for the said Town and County, next after the Cause of such Appeal shall arise; and it shall and may be lawful for the Justices of the Peace, or the major Part of them, then and there assembled, to make such Order therein, by directing Money to be returned, or otherwise, as to them shall seem meet; which Order shall be final and conclusive to all Parties.

Appeal from the Rates.

Provided always, That no Appeal shall be made against any such Rate or Assessment, until he, she, or they, so appealing, shall actually have paid the Money wherewith he, she, or they, shall thereby be charged; nor shall any Appeal for that or any other Cause be heard, unless reasonable Notice thereof be given in Writing, by the Party so appealing, to the Collectors of the said Rates, or to the Clerk of the said Guardians, or to the Clerk of the Peace of and for the said Town and County for the Time being.

No Appeal may be made till the Rates be paid.

Proviso. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to include, or in any Manner to affect the Tything of Portswood, or any Place within the Parishes or Tything of Hill and Sidford, Millbrook, or South Stoneham, in the County of Southampton, or any or either of them.

Penalties and Forfeitures how to be recovered and applied. And it is hereby further enacted, That all Penalties and Forfeitures by this Act inflicted, the Manner of levying and recovering whereof is not otherwise particularly directed, shall be levied by Distress and Sale of the Goods of the Offenders, by Warrant under the Hands and Seals of any Two Justices of the Peace of the said Town and County of the Town of Southampton, restoring to the Offenders the Overplus, after the Charges of Distress and Sale are deducted; and the same Penalties being paid, or so levied, shall be applied to the Use and Benefit of the Poor of the said Corporation.

Limitation of Actions. And be it enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Matter or Thing done in pursuance of this Act, that, in every such Case, the Action or Suit shall be brought within Six Months next after the Fact committed, and not afterwards, and shall be laid and brought in the County of Southampton, and not elsewhere; and the Defendant or Defendants in such Action or Suit to be brought shall and 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 it shall appear so to be done, or that such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place, that then the Jury shall find for the Defendant or Defendants; and, upon such Verdict, or if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant shall have appeared; or if, upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs; the Defendant and Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

General Issue.

Treble Costs.

And be it further enacted, That 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 as such to take Notice thereof, without specially pleading the same; and all Mayors, Bailiffs, Constables, and other Officers of Justice, are hereby required to be aiding and assisting to the said Corporation hereby constituted, and to all such Officers as shall be employed by them, or any of them, in the due Execution of this Act, or any of the Powers and Authorities hereby given.

Publick Act.

Civil Officers required to be assisting in the Execution thereof.

FINIS.