Anno ſecundo

Georgii III. Regis.

An Act for better regulating the Poor; maintaining a Nightly Watch; lighting, paving, and cleanſing the Streets, Rows, and Paſſages; providing Fire Engines and Firemen; and regulating the Hackney Coachmen, Chairmen, Carmen, and Porters; within the City of *Cheſter*.

WHEREAS the Poor in the City and County of the City of Cheſter are very numerous, and are maintained and ſupported at a great Expence by their reſpective Pariſhes and Places: And whereas the granting of proper Powers for the better Government and Regulation of the Poor in the ſaid City and County of the ſaid City, and providing a Place for their general Reception, will tend to the more effectual Aſſiſtance and Relief of ſuch, as by Age, Infirmities, or Diſeaſes, are rendered incapable of ſupporting themſelves by their Labour, to the better Employment of the Able and Induſtrious, to the Correction and Puniſhment of the Profli- Preamble.

gate and Idle, and to the Education of poor Children in Religion and Induſtry, and thereby the Poor, inſtead of being wholly ſupported by the Public, may contribute to the Support, Aſſiſtance, and Relief, mutually of each other, and be of ſome 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, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Twenty-fifth Day of March, One thouſand ſeven hundred and ſixty-two, the Mayor, Recorder, and Aldermen (being Juſtices of the Peace) of the ſaid City and County of the ſaid City for the time being, and alſo ſuch charitable Perſons who ſhall, from time to time, be elected under the Powers herein contained, and alſo the reſpective Numbers following of the Inhabitants of the ſaid City, to be elected in Manner herein after directed; that is to ſay, Twelve for each of the Pariſhes of Saint John Baptiſt, Saint Mary on the Hill, and Saint Oſwald; Eight for each of the Pariſhes of Saint Peter, The Holy and Undivided Trinity, Saint Bridget, and Saint Michael; and Three for each of the Pariſhes of Saint Martin and Saint Olave, all within the ſaid City and County of the ſame, or ſo many of ſuch Inhabitants who 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 City and County of the City of *Cheſter*, and ſhall for ever, in Name and Fact, be one Body Politic and Corporate in Law, to all Intents and Purpoſes, and ſhall have a perpetual Succeſſion, and a Common Seal, and ſhall be and be called Guardians of the Poor within the City and County of the City of *Cheſter*, 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, who are hereby enabled to convey or deviſe the ſame, and to give or bequeath any Money, Goods, and Chattles 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,

Guardians incorporated,

and to have a Common Seal;

impowered to purchaſe or receive Eſtates,

and transfer the ſame;

ney, Goods, or Chattles, 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 Special Court or Assembly to be held in pursuance of this Act, to make and ordain such Bye-Laws, Rules, and Ordinances, and also to vary, alter, change, or repeal the same, or any Part thereof, for the better governing such Corporation, and 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 said 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; which said Bye-Laws, Rules, and Ordinances, so made, ordained, varied, altered, or changed, shall at each such Court be fairly entered in a Book to be kept for that Purpose, which shall be called The Book of Statutes; and all such Bye-Laws, Rules, and Ordinances, when entered as aforesaid, shall be subscribed by the Guardians, or the major Part of them present; and all such Bye-Laws, Rules, and Ordinances, shall, until repealed, varied, or altered, by some succeeding Special Court, be binding to all Parties hereby intended to be affected by the same. make Bye-Laws, &c.

And be it further enacted by the Authority aforesaid, That on the Second Sunday after the said Twenty fifth Day of March, One thousand seven hundred and sixty two, immediately after Divine Service in the Forenoon, or Afternoon; and so in like Manner, on every Sunday next following the Twenty fifth Day of March in every Year, for ever; or on some other Day within Twenty Days next after every such Twenty fifth Day of March, the Parishioners of the said respective Parishes herein before named, or any Five or more of them (who shall by Law have Right to vote in Vestry) shall and may meet in the Vestry Room in and belonging to each of the said Parish Churches, or in some Part of each such Church, and elect so many of the Inhabitants of the said City, qualified as herein after is mentioned, to represent each such Parish, and to act as Guardians of the Poor of the said City, who shall severally continue in, and execute such Office, until others shall be chosen in their Places; and, in case any of the said Guardians to be elected as aforesaid, shall die, or refuse to act, some other such Inhabitant or Inhabitants of the said City, so qualified as aforesaid, shall be elected in his or their Stead or Place, within Thirty Days after the Death or Refusal to act of each such former Guardian, by such the Parishioners of Inhabitants to meet in Vestry; to elect Guardians.

the proper Pariſh, not being leſs than Five, who ſhall, and hereby have Power to meet together in Veſtry for ſuch Purpoſe: And all ſuch Veſtries ſhall be called and held at and within the reſpective Times aforeſaid, for and in reſpect of the ſaid ſeveral Pariſhes. And the Churchwardens and Overſeers of the Poor of each and every ſuch Pariſh ſhall, and are hereby required, to call and hold the ſame with the Pariſhioners who ſhall be there aſſembled; and to cauſe previous Notice of each ſuch Veſtry to be given in their reſpective Pariſh Church, on Sunday after Service; to the Intent that the Pariſhioners may and ſhall attend every ſuch Veſtry: And in caſe any ſuch Churchwarden or Overſeer ſhall neglect or refuſe to call and hold, and to give ſuch previous Notice of every Veſtry directed to be held and called as aforeſaid, every ſuch Churchwarden or Overſeer ſhall, for every ſuch Neglect or Refuſal, forfeit and pay, out of their own Eſtate, the Sum of Five Pounds, for the Uſe of the ſaid Corporation, within Twenty Days after each ſuch Forfeiture ſhall be incurred: And in caſe at the holding of any ſuch Veſtries, as aforeſaid, ſo many of the Pariſhioners ſhall not attend there as before directed, beſides the ſaid Churchwardens, and Overſeers, or any Two or more of them, then, and in every ſuch Caſe, the ſaid Churchwardens and Overſeers, or any Two or more of them, together with ſo many of ſuch Pariſhioners as ſhall attend, or for want of any ſuch Pariſhioners, then the ſaid Churchwardens and Overſeers alone, or any Two or more of them, ſhall and may, and they are hereby impowered, in every ſuch Caſe, to nominate, elect, and chuſe ſo many Inhabitants of the ſaid City, to repreſent the ſame Pariſh as Guardians, as ſhall be then wanted to be choſen, as fully and effectually, as if all the Churchwardens and Overſeers, and ſo many of the Pariſhioners of the ſame Pariſh as are before directed to compoſe each ſuch Veſtry, had then and there attended and been preſent.

Churchwardens or Overſeers to call the Veſtries,

on Penalty of 5 l.

On Non-attendance of a ſufficient Number of Inhabitants, Churchwardens and Overſeers to proceed.

Qualification of Guardians.

Provided alſo, and be it further enacted, That no Perſon ſhall be capable of being elected or acting as a Guardian under this Act, unleſs he ſhall be in Poſſeſſion of, or intitled to an Eſtate, in the ſaid City for the time being, of the yearly Rent or Value of Ten Pounds, or upwards, for which he ſhall pay or allow Taxes for the time being, towards the Relief of the Poor, in his own Right.

And whereas the Poor of the ſaid ſeveral Pariſhes in the ſaid City have of late been maintained in a Houſe built for that Purpoſe by the Mayor and Citizens of the

ſame City, on the waſte Ground belonging to the ſaid Mayor and Citizens, lying on the North Weſt Side of their Parcel of Land called the Roodee, within the ſaid City and County; be it therefore further enacted, That the ſaid Houſe, with the Inner Court Yard, Ways and Appurtenances thereto belonging, ſhall be, and the ſame are hereby veſted in the ſaid Guardians of the Poor within the ſaid City and County of the City of Cheſter, and their Succeſſors, in their ſaid Corporate Capacity, from the Firſt Day of May, One thouſand ſeven hundred and ſixty two, for and during the Term of Ninety nine Years from thence next enſuing, under and ſubject to the Payment by them the ſaid Guardians and their Succeſſors to the ſaid Mayor and Citizens and their Succeſſors (to be levied and raiſed as hereafter mentioned) of the clear yearly Rent or Sum of Ninety Pounds, which ſhall be paid, and payable to them the ſaid Mayor and Citizens, and their Succeſſors, by Two equal Payments on every following Tenth Day of October, and Fifth Day of April, during the ſaid Term, to be determinable nevertheleſs at ſuch Time and in ſuch Manner as is herein after expreſſed and declared; and that the ſaid Mayor and Citizens, and their Succeſſors, ſhall, and are hereby required to keep and maintain the ſaid Houſe, Building, Yard, and Appurtenances thereto belonging, and ſo veſted in the ſaid Guardians, in good and reaſonable Repair, Order, and Condition, during the ſaid Term determinable as aforeſaid; and for want, or in Default of ſuch Repairs being ſo done, from time to time, by the ſaid Mayor and Citizens, after Twenty Days Notice given to the Treaſurer of the ſaid Mayor and Citizens for the time being, or left at the Town Office kept in the ſaid City, expreſſing the Repairs needful, and to be ſigned by the Governor, or any Deputy Governor of the ſaid Corporation, by virtue of any Order of any Court to be held by the ſaid Guardians as hereafter mentioned, it ſhall be lawful for the ſaid Guardians, by the Direction, and under the Order of any Special or monthly Court, after the Expiration of the ſaid Twenty Days Notice, but not otherwiſe, to direct ſuch Repairs to be done in a reaſonable and proper Manner, and to pay for the ſame, and afterwards to deduct the Coſts and Charges of ſuch Repairs out of the next, or ſome future Payment of the ſaid yearly Rent; which ſaid Houſe, with the ſaid Yard, Ways, and Appurtenances now occupied therewith, and any other Houſe or Building to be hereafter purchaſed, hired, erected, or built by the ſaid Corporation, after the Determination of the ſaid Term determinable as aforeſaid,

Houſe at preſent uſed for keeping the Poor veſted in the Guardians,

upon paying 90*l. per Ann.*

Manner of repairing the ſame.

ſaid, and to be by them uſed and occupied for the Purpoſes herein mentioned, ſhall be, and is and are hereby directed to be uſed and employed by them the ſaid Guardians, from time to time, for the Reception of the Poor to be maintained and employed, and who ſhall be under their Care, in purſuance of, and for all and every other the Purpoſes in this Act expreſſed; and that ſuch Houſe, during the ſaid Term, and alſo ſuch other Houſe or Building, after the Determination of the ſaid Term (determinable as herein mentioned) which the ſaid Guardians ſhall purchaſe, hire, take, or build, for the Uſes and Purpoſes of this Act, ſhall, from time to time, be and remain free, and ſhall not be tared, rated, or aſſeſſed; nor ſhall the ſaid Corporation, or any Perſon or Perſons in reſpect thereof, be tared, rated, or aſſeſſed, or be liable to pay any Rate, Tax, or Money whatſoever, to or for the Land Tax, or for the Relief of the Poor, to the Church Leys, or any other Leys or Taxes whatſoever, ſave and except ſo much, and ſuch Proportion, of all Taxes, Rates, and Duties, as any ſuch other Houſe or Building, or any Ground and Premiſſes hereafter to be purchaſed, hired, taken, or built (inſtead of the preſent Houſe of Induſtry) ſhall, at the Time of the purchaſing, hiring, taking, or building thereof, bear, ſuſtain, or be tared at, in any Pariſh or Place within the ſaid City, where ſuch other Houſe, Building, Ground, and Premiſſes ſhall be ſituate, according to the then ſubſiſting, or laſt preceding, Rates and Aſſeſſments in ſuch Pariſh or Place, for One whole Year then laſt paſt; which Proportion and Amount of all ſuch Taxes, Rates, and Duties for ſuch laſt Year, in reſpect of ſuch Premiſſes ſo to be purchaſed or hired by the ſaid Corporation, ſhall be continued and be paid by the ſaid Corporation, for the Time to come, at ſuch Times, and in ſuch Parts, as the ſame ſhall be afterwards rated and aſſeſſed in each Year, by the proper Officers to rate and collect the ſame, who ſhall have ſuch Power to demand and levy the ſame from the ſaid Corporation, as the Law directs as to any Perſons neglecting or refuſing to pay the Land Tax, or other Taxes aforeſaid, and who ſhall be rated thereto; but that any new Building to be erected by the ſaid Corporation, purſuant to the Powers hereby given, ſhall not, during ſuch Time as the ſame ſhall be occupied by them for the Purpoſes of this Act, be tared, rated, or aſſeſſed, or liable to pay any more or greater Part or Proportion of any Tax, Rate, or Aſſeſſment whatſoever, than as aforeſaid; and every ſuch Houſe or Building ſhall, from time to time, be called The Houſe of Induſtry.

That, or any other Houſe, to be purchaſed by the Guardians, to be uſed for the Purpoſes of this Act,

and be exempt from Taxes, except, &c.

Provided

Provided always, and it is hereby further enacted by the Authority aforeſaid, That from and after the End and Expiration of the firſt Seven Years of the ſaid Term of Ninety nine Years, it ſhall be lawful for the ſaid Guardians to vacate and determine the Remainder of the ſaid Term, at the End of any One Year next after the Expiration of the ſaid firſt Seven Years of the ſaid Term, by giving or ſending to the Mayor of the ſaid City for the time being, or leaving at his Dwelling-houſe or uſual Place of Abode in the ſaid City of Cheſter, a Notice in Writing, under the common Seal of the ſaid Guardians, and to be ſigned by the Majority of all the ſaid Corporation for the time being, in Number, at ſome Special Court to be held and called by them for ſuch Purpoſe, and which Court they have Power hereby to call and hold accordingly, ſo that ſuch Notice in Writing ſhall be ſo delivered to the ſaid Mayor, or left at his ſaid Houſe or Place of Abode, Eight Calendar Months at the leaſt before the End of the Year to be expreſſed in ſuch Notice for the Determination of the aforeſaid Term, and ſo that all the Rent, and Arrears of Rent, for the ſaid Houſe and Premiſſes, to ſuch Time, ſhall be paid or tendered by the ſaid Guardians, or by ſome Perſon on their Part, to the ſaid Mayor, or the Treaſurer of the ſaid Mayor and Citizens for the time being, at or before the End of ſuch Year; and thereupon the then Remainder of the ſaid Term of Ninety nine Years ſhall end and determine, according to the Tenor of the ſaid Notice in Writing; and the ſaid Mayor and Citizens, and their Succeſſors, ſhall and may immediately afterwards enter upon, and take the Poſſeſſion of, the ſaid Houſe, Court-yard, Ways and Appurtenances, for their own Uſe and Benefit.

How the Leaſe of the Houſe may be determined.

And be it further enacted, That the ſaid Guardians, or any Nine or more of them, ſhall meet on the Eighth Day of April, One thouſand ſeven hundred and ſixty two, or within Seven Days next following, in the ſaid Houſe ſo erected by the ſaid Mayor and Citizens, or in ſome other convenient Place in the ſaid City; and being ſo aſſembled, ſhall proceed to the Execution of this Act, and elect and conſtitute, out of and from among themſelves, the ſaid Guardians as aforeſaid, the ſeveral Officers to act in and as Part of the ſaid Corporation, as follows; that is to ſay, One Governor, Two or more Deputy Governors, One or more Treaſurer or Treaſurers, and One or more Auditor or Auditors, and ſuch other Officers, by ſuch Name and Names, to continue in ſuch reſpective Offices from thenceforth for One Year, and from the End of ſuch

First Meeting of Guardians, for electing Officers.

One Year, ſo often as the Caſe ſhall require, until other ſuch like Officers are choſen, as hereafter directed; and from and after ſuch firſt Election of ſuch ſeveral Officers, the ſaid Guardians, or any Nine or more of them, ſhall, and hereby have Power to aſſemble in the Houſe of Induſtry for the time being, and there elect and conſtitute, out of and from amongſt the whole Number of the ſaid Corporation for the time being, on the Eighth Day of April, in every Year for ever, or within Thirty Days next after every ſuch Eighth Day of April, One Governor, and ſuch Deputy Governors and other Officers as are before named, 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 the ſaid Guardians, or any Nine or more of them, ſhall, and are hereby impowered, in caſe of the Death of any ſuch Officer or Officers ſo choſen, before the Expiration of his or their ſaid Office, within Thirty Days next afterwards, to meet in the Houſe of Induſtry for the time being, and elect ſuch other or others of the ſaid Corporation in the Place of him or them ſo dying, to hold the ſaid Office reſpectively for the Remainder of the Term ſuch deceaſed Officer would have held the ſame; and the ſaid Guardians, or any Nine or more of them, are hereby authorized, for juſt Cauſe, at any ſpecial or monthly Court or Courts, to remove and diſplace any of the aforeſaid Officers out of his ſaid Office, and thereupon to elect and conſtitute, from among themſelves, One or more fit Perſon or Perſons to ſupply the Office for the Time ſuch removed Perſon would have continued therein, in caſe he had not been removed.

Annual Meetings.

Upon Death of Officers, others to be choſen.

Officers may be diſplaced.

Provided always, and it is 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,

Guardian's Oath.

I *A. B.* ſhall and will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the beſt of my Skill and Knowledge, execute and perform all and every the Truſts, Powers, and Authorities, as a Guardian [and alſo of the Office of as the Caſe ſhall be] appointed in purſuance of an Act, intituled, *An Act for better regulating the Poor; maintaining a Nightly Watch; lighting, paving, and cleanſing the Streets, Rows, and Paſſages;*

Paſſages; providing Fire Engines and Firemen; and regulating the Hackney Coachmen, Chairmen, Carmen, and Porters; within the City of Cheſter.

Which Oath the ſaid Guardians, or Members of the ſaid Corporation, 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.

Penalty on refuſing to act.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons inhabiting within the ſaid City, from and after the ſaid Eighth Day of April, One thouſand ſeven hundred and ſixty two, ſhall be duly qualified, elected, and conſtituted into the Truſt or Office of a Guardian, Governor, Deputy Governor, Treaſurer, Auditor, 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 Governor, or any One Deputy Governor, or any Three Guardians for the time being of the ſaid Corporation, given 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 in purſuance of this Act after the Expiration of ſuch Ten Days, refuſe or neglect to accept of, and to take upon him or them ſuch Truſt or Office, or in caſe of accepting the ſame, ſhall refuſe or neglect to act therein, from time to time, for and during the Time mentioned for that Purpoſe in this preſent Act, and as the Duty of ſuch Truſt and 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 Sums of Money following; that is to ſay, Every ſuch Perſon to be duly elected Governor of the ſaid Corporation, the Sum of Twenty five Pounds; and every ſuch Perſon to be duly elected Deputy Governor thereof, the Sum of Twelve Pounds and Ten Shillings; and every ſuch Perſon to be duly elected Treaſurer thereof, the Sum of Twelve Pounds and Ten Shillings; and every ſuch Perſon to be duly elected Auditor, or any other nominal Officer from among the ſaid Guardians, the Sum of Twelve Pounds and Ten Shillings; and every ſuch Perſon hereby or to be duly appointed or elected a Guardian of the ſaid Corporation for

the time being, the Sum of Five Pounds: And in caſe of any ſuch Refuſal or Neglect to accept any ſuch Truſt or Office as aforeſaid, ſome other qualified and 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.

others to be choſen.

No Perſon liable to ſerve again within 3 Years after firſt Election.

Provided always, and be it further enacted by the Authority aforeſaid, That no Perſon who ſhall be elected or conſtituted as aforeſaid a Guardian, Governor, Deputy Governor, Treaſurer, Auditor, or any other nominal Officer of the ſaid Corporation, and ſhall take upon him the ſaid Truſt or Office, and ſhall act therein from time to time, for and during the Time herein expreſſed for that Purpoſe, and as the Duty of ſuch Truſt or Office may require, ſhall, upon any Re-election of him, within the Space of Three Years next after the End of ſuch Time he was elected and ſo acted for, be thereupon compellable to take upon him, or to act in the ſaid re-elected Truſt or Offices, or any of them, without his own free Conſent, or be liable to any Penalty or Forfeiture whatſoever for refuſing or neglecting ſo to do.

Weekly and monthly Courts.

And be it further enacted by the Authority aforeſaid, That the ſaid Guardians for the time being, or any Five or more of them, ſhall have Power, and are hereby enjoined and required, from time to time, from and after the End of Ten Days immediately following the ſaid Eighth Day of April, One thouſand ſeven hundred and ſixty two, to meet, and to hold a Court or Aſſembly of the ſaid Corporation, in the ſaid Houſe of Induſtry for the time being, on Thurſday in every Week for ever, between the Hours of Ten and Three, and that the ſaid Guardians for the time being, or any Nine or more of them, whereof the Governor, or One Deputy Governor, ſhall be One, ſhall, and are hereby required, from and after the ſaid Eighth Day of April, One thouſand ſeven hundred and ſixty two, to hold a ſpecial Court or Aſſembly, in ſuch Houſe of Induſtry, to be called a General Board, on the firſt Thurſday in every following Month for ever, between the ſame Hours as are before appointed for the Holding of each weekly Court: And alſo, that the Governor for the time being, or all the Deputy Governors, or any Two of them without the ſaid Governor for the time being, ſhall, and hereby hath and have Power and Authority, at any ſuch Time or Times as to him or them ſhall ſeem meet, to ſummon, aſſemble, and hold any other Special Court or Aſſembly of the ſaid Corporation, to conſiſt of Nine of the Members thereof at leaſt,

Power to hold Special Courts.

upon

upon Two Days Notice excluſive being given under the Hand or Hands of ſuch Governor, or Deputy Governor, ſo calling the ſame, to the ſaid ſeveral Guardians for the time being, or left at each of their Place of Abode in the ſaid City of Cheſter, expreſſing the Time of holding ſuch Court or Aſſembly; and in caſe any Thirteen of the ſaid Guardians for the time being, upon any Emergency, ſhall ſignify it under their Hands to the ſaid Governor, or in his Abſence from the ſaid City of Cheſter, to the ſaid Deputy Governors, or any Two of them for the time being, that it is their Deſire that an extraordinary Court or Aſſembly of the ſaid Corporation may be called and held, which ſhall always conſiſt of Twenty one of the ſaid Guardians at the leaſt, the ſaid Governor, or in ſuch his Abſence, the ſaid Deputy Governors, or any Two of them, ſhall, and are hereby enjoined and required, to ſummon, call, and hold ſuch Court or Aſſembly, at ſuch Time as the ſaid Thirteen Guardians ſhall ſo deſire; and on Refuſal or Neglect of the ſaid Governor, after any ſuch Requeſt to him, the ſaid Deputy Governors for the time being, or One of them, on receiving ſuch Signification from any Thirteen of the ſaid Guardians, ſhall be bound, and is and are hereby likewiſe enjoined and required to ſummon, call, and hold any ſuch Special Court or Aſſembly, at ſuch other Time as the ſame Thirteen Guardians ſhall then ſo require, and on the Neglect or Refuſal of ſuch Deputy Governor, and of ſuch Deputy Governors, any Thirteen of the ſaid Guardians, ſhall, and hereby have Power under their Hands, to ſummon, aſſemble, and hold, any ſuch Court or Aſſembly, at ſuch Time, within Seven Days next following ſuch Refuſal or Neglect of the ſaid Deputy Governor or Deputy Governors, as they ſhall appoint; at all which ſaid laſt mentioned Courts or Aſſemblies, after ſuch Summons, all and every the Member and Members of the ſaid Corporation for the time being, are hereby enjoined to appear and be preſent; and that the ſaid Governor, or in the Caſe of his Abſence or Refuſal, any One Deputy Governor, and in the Caſe of all their Abſence or Refuſal, any Two Juſtices of the ſaid City, ſhall, and hereby have Power when and ſo often as he or they ſhall think proper, by Summons under his or their Hands, to require all or any of the ſaid Guardians to appear and attend any of the ſaid weekly, monthly, or other Courts or Aſſemblies; and that all and every the Members of the ſaid Corporation, who ſhall appear and be preſent at any of the ſaid Courts (whether by any Summons or not) ſhall not depart from the ſame, without the Permiſſion of the

Members preſent not to depart without Leave.

major Part of the ſame Court or Aſſembly: And in caſe any of ſuch Members, after he or they ſhall have been ſummoned to attend any of the ſeveral Courts as aforeſaid, ſhall refuſe or neglect to appear and attend accordingly, or any of the ſaid Members ſo appearing at any of the ſaid Courts, whether by ſuch Summons or not, ſhall quit the ſame Court, without ſuch Permiſſion thereof as aforeſaid, every ſuch Member ſhall, for every ſuch Offence, forfeit and pay ſuch reaſonable Sum and Sums of Money, not exceeding Five Shillings, nor under Two Shillings, to the Uſe of the ſaid Corporation, as by the ſame Court or Aſſembly, or any ſucceeding Court or Aſſembly, ſhall be ordered and directed, unleſs each ſuch Perſon, having ſo offended, ſhall ſhew ſome juſt and reaſonable Excuſe, to be allowed of by any ſuch Court or Aſſembly; and the ſaid Governor, or in his Abſence, or on his Refuſal, any Deputy Governor, at or before the holding of any the ſaid Courts, and for want of any ſuch Governor, or Deputy Governor, or on his or their Refuſal, the major Part of the ſaid Guardians, being aſſembled to ſuch Number, and compoſing any of the ſaid Courts as aforeſaid, ſhall have, and are hereby ſeverally impowered, by Summons under his or their Hands reſpectively, to require any Perſon or Perſons whatſoever within the ſaid City and County of the ſaid City of Cheſter, to appear before any ſuch Court, then and there to anſwer on Oath (which Oath any of the Members at any ſuch Court have hereby Power to adminiſter) any Matters or Things relating to the ſaid Corporation; and every ſuch Perſon ſo ſummoned, is hereby required to appear and anſwer accordingly, on Pain of each ſuch Perſon offending, forfeiting and paying for each Offence, to the Uſe of the ſaid Corporation, ſuch Sum as the ſame or any future Court ſhall order, not exceeding Five Shillings, nor under Two Shillings, unleſs ſuch Perſon ſhall at the ſame, or next following Court, ſhew good Cauſe to ſuch Court, and to be there allowed of, to the contrary.

Penalty on refuſing to attend, or departing without Leave.

Power to examine Witneſſes on Oath.

Who ſhall preſide at the ſeveral Courts.

Provided always, and be it further enacted by the Authority aforeſaid, That at all ſuch weekly, monthly, or other Courts, the Governor, if preſent, or in his Abſence any One Deputy Governor preſent, who ſhall be then named by the Majority of Guardians preſent at ſuch Court, if more Deputy Governors than One ſhall attend, or for want of the Governor or any of the Deputy Governors being preſent at any ſuch Court, then any One of the Guardians, who ſhall be appointed by the Majority of Guardians preſent at any ſuch Court, ſhall preſide at each

each ſuch Court, and take the Chair as Preſident of ſuch Court; and in caſe of an Equality of Voices on any Tranſaction at any ſuch Court, including the Voice of the Preſident, the Perſon ſo preſiding ſhall have another and the caſting Voice.

Guardians may purchaſe Ground for building upon,

And it is hereby further enacted by the Authority aforeſaid, That the ſaid Guardians ſhall and hereby have full Power and Authority at, or by the Order of, any the ſaid monthly or other ſpecial Courts or Aſſemblies, to contract and agree for, and by and out of the Money to be raiſed, as hereafter mentioned, to purchaſe or hire, for any Term of Years, or to purchaſe for ever; or to purchaſe any Ground, and to erect and build thereon any Houſe or Houſes, Building or Buildings whatſoever, within the County of the ſaid City of Cheſter; and to aſſign and fix on any Building, Room, or Apartment, for a Place of Correction; and alſo at or by the Order of any of the ſame Courts, or at or by the Order of any the ſaid weekly Courts, to purchaſe and provide ſuch Goods, Cattle, Chattles, Proviſions, Cloathing, Utenſils and Materials whatſoever, by and out of the Money to be raiſed as hereafter 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 of the ſeveral Pariſhes and Places in the ſaid City and County of the ſaid City of Cheſter, wanting or ſeeking Relief; and of ſuch other Poor who ſhall be taken and received into the ſaid Houſe of Induſtry, 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 by the charitable Gifts of others, or in private Hoſpitals or Alms-houſes within the ſaid City) and the ſaid Corporation ſhall, and hereby have Power and Authority to receive, and to order and compel all and every idle and diſorderly Perſons, who, by reaſon of their idle and diſorderly Living, ſhall neglect or refuſe to maintain, 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 Law in force, to be relieved and provided for by any of the ſaid ſeveral Pariſhes

appoint a Place of Correction,

and provide Proviſions, &c. for Maintenance and Employ of the Poor.

Certain Poor may be compelled to go into the House of Industry,

rishes or Places within the said City of Chester, to come in to work, dwell, and inhabit in the said House of Industry, 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 of 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 House of Industry during such their Abode and 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 his, her, or their Families, and to set each of them to work in such House of Industry, during such Time, and until each such Person, by his or her Work and Labour there, shall have got and raised so much Money above their Maintenance, as shall be sufficient to repay and reimburse to the said Corporation, the Charges and Expences they shall have sustained in the maintaining and providing for every such idle or disorderly Person, and his or her Family: And in case any such idle or disorderly Person shall not, by his or her Work and Labour, be able to get so much Money as shall be sufficient to reimburse the said Corporation the Charges and Expences of having maintained him or her, or any of his or her Family as aforesaid, then, and so often, the said Guardians, or any Five or more of them, shall, and hereby have Power to detain and keep such idle and disorderly Person within their House of Correction, to such hard Labour, as he or she can undergo, for the Space of Thirty Days; and there to cause him or her to be whipped, during such Thirty Days, so often, not exceeding Three Times, as the said Guardians, or any Five or more of them, shall think proper.

and be employed.

Power to search for Poor within the City,

And be it further enacted by the Authority aforesaid, That for the better providing for, and discovering all such Poor in and belonging to the said several Parishes, it shall be lawful for the said Guardians, or any Person or Persons to be appointed by them, at any of their said

Courts, to enter any Houſe or other Building in the ſaid City, where any ſuch Poor ſhall dwell, or be known to lodge or be, and to examine, ſearch and ſee, what of ſuch poor Perſons there are come into, inhabiting, or reſiding within any of the ſaid ſeveral Pariſhes within the ſaid City of Cheſter, who ſhall want, have begged, or ſhall ſeek Relief, and ought to be relieved by any of the ſaid ſeveral Pariſhes for the time being; and upon any of ſuch poor Perſon or Perſons refuſing, on ſuch Examination, to come into the ſaid Houſe of Induſtry, and to accept and conform to the Proviſion and Rules of the ſaid Corporation; then, by Order of any the ſaid Courts, or by ſuch Ways and Means as the ſaid Guardians in any Court ſhall judge moſt reaſonable and proper, to remove and convey, and cauſe to be removed and conveyed, every ſuch poor Perſon ſo refuſing, into the ſaid Houſe of Induſtry, to be there employed and maintained, purſuant to the Powers hereby given; and alſo that the ſaid Guardians ſhall, and hereby have Power and Authority, by Order of any of their ſaid Courts, or by ſuch other Means as to them in any Court ſhall appear moſt proper, to apprehend, or cauſe to be apprehended, all Rogues, Beggars, Vagrants, or idle or diſorderly Perſons, coming, or being, or wandering, or begging, within the ſaid City or the Liberties thereof, and not having any lawful Employment, or reaſonable Means of getting his or her Livelihood; and to cauſe every ſuch Perſon to be brought into, and to be ſet and kept at work, in the ſaid Houſe of Induſtry, or otherwiſe to be employed under the Direction and for the Uſe of the ſaid Corporation, and ſubject to ſuch corporal and other Puniſhment as the other Poor therein are hereby made ſubject to, for Misbehaviour or otherwiſe, according to the Government of ſuch Corporation, or to be kept to hard Labour and whipped in the Place of Correction belonging to the ſaid Corporation, as the Law directs in the Caſe of Vagrants, as the ſaid Guardians in any Court ſhall direct; and ſo to detain every ſuch apprehended Perſon, for any Time not leſs than Thirty Days together, nor longer than One Year together, in the Judgement of the ſaid Guardians, and then to be diſmiſſed at ſome outer Gate of the ſaid City, as the Guardians ſhall direct; during all which Time every ſuch apprehended Perſon ſhall be reaſonably maintained and provided for by the ſaid Guardians, at the Coſts of the ſaid Corporation; and that all ſuch Coſts, above the Profit to ariſe from each ſuch Perſon's Work and Labour, which ſhall be ſet againſt the ſame rateably, according to the Charge per Head, of all the other Poor

and to compel them to go into the Houſe of Induſtry.

provided for by the ſaid Corporation for the time being, ſhall be paid for by all the ſaid ſeveral Pariſhes in the ſaid City, in proportion to the Number of Poor maintained by, and the Rates to be made on, each Pariſh in the City from time to time, as hereafter mentioned.

Poor Children may be bound Apprentice.

And it is hereby further enacted by the Authority aforeſaid, That all poor Children, who at any Time ſhall be maintained by the ſaid Guardians, ſhall be and remain under their Government till they arrive at the Age of Fourteen Years, and that after ſuch Children ſhall attain the Age of Fourteen Years reſpectively, or ſooner, if the ſaid Guardians think fit, the ſaid Guardians ſhall, and hereby have Power, at any monthly or ſpecial Court, by Writing under their common Seal, without Stamp, to bind and put forth any of ſuch Children Apprentices to any reputable Perſon in England, or to any Two of the ſaid Guardians, as Truſtees for the Benefit of, and to be employed under the ſaid Corporation, to learn and to be employed in any Art, Trade, Myſtery, or Occupation, or in any Handicraft Buſineſs or Manufactory, or in the Sea Service, as the ſaid Guardians, or any Five or more of them, ſhall think moſt fit and proper; ſuch Boy to be ſo bound for any Term not exceeding his Age of Twenty one Years, and ſuch Girl for any Term not exceeding Twenty one Years, or Day of Marriage, which ſhall firſt happen; and that every ſuch Writing (where the Apprentice ſhall not be bound to ſuch Two Guardians) ſhall be mutually binding as an Indenture between the Maſter, Miſtreſs, and Apprentice; and the Apprentice ſhall gain, and be entitled to gain, a Settlement under the ſame, and ſhall, in all Reſpects, be enforced according to the Laws in force, concerning the binding out of poor Children Apprentices, whoſe Parents are not able to provide for them (ſave that in every Caſe where any of ſuch poor Children ſhall be ſo bound to any Two Guardians as aforeſaid, no ſuch Apprentice ſhall gain any new or other Settlement, by reaſon of ſuch Binding or Servitude for the Uſe of the ſame Corporation) and that the ſaid Guardians ſhall, and hereby have full Power to maintain and provide for every ſuch Apprentice, and hereby have full Power and Property over any ſuch Apprentice who ſhall be ſo bound to any ſuch Two Guardians as their lawful Apprentice, whoſe Work and Labour ſhall go and be to the Uſe of the ſaid Corporation, and the Benefit of the ſaid ſeveral Pariſhes; 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,

Apprentices to be intitled to a Settlement,

except thoſe bound to Guardians.

Apprentices deſerting, may be apprehended.

tice, 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 Houſe of Induſtry, in order to fulfil the ſame 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 Miſdemeanor, 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 alſo that the ſaid Guardians, or any Five or more of them, ſhall and hereby have Power to diſcharge out of the ſaid Houſe, or to hire out, either before, or as ſoon as may be after, ſuch Age of Fourteen Years, any of the ſaid poor Children of the ſaid ſeveral Pariſhes or Places, to be Servants in Husbandry, Houſewifery, or otherwiſe, for one whole Year at the leaſt, for ſuch Child's own Benefit, and alſo before ſuch Age, to hire out any of ſuch poor Children, and alſo any of the other Poor within the ſaid Houſe, to work and labour in the Time of Hay and Corn Harveſt, or at any other Time, for the Benefit of the ſaid Corporation, with any Farmer, Tradeſman, or other Perſon, under ſuch Payment by ſuch Farmer, Tradeſman, or Perſon, to ſuch Corporation, and for ſuch Term and Time as the ſaid Guardians, or any Five or more of them, ſhall appoint; all of which poor Perſons, ſo hired out, ſhall do and perform the Work and Labour to be contracted for by the ſaid Guardians, or any Five or more of them, to the beſt of each of their Power; and after the Expiration of ſuch Contract, ſhall immediately return with his, her, or their Apparel, with which he, ſhe, or they ſo went out to work, Allowance being made for the neceſſary Wear of ſuch Apparel, to the ſaid Houſe of Induſtry, or, in Default thereof, ſhall and may be apprehended by Warrant under Seal of the ſaid Corporation, in any County or Place whatſoever, and conveyed back to the ſaid Houſe, there to be employed and provided for, as aforeſaid; and on every ſuch Perſon being ſo apprehended and brought back, the ſaid Guardians, or any Five or more of them, may, and hereby have Power to inflict ſuch reaſonable Puniſhment, and of ſuch Sort, on each Perſon ſo apprehended, as they at any Court ſhall direct; and that in each and every Caſe or Occurrence whatſoever, wherein any of the Poor, under the Care

The Poor may be hired to Harveſt or other Work.

and Management of the said Guardians, shall not work and labour, and obey and perform the Powers hereby given, and the Rules and Ordinances of the said Corporation, from time to time, the said Guardians, or any Five or more of them, shall, and hereby have Authority at any Court to order such poor Person or Persons, so misbehaving, to be whipped in the House of Correction, and to do such Task Work, or to inflict such Confinement or other reasonable Punishment on him, her, or them, so misbehaving, as any such Court shall think fit and suitable.

Usual Poor's Rates to be discontinued.

And be it further enacted by the Authority aforesaid, That the Churchwardens and Overseers of the Poor of the said several Parishes in the said City of Chester, or any of them for the time being, from and after the said First Day of May, One thousand seven hundred and fifty two, shall not, by virtue of any Law now in being (save as hereafter mentioned) and they and every of them are hereby disabled to make, or cause to be made, any other Rate, Assessment, or Taration whatsoever, or to rate, collect, or gather any other Sum or Sums of Money, within any of the said several Parishes, or from the Inhabitants thereof, or otherwise, for the Relief, Maintenance, and Employment of the Poor, of, within, and belonging to, the said several Parishes, other than every such Rate or Taration; and the rating, levying, and collecting of every such Sum and Sums of Money, for the cloathing, maintaining, employing, and otherwise providing for, the Poor of and belonging to the said several Parishes, which shall and may, from time to time, be ordered and directed to be rated and raised by the said Corporation, pursuant to the Powers herein given, and for the Purposes herein expressed (save and except all such Rates or Sums of Money which the said Churchwardens and Overseers, or any of them, now are, or shall, by any special Law, be obliged and directed to pay, and to raise by Taration (as in case of and for the Poor in the said several Parishes, or by any other Means) for the Relief and Provision of the Families of any Militia Men, or for any other particular Purposes arising within, and falling to the Part of, each such Parish; and that none of the said Churchwardens or Overseers of the said several Parishes, for the time being, shall pay, expend, or apply any of such Money to be rated, collected, and raised, in the said several Parishes, by them, or any of them, pursuant to any of the Powers hereby given to or for the Relief of any of the Poor of, or in any of the said several Parishes, or to or for any Use or Purpose, or to any

Money for particular Purposes may be collected as usual:

Person

Perſon or Perſons, other than ſuch as is and are herein after appointed, or ſhall be directed purſuant to the Powers herein contained (ſave and except ſo much and ſuch Part of any ſuch Money to be ſo collected, and when remaining in the Hands of the Perſon impowered, and having collected the ſame, as any Three of the ſaid Guardians (not being Churchwarden or Overſeer) for the time being, by Writing under their Hands, intervening the Time of holding any of the ſaid Courts, and in the Caſe of Neceſſity, or ſo much of ſuch Monies as any of the ſaid Courts (which they are hereby ſeverally empowered to do) ſhall order to be paid by any ſuch collecting Churchwarden or Overſeer, or other collecting Officer for the time being, to be empowered by virtue of this Act, in and for the Relief and Support of any Perſon not able to ſupport him or herſelf, and incapable of being moved into the ſaid Houſe, who by Accident, Sickneſs or otherwiſe, ſhall fall and be caſually in want, in any ſuch Pariſh, or for the Burial of any poor Perſon dying therein, or in the removing of any Pauper to his or her Place of Settlement, or in trying the Right of any Pauper's Settlement, or for any other ſuch urgent and neceſſitous Caſe; and in the Caſes of all ſuch directed Payments, the ſaid Churchwardens and Overſeers of the ſaid ſeveral Pariſhes, or other Perſon collecting and paying the ſame, ſhall keep a ſeparate Account of all the Money to be ſo by them reſpectively expended and laid out for any the aforeſaid excepted and ſpecial Purpoſes; and ſhall, from time to time, deduct the ſame out of the Money they ſhall be reſpectively required to rate, collect, and raiſe, in each Pariſh, under the Directions of this Act; and upon his or their paying the Overplus of the Money ſo directed to be raiſed, to the Treaſurer, or ſuch other Perſon, for the Uſe of the ſaid Corporation, as is herein after directed and appointed, he or they ſhall, at the ſame Time, deliver in to ſuch Treaſurer, or other Perſon, a fair Copy of every Rate to be ſo made, and of all the Money to be ſo collected, and of all Payments for any of the ſaid excepted or ſpecial Purpoſes, at the Time herein appointed for the Return of every ſuch Rate and Payment of all Money to be collected by virtue of the Powers hereby given; to the Intent that every ſuch Churchwarden or Overſeer, or other ſuch collecting Officer of every ſuch Rate, ſhall, on every ſuch Payment, balance his Accounts and Collections, and have no further Account open or depending with the ſaid Corporation, or relative to the Poor under their Care.

Separate Accounts to be kept thereof, and delivered to the Corporation.

Copies of the Rates to be delivered by the Collectors.

And

Furniture, &c. veſted in the Corporation,

And be it further enacted by the Authority aforeſaid, That the Property of all and every the Goods, Cattle, Chattles, Furniture, Proviſions, Cloaths, Linen, and Wearing Apparel, Tools, Utenſils, and Materials whatſoever, to be from time to time had, bought, uſed, 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 Work, 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 empowered, by their ſaid Name of Incorporation, to bring Actions for the Recovery thereof, and alſo to make any Acculation before any Juſtice of the Peace, who ſhall thereupon cauſe any ſuch Perſon accuſed to be apprehended as a Felon, and alſo to proſecute Indictments (as in the Caſe of, and which is hereby declared to be Felony) againſt any Perſon or Perſons, and alſo againſt any of the ſaid Poor provided for, and under the Care of the ſaid Guardians, who ſhall ſteal, take, carry away, ſell, embezzle, pawn, pledge, or wilfully deſtroy or ſpoil, any ſuch the aforeſaid Goods, Cattle, Chattles, Furniture, Proviſions, Cloaths, Linen, Wearing Apparel, Tools, Utenſils, and Materials whatſoever: And as to any of the ſaid Poor who ſhall be found guilty of any ſuch Offences, in the Judgement of the ſaid Guardians, in any of their ſaid Courts, it ſhall be lawful for the ſaid Guardians, then and there to order ſuch Confinement and corporal Puniſhment of any ſuch Offender in their Houſe of Correction, inſtead of any Proſecution for Felony as aforeſaid, as they ſhall think proper: And in caſe he or ſhe ſhall have abſconded, by Warrant under Seal of the ſaid Corporation, to cauſe ſuch Perſon to be apprehended in any City, County, or Place, and to be conveyed to the ſaid Houſe of Induſtry, there to be confined and puniſhed as aforeſaid. And in caſe any Perſon or Perſons ſhall knowingly buy or receive, or cauſe to be bought or received, or ſhall otherwiſe take into his, her, or their Cuſtody or Power, any ſuch of the aforeſaid Goods, Cattle, Chattles, Furniture, Proviſions, Cloaths, 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; and in caſe any Perſon or Perſons ſhall knowingly receive, entertain,

who may proſecute Perſons ſtealing or embezzling any Part thereof.

Penalty on Perſons buying Goods, &c. belonging to the Corporation,

tertain, 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 Houſe of Induſtry, 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, Chattles, Apparel, or Materials aforeſaid, or having ſo eloped as aforeſaid, before any One Juſtice of the Peace of the ſaid City, or of the Place where the Offender ſhall dwell (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 Chattles 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; and for want of ſuch 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 City or County where ſuch Perſon ſhall be apprehended, there to remain without Bail or Mainprize, until Payment of each ſuch Penalty, with the Charges of Recovery thereof, to be fixed by ſuch Juſtice, or until ſuch Perſon 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 empowered 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.

or entertaining any of the Poor who ſhall abſcond.

Form of Conviction.

City [or] County of

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 Seal, (or Hands and Seals) the Day and Year aforeſaid.

Guardians may appoint Officers,

And it is hereby further enacted by the Authority aforeſaid, That the ſaid Guardians, or any Five 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 or Allowance, to any ſuch Clerk, or other Officer, or Perſon, as the ſaid Guardians, or any Five or more of them, ſhall think fit.

and remove them, and appoint others.

Treaſurers to give Security.

And it is hereby further enacted, That the Treaſurer or Treaſurers of the ſaid Corporation for the time being, before he or they ſhall reſpectively act in ſuch Office or Place, ſhall, if required by the ſaid Guardians, or any Five or more of them, give ſuch Bond, in ſuch Penalty, and with ſuch Sureties, duly to pay, and accompt with the ſaid Corporation, and to act in any ſuch Office, according to the Tenor of the Truſt, purſuant to this Act, as the ſaid Guardians, or any Five or more of them, ſhall appoint; and the ſaid Treaſurer or Treaſurers for the time being, and alſo the Clerk, and every other Officer and Perſon, who ſhall belong to the ſaid Corporation or Houſe of Induſtry, ſhall, from time to time, account before ſuch Perſon or Perſons, or before the ſaid Auditor or Auditors, as the ſaid Guardians, or any Five or more of them, ſhall, for ſuch Purpoſes, appoint, for all ſuch Sums of Money, Stock, Goods, and other Things whatſoever, belonging to the ſaid Corporation, or the ſaid Houſe of Induſtry, which ſhall come to their reſpective

Officers to account on Oath.

Hands,

hands, or be under their reſpective Care, upon every reaſonable Warning or Notice thereof, not being leſs than Three Days excluſive to be to them reſpectively given, or left at his or their Place of Abode, by the Order of the ſaid Guardians, or any Five or more of them; and in caſe any ſuch Treaſurer, or other Officer or Perſon, ſhall neglect or refuſe to account as aforeſaid, it ſhall and may be lawful for any One Juſtice of the Peace, in and for the ſaid City of Cheſter, on Proof thereof made to him on the Oath of any One Perſon, under the Direction of the ſaid Corporation, by Warrant under his Hand and Seal, to cauſe any ſuch Treaſurer, or other Officer or Perſon, to be apprehended in the ſaid City, and to commit him or them to the Common Gaol of the ſaid City; there to remain without Bail or Mainprize, until he or they ſhall conform and account as before directed: And if any ſuch Treaſurer, or other Officer or Perſon, ſo neglecting or refuſing to account, ſhall go, or be out of the Juriſdiction of the ſaid City, ſo that ſuch the aforeſaid Warrant againſt him cannot be executed, it ſhall be lawful for any One Juſtice, in any other County or Place, where it ſhall be ſuſpected ſuch Treaſurer, or other Officer ſhall be, to indorſe his Name on any ſuch Warrant, which ſhall be full Power to any Conſtable, or other Perſon having ſuch Warrant, to execute the ſame in any ſuch County or Place, of which ſuch Juſtice ſo indorſing the ſame hath Juriſdiction; to the Intent that from and after any ſuch Offender ſhall be taken, he ſhall be conveyed before any One Juſtice of the ſaid City of Cheſter, to be by him committed for ſuch Offence as aforeſaid; and if upon any Account made with the ſaid Corporation by any Treaſurer, or other Officer or Perſon, there ſhall appear and be any Money, Goods, or other Effects, in his or their Hands, due and belonging to the ſaid Corporation, he and they ſhall pay and deliver over the ſame to ſuch Perſon or Perſons, and at ſuch Time, as the ſaid Guardians, or any Five or more of them, ſhall direct, or ſhall give ſuch Security for the ſame, as the ſaid Guardians, or any Five or more of them, ſhall approve of; and in Default of ſuch Payment, or giving ſuch Security according to ſuch Direction or Approbation, every ſuch Treaſurer, or other Officer or Perſon, ſhall immediately thereupon forfeit and pay to the ſaid Guardians double the Value of ſuch Money, Goods, or other Effects, ſo being in his or their Hands; to be recovered by the ſaid Guardians, by Action of Debt, Bill, Plaint, or Information, in any Court of Record in Great Britain, in which no Protection, Eſſoin, or Wager of Law, or more than

In caſe of Refuſal, to be committed.

One Imparlance shall be allowed; and in the Case of every such Forfeiture, upon Affidavit made thereof by any Person on Behalf of the said Guardians, it shall be lawful for the said Guardians, or any Five or more of them, by virtue of some proper Writ or Plaint out of any such Court of Record in Great Britain, to arrest any such Treasurer, or other Officer or Person so offending, in order to hold him or them to Bail in the said Action for the Recovery of any such Penalty.

Guardians not to have any Power over particular Charities.

Provided always, and be it further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not in any wise extend to give the said Guardians any Power or Authority over any Alms-house, or Hospital, or any other charitable Building, or other special Donation whatsoever, within the said City, already or hereafter to be given, settled, or erected, nor to give any Power or Authority over any of the Poor dwelling therein, or having the Benefit of any such private Donations or Charities for the time being; any thing herein contained to the contrary notwithstanding.

Manner of making the Rates.

And whereas, by reason that the Number of the Poor which will be under the Care of the said Guardians, and who belong to the said several Parishes in the said City, will be different, and many more in some Parishes than others; be it further enacted by the Authority aforesaid, That the whole and entire Number of the Poor belonging to each of the said several Parishes, who shall, from time to time, be maintained or employed, or any ways under the Care of the said Guardians, shall at every Time, when the said Guardians, or any Nine or more of them, shall find it needful to order and direct any Money to be rated and raised by and out of the said separate Parishes, for the Relief and Employ of such Poor, or any ways relating thereto, pursuant to the Powers hereby given, be the Guide and Rule to the said Guardians, for their Apportionment of the Money so to be rated in, and raised out of, each such Parish, from time to time, without regarding the Age, Sex, or Condition, of all such Poor;

Profit arising from employing the Poor, to be entered in a Book.

And that the Benefit, Profit, and Encrease, which shall from time to time, be had, gotten, and raised, by the Work, Employ, and Industry, of the Poor of the said several Parishes, under the Care and Management of the said Guardians, shall, so often as the said Guardians, or any Nine or more of them, shall think fit, not being less than Once in every Twelve Calendar Months, be fairly wrote out, and stated by the said Guardians, or such Person or Persons as they, or any Nine or more of them, shall appoint for that Purpose; and that all such Benefit,

Profit and Encrease, shall be often be apportioned, divided, and credited, by the said Guardians, to the Ease and to the separate Account of each of the said several Parishes, according to the Total Number of each of their respective Poor, being at the Time of every such Appointment so under the Care of the said Guardians: And in all Cases of Receipts or Payments, or other Matters or Things to be had, done, or transacted, by the said Guardians, or otherwise, by virtue of any of the Powers or Authorities hereby given, the gross or total Number of the Poor of and belonging to the said several Parishes, who shall then, from time to time, be maintained and employed by the said Guardians, shall, at every such Time, be the Guide and Rule of the said Guardians for the fixing, settling, and apportioning, the Shares, Parts, or Proportions thereof, to be paid, sustained, received, or had by and on the Part of each such separate Parish.

Said accounted for, in Ease of the respective Parishes.

Guardians not to have any Profit.

And, for the Payment of such Rent for the said House of Industry so erected by the said Mayor and Citizens, as shall be due, and in Arrear, on the said First Day of May, One thousand seven hundred and sixty two, and for discharging all Debts and Sums of Money then due, for the maintaining and employing of the Poor of the said several Parishes in the said House, or otherwise, in respect thereof, to such Time, and for the raising and collecting of sufficient Money to be from time to time judged needful by the said Guardians, for the future maintaining and employing of the Poor of and belonging to the said several Parishes, and the Payment of all Rent to grow due for the said House and Premisses to the said Mayor and Citizens, or for any other House and Premisses, or for the purchasing of any other Premisses, or erecting any other Building, and to make all other Payments, and in all Cases to answer the Uses and Purposes of the said Corporation; be it further enacted by the Authority aforesaid, That the said Guardians, or any Nine or more of them, shall and have hereby full Power and Authority, at their Court to be held on the first Thursday in May, One thousand seven hundred and sixty two, or at the next, or some other monthly or Special Court or Assembly, as soon after as conveniently may be, to state, set down, and ascertain the whole Money due and in Arrear on the said first Day of May, One thousand seven hundred and sixty two, for the Rent of the said House, and for the maintaining and employing of the Poor of the said several Parishes to the same Time, according to the Rules and Ordinances hitherto observed by the Committees or Persons meeting, and having represented the said several Parishes, and shall

Manner of apportioning the Rates.

Manner of raising the Rates.

Orders from employing the Poor, to be entered in a Book.

then

then and there apportion and settle the Part or Share of all such Money and Arrears, which shall be raised and paid by each Parish, according to the Number of each of their Poor, and to the Rule herein laid down for apportioning the Payments of each Parish; and shall also then and there, at the same Court, fix and ascertain, according to the then Number of the Poor of each Parish, what Sum of Money shall be first raised by and out of each such Parish, for the further maintaining and employing of the Poor thereof, under the Care of the said Guardians, and for all or any other Purpose by virtue of this Act: All which said several Sums of Money last mentioned, to be so fixed to be raised at the same first Court, shall be rated and raised by the Churchwardens and Overseers of the said several Parishes, as hereafter mentioned, and shall be, and hereby are, made liable to repay, and make up when collected, any Money which the said Guardians shall borrow or advance, for the carrying on the Uses of this Act in the mean time; and that the said Guardians, or any Nine or more of them, shall and hereby have Power, at any of their monthly or other Special Courts or Assemblies, to be for ever afterwards held from time to time as there shall be Occasion, and as they shall think proper, to set down and ascertain what Sum or Sums of Money shall be needful to be raised and paid by and out of each of the said several Parishes, for the maintaining and employing the Poor thereof, and for other the Uses of the said Corporation, pursuant to the Design of this Act: And the said Guardians, or any Nine or more of them, shall and hereby have Power and Authority, at every or any such monthly or Special Courts or Assemblies, as aforesaid, to issue, and, as soon as may be, to send out, and to direct their Precept and Certificate, under their common Seal, to the Churchwardens and Overseers of the Poor of each of the said several Parishes in the said City of Chester, or to any One or more of them for the time being, expressing the Money so fixed and ascertained by each such Court, to be raised and paid by and out of each such Parish, for the Purposes aforesaid; and thereby requiring the said Churchwardens and Overseers of each such Parish, or any One or more of them, to rate and assess, as soon as may be, and within Thirty Days (exclusive) from the Date thereof, to collect and receive, and to cause the same respective Sums to be raised and levied by Taxation, equally, and in Proportion, as near as may be, of and upon the several Houlholders and Inhabitants, and every Occupier, in respect of and for, and of and upon all Lands, Houses, Tythes, Stocks, and Estates, Real and Personal,

Rates to be collected by the Churchwardens and Overseers.

Guardians to limit the Sums to be raised.

Of whom to be demanded.

Perſonal, in the ſaid ſeveral Pariſhes, which by any Law now in Force are rateable, and liable to pay to and for the ſetting on Work and Relief of the Poor, according to the reſpective Worth and Values of all ſuch Eſtates; and that every ſuch Churchwarden and Overſeer, to whom any ſuch Precept and Certificate ſhall be ſo directed, ſhall obey the ſame in all Reſpects, and is and are hereby required, and ſhall, and hereby have and hath full Power and Authority in purſuance thereof, to make every ſuch Rate, as ſoon as may be, not exceeding Six Days inclusive from the Receipt of every ſuch Precept, and to collect and receive, and cauſe to be raiſed and levied, within the Time aforeſaid, by ſuch Taration as aforeſaid, and by Virtue of the Powers herein given, every ſuch Sum or Sums of Money, to be ſo ſet down and directed in and by every ſuch Precept and Certificate; and on the Sunday next after his or their Receipt thereof, ſhall cauſe Notice to be given, immediately after Divine Service, in the Pariſh Church of each ſuch Pariſh, declaring the Sum intended to be raiſed; and immediately after he or they ſhall have ſo made every ſuch Rate, the ſame ſhall be fairly entered and ſet down by him or them, ſo making and laying the ſame, in a Book, to be kept and provided, by and on the Behalf of each ſuch Pariſh, and ſhall be ſubſcribed by each ſuch Churchwardens and Overſeers, and by him or them brought as ſoon as may be to any Two Juſtices of the Peace in and for the ſaid City, who ſhall, and are hereby impowered and required, at ſuch Time, to ſubſcribe and ſign his or their Allowance of ſuch Rate, taking only One Shilling for each ſuch Allowance; and in caſe of Non-payment of each and every ſuch Rate, by the Perſon taxed and rated, or by the Occupier of the Premiſſes ſo taxed, whether the Party ſhall be rated by Name, or as the Occupier, or the Premiſſes ſo occupied ſhall be only rated (the ſame Rate being firſt lawfully demanded from the Party in Perſon, or by Notice left at the Premiſſes by any One of ſuch Churchwardens, or Overſeers, or other Perſon appointed by them, or any of them) it ſhall be lawful for any One Juſtice of the Peace in and for the ſaid City, and on the reſpective Neglect or Refuſal of any Six of ſuch Juſtices, then for any Two Guardians of the ſaid Corporation repreſenting any other Pariſh (and not being Juſtices) upon Proof of ſuch Non-payment, after Demand by the Oath of any One ſuch Churchwarden and Overſeer, or other Perſon directed by him or them to make ſuch Demand, or to give ſuch Notice (within Two Days excluſive after ſuch Demand, but not ſooner) to iſſue his or their War-

Rates to be publiſhed in the Churches, and entered in Books,

and allowed by Juſtices.

On Nonpayment, Rates to be levied by Distress and Sale.

rant, under his or their Hand and Seal, or Hands and Seals, and who are hereby severally required to issue the same accordingly, and thereby to authorize and impower the said Churchwardens and Overseers of such Parish, or any of them, or any other Person to be named therein, to levy and raise, as soon as may be, such Money so in Arrear and unpaid, together with the Costs attending the same, to be ascertained by the Person or Persons so granting such Warrant, by Distress and Sale of the Goods, Cattle, and Chattles of every such Person or Persons so in Arrear, or not having paid any such Rate as aforesaid, restoring the Overplus of any such Distress and Sale to the Party so distrained, or leaving the same at his, her, or their Place of Abode; and in case no such sufficient Distress can be found, then any such One Justice, or after the Neglect or Refusal of so many of them as aforesaid, any such Two Guardians as aforesaid, shall, and hereby have like Power, and are hereby required to issue such his or their Warrant to apprehend, and thereby to commit any such Person so not paying and offending as aforesaid, to the Common Gaol of the said City, there to remain without Bail or Mainprize, until such Rate or Rates, and all Costs and Charges attending such Proceedings as aforesaid (to be fixed by the Person or Persons granting such Warrant) shall be paid or compounded for; which Composition the said Guardians, or any Nine or more of them, are hereby impowered to make; and the said Churchwardens and Overseers of each of the said several Parishes, who shall be so required, and shall collect and gather any such Rates as aforesaid, shall and are hereby ordered, from time to time, to pay the whole Money to be so by them respectively rated, collected, and received, when and so soon as they shall receive the same, if the said Guardians shall, in any monthly or Special Court, so direct; but for want of such Direction, then within Three Days exclusive after the Expiration of the said Thirty Days, to be named in every such Precept and Certificate as the Return thereof as aforesaid, to the Treasurer or Treasurers of the said Corporation, or to some other Person or Persons to be from time to time appointed by the said Guardians, or any Nine or more of them, to receive the same for the Use of the said Corporation, and to the Account of every such separate Parish from whence each such Rate shall be raised; and shall, and is and are hereby required, at the Time of making every such Payment of such Money so collected, to deliver over to the Person or Persons, so impowered to receive the same, a true and exact Copy or Duplicate of each such

For want of Distress, Party to be committed.

Money to be paid over for the Use of the Corporation.

Assessment

Assessment sounding every such Payment, with an Account underwrote of any Money therein rated, and unavoidably lost through the Insolvency of the Party, or otherwise through his or her Defect, and of any Money such Churchwardens or Overseers may have expended out of that Rate by Order of the said Guardians, or otherwise, as is herein before mentioned and excepted as to casual Purposes; And in case any such Churchwardens or Overseers to whom any such Precept and Certificate, under Seal of the said Corporation, shall be directed as aforesaid, shall neglect or refuse to receive and obey every such Precept, and to make every such Rate, or to collect the Money thereby required to be raised by such Taration, and in all Respects before-mentioned, to enforce the raising thereof, and afterwards to pay over such Money when collected, and to deliver over such Copy of every such Assessment within, and at such Times, and with such Account underwrote, as is and are herein mentioned and directed; every such Churchwarden and Overseer so offending in any of the Matters aforesaid, in the Judgement of the said Guardians, in any of their said weekly, monthly, or Special Courts, shall forfeit and pay for each such Offence the Sum of Ten Pounds 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 in case any such Churchwardens or Overseers, to whom any such Precept or Certificate shall be directed, under Seal of the said Corporation as aforesaid, shall so neglect or refuse to obey every such Precept, and to make such Rate, and to collect and raise such Money as shall be hereby required, or shall, after his or their collecting the same, or any Part thereof, become insolvent, or otherwise unable to pay over any such Money so by him collected, or shall die insolvent in the Judgement of the said Corporation, assembled in any monthly or Special Court; then, and in every such Case, it shall and may be lawful for the said Corporation, in any such of their said Courts, after such Neglect or Refusal, or after such Insolvency or Inability, by the like Precept under their common Seal, to appoint any other or others of the Churchwardens or Overseers, or any Two substantial Householders in any such Parish, to rate, collect, and receive, and to cause to be raised and levied, such Sum or Sums of Money (so required to be raised by each such Parish in any such former Precept, so being neglected or refused to be obeyed by any such the Churchwardens or

with a Copy of the Assessment, and Account of Money expended thereout.

Penalty on Churchwardens and Overseers for neglecting their Duty.

In case of Insolvency of Collectors, Rates to be made good by the respective Parishes,

and other Collectors appointed;

Overseers

Overseers of the same Parish, or so much thereof as any of such Churchwardens or Overseers shall have collected, and afterwards become unable to pay over by the Means aforesaid, and shall not have paid over the same to the said Treasurer or other Person for the Use of the said Corporation) in like Manner, and with the same Effect, and with the same Power, for the Recovery of every Rate or Taration to be made in pursuance thereof; and which Precept such Householders shall, and hereby are severally required to obey, and to execute and fulfil the Purport and Effect thereof in all such Cases, as fully and effectually in all Respects, and shall be subject to the like Penalty for Disobedience in any Part, with such Remedy for Recovery thereof, as is and are hereby before given and directed, in case such Precept had been originally issued to, and executed by, or refused to be obeyed and executed in the Whole or in Part, by any such the Churchwardens or Overseers of any of the said several Parishes; and so in case any such other Churchwardens or Overseers, or such Two Householders in any such Parishes, shall also neglect or refuse to obey any such further Precept, and to make such Rate, and to collect and raise such Money as shall be thereby required, or shall, after his or their collecting the same, or any Part thereof, become insolvent, or otherwise unable to pay over any such Money so by him collected, in the Judgement of the said Corporation; then, and in every such Case, it shall be lawful for the said Corporation, at any such like Court, to appoint any Two Guardians from among themselves, or any Two other Persons (not so before appointed) by another such like Precept under their common Seal, to make and collect such Rate, and to raise and levy such Money, or so much thereof as shall be so wanting to be raised by and out of any such Parish, in such Manner, and with such Powers, as is and are before mentioned, had such Precept been originally executed in all Respects by any the Churchwardens and Overseers of the Poor of the same Parish, having been first so appointed as aforesaid, and subject to the like Penalty for any Disobedience or defective Execution thereof, by such Guardians, or either of them, in every Instance, as is before appointed as to every first or original Precept.

In case of their Refusal or Insolvency, Guardians to collect the Rate.

And it is hereby further enacted by the Authority aforesaid, That in case any of the Persons who shall be so appointed to rate, raise, and collect, any of the said Sums of Money directed by the said Guardians to be raised in and by any of the said Parishes, as aforesaid, shall, after he, they, or any of them, shall have so collected and received all or any of such Monies, embezzle or expend the same,

Persons embezzelling, &c. Money collected,

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 is herein, or as the said Corporation shall direct, as aforesaid; it shall be lawful for any One Justice of the said City, on Complaint thereof to him made by the said Guardians, by any Order of any subsequent Court, by Warrant under his Hand and Seal (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 Chattles 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 City, 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 Precept for making any such Rate, 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; and in case any such Person shall abscond and depart from the said City, with or without making such Payments of any Money so by him collected, or shall compound for the same in Manner aforesaid, or shall so secrete himself as to avoid being apprehended and committed as aforesaid, it shall be lawful for the said Corporation (although the same may have been collected again or made up by means of any subsequent or intervening Rate in any such Parish, by the Order, and to the Use of, the said Corporation) in either or any such Case, to sue for, and to recover the same Money so collected, and every Part thereof, against each and every such Person, by Action of Debt, Bill, Plaint, or Information, in any Court of Record in Great Britain (without Limitation in Time) wherein no Essoin or Wager of Law, or any Imparlance, shall be allowed; and upon a Verdict for the said Corporation, they shall recover Treble the Amount of the Money so collected, and Treble Costs of Suit, and have such Remedy for the same as any Plaintiff or Plaintiffs hath or have in any other Cases by Law; and which Money and Costs (after deducting all other Costs expended by the said Guardians, in or by reason of any such Suit) when received by them, shall be placed to the Credit and to the Account of the particular Parish, from whence, and in respect whereof, such Money so recovered had been originally collected:

the same to be levied by Distress and Sale.

For want of Distress, Party to be committed.

If Party absconds, the Money to be recovered of him at any Time afterwards, tho' in the mean Time made good by the Parishes,

with Treble Costs.

Money, when recovered, to be placed to Account of Parish making it good.

And in order to charge every such Person with the Receipts of such Money to be so by him collected as aforesaid, the several and respective Persons paying any such Money, or any Part thereof, shall, and are hereby declared to be, good and competent Witnesses to prove any of such Payments by him, her, or them.

On Death of Collector, the Survivor to proceed.

Provided always, and it is hereby further enacted by the Authority aforesaid, That in case any Person to whom any such Precept to make and collect any such Rates within any such Parish, for the Use of, and under the Seal of the said Corporation, as aforesaid, shall happen to die before all or any Part of such Money to be so rated shall be collected by him, the Whole, or so much thereof as shall remain uncollected by the Person so dying, shall be collected and levied by the surviving Person or Persons to whom each such Warrant or Precept shall, from time to time, be directed; and he or they shall afterwards execute the same in all Respects herein directed; and all such Money as shall or may, at the Death of any such Person, have been collected and received by him under any such Rate, and remaining in his Hands, shall, within Ten Days after such his Decease, be paid by his legal Representative or Representatives, or Person possessing his late Estate and Effects, to the surviving Person or Persons, or any of them, to whom the particular Precept by virtue whereof such Money had been received, was so directed, who shall be answerable to pay over the same to the Treasurer, or other Person hereby impowered to receive the same, for the Use of the same Corporation, under the like Penalty for Disobedience, and subject to the like Remedies against him or them for Recovery thereof by the said Guardians, as if he or they had originally collected any such Money: And in case any such Representative or Representatives of any such deceased Person, or the Person possessing his late Estate and Effects, as aforesaid, shall neglect or refuse, upon the Demand of such surviving Collector, or of any other Person to be directed by the said Guardians to pay over to such surviving Collector, or to any other Person whom the said Guardians shall appoint, all the Money having been so collected by, and remaining in the Hands of, any such deceased Person at his Death, it shall be lawful for any One Justice of the said City, upon Complaint to him thereof made, by Order of the said Corporation, by Warrant under his Hand and Seal, to levy all such Money by Distress and Sale of the Goods and Chattles late of the Person so deceased, with the Costs of such Distress and Sale; and for want of such Distress, it shall be lawful for the said

Money collected in Collector's Life-time, and not accounted for, to be paid by his Representative.

On Nonpayment, to be levied by Distress and Sale.

Guardians

Guardians to sue for and recover any of such Money (although the Deficiency thereof may have been again raised and collected in such Parish by Order of the said Guardians) by Action of Debt, Bill, Plaint, or Information, in any Court of Record in Great Britain, against the Heir at Law, or personal Representative of the Person or Officer being dead, whose Real and Personal Effects are hereby made severally liable and subject thereto; and upon a Verdict for the said Guardians, they shall recover Treble Costs of Suit, and have such Remedy for the same as any Plaintiff or Plaintiffs hath or have in any other Cases by Law, and which Money and Costs (after deducting thereout all the other Costs expended in such Suit by the said Guardians) when received, shall be placed to the Credit and Account of the Parish from which such Money so recovered had been originally rated and collected; and any Person or Persons having paid any Part of such Rates or Money so being collected by any such deceased Person before his Death, shall, and are hereby declared to be good and competent Witnesses to prove any of such Payments by him, her, or them.

Persons aggrieved may appeal.

Provided also, and it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall apprehend him, her, or themselves to be unequally taxed, charged, or rated, by any Rate or Assessment made within any of the said several Parishes, pursuant to the Powers hereby given, the Churchwardens or Overseers, or other Person or Persons appointed to make and collect any such Rate for the time being, shall, and is and are hereby required, upon the Request of any Person or Persons apprehending him, her, or themselves to be so aggrieved, to produce and shew to him, her, or them, any such Precept directing any such Rate, and any such Rate or Assessment made in pursuance thereof, and shall permit him, her, or them, to inspect or take any Copy or Extract thereof: And it shall be lawful for any such Person or Persons, within Ten Days after the Date of every such Precept for making of such Rate, or within Three Days inclusive, after such Rate made on any such Person or Persons shall be demanded to be paid, to make Complaint to any Two Justices of the Peace of the said City, who shall and are hereby required to issue their Summons thereupon to the Churchwardens and Overseers, or other Person or Persons having made, or being appointed to make, any such Rate, requiring them, and every of them, within Five Days next afterwards exclusive, at some Hour of the Day and Place to be therein named, to appear before any Three Justices of the Peace of the said City, (whereof

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the Mayor or the Recorder of the said City for the time being to be One) and any Two or more of the said Guardians to be joined with them (not being Guardians for or in respect of the same Parish) and then and there to produce the Precept for making every such Rate, with the Rate and Assessment made in pursuance thereof; at which Time and Place such Three Justices, and any Two of such Guardians not being Justices, who shall be appointed by the Majority of Guardians then present, if more than Two, not being Justices, or any Three of them, shall and hereby have full Power to hear each Complaint, and to examine all Parties, and their Evidence thereon, upon Oath, by way of and as the Appeal of the Parties so complaining, and shall then and there make such final Order in the Premisses as shall be binding to the Appellant, and all Parties rated, or liable to be rated, in any such Assessment, and to all other Persons, as to them, or any Three of them, shall appear just and reasonable.

Books of the Corporation may be inspected, &c.

Provided also, and it is hereby further enacted by the Authority aforesaid, That all and every the Books, Papers, and Accounts whatsoever, of and belonging to the said Corporation, shall, at any of their said Courts, upon reasonable Notice being first given, be produced to, and inspected during such Time by, any Inhabitant or other Person being rated to, or paying in respect of his, her, or their Estate, in any of the said Parishes in the said City, to the Relief of the Poor thereof, who shall then and there be at Liberty, and have Power to protest and declare his, her, or their Objection or Observations, to or upon any particular Charges, Rates, Matters, or Proceedings whatsoever, which shall be then heard and taken into Consideration by such Court; and in case the same Court cannot settle and end such Grievance to the Satisfaction of the Party or Parties so making the same Objection, such his, her, or their Objection shall be adjourned over to, and heard at, the next following monthly or Special Court of the said Corporation, when such Order to be made therein by such Court shall be final.

and objected to by Persons thinking themselves unequally rated.

Charity-money not particularly appropriated, to be paid over for the Use of the Corporation.

And it is hereby further enacted by the Authority aforesaid, That all Gifts, Donations, Benefactions, and Sums of Money whatsoever, now payable, or which shall hereafter become payable for and to the Use of the Poor of and belonging to any of the said several Parishes, not being directed or liable to be applied for the Support of any private or particular Poor or Charity, or by the Donation particularly appropriated, not being Sacrament Money, shall from time to time, from and after the

the holding of the first Court of the said Corporation under the Powers aforesaid, be had and received by the Churchwardens and Overseers of the Poor of each such Parish, or One of them, or by some Person to be appointed by the said Corporation on the Default of such Churchwardens or Overseers, at the usual and proper Times of Payment, and, shall, as soon afterwards as may be, from time to time, be paid over by him or them to the Treasurer, or other Person, to be appointed by the said Guardians, or any Five or more of them, for the Use of the said Corporation, and to the Credit and Account of each such particular Parish; and in case any such Churchwarden or Overseer shall refuse or neglect to receive in any of such Money, and pay over the same, as aforesaid, within Ten Days after Demand made thereof, by Order of the said Guardians, to each such Churchwarden and Overseer, every such Churchwarden and Overseer so neglecting or refusing, and not shewing reasonable Cause for the same to the next following Court, shall severally forfeit and pay to the Use of the said Corporation any Sum not exceeding Ten Pounds, nor under Five Pounds, as the said Guardians at any following Court shall order and appoint.

Penalty on Churchwardens or Overseers refusing to receive the same, &c.

And it is hereby further enacted by the Authority aforesaid, That all Gifts, Grants, and other charitable Benefactions whatsoever, to, or to the Use of, the said Corporation, shall be laid out and applied by the said Guardians according to the Direction of every Donor and Benefactor; and where there shall be no such particular Direction, then to the Use of the Poor of all the said several Parishes, according to the Rules herein prescribed; and that the said Guardians shall and may, and have hereby full Power, at any Special Court or Assembly, to elect or choose any such charitable Person or Benefactor, his or her Heir, Executor, or Administrator, or next of Kin, after his or her Decease, to be a Guardian of the Poor; and who shall be and act as One of the said Body Corporate, for such Time as the said Corporation shall, at such Court, or at any following Special Court, appoint.

Guardians to apply Charity Money according to the Will of the Donor, &c.

Executors to be admitted Guardians.

And whereas the Poor of and belonging to the District or Extraparochial Place within the said City of Chester called the Abby Court, have heretofore been relieved and provided for by the Dean and Chapter of the Cathedral Church of Christ and the Blessed Virgin Mary in Chester (who claim Right to the Spil, and some Jurisdiction over the said Abby Court) by and out of the Revenue of the said Cathedral Church; and no Overseers of the Poor have been hitherto appointed, or any Rate been made upon the Inhabitants or Estates within the said Abby Court for the

Care and Relief of the Poor thereof: And whereas also the Poor of and belonging to the District or Extraparochial Place within the said City, called The Hospital of *Saint John*, without the Northgate, have hitherto been relieved and provided for by the Mayor and Citizens of the said City of Chester for the time being, by and out of the Revenue and Estate belonging to the same Hospital or otherwise: And to the Intent that the said Dean and Chapter, and their Successors, or such other Person or Persons who shall at any Time hereafter be liable to relieve and provide for the Poor in and belonging to the said Abby Court; and also, that the said Mayor and Citizens, and their Successors, or such other Person or Persons, who shall at any Time hereafter be liable to relieve and provide for the Poor in and belonging to the said Hospital, and all the Poor of the said respective Districts and Extraparochial Places, shall and may have and partake of the Benefits and Use of the said House of Industry, and the Powers of the said Corporation hereby created; and to the Intent that any other Parish, Township, District, or Place whatsoever (as the said Corporation shall approve of) may have and contract for the Poor thereof respectively to be maintained and employed under the Care and Management of the said Corporation, as hereafter mentioned; be it further enacted by the Authority aforesaid, That the said Dean and Chapter, and their Successors, and also the said Mayor and Citizens, and their Successors, or such other or others who for the time being shall be liable to maintain and provide for the Poor of the said respective Districts or Places called The Abby Court, and the Hospital of Saint John, shall, and they are hereby respectively impowered and required to order, compel, and send all the Poor of the said respective Places, who from time to time shall want and seek Relief, into the said House of Industry, there to be maintained and provided for by the said Guardians, in like Manner and after the same Rates as the Poor of the said several Parishes in Chester, under the Care of the said Guardians, and that none of such Poor shall hereafter be otherwise maintained or provided for; and the said Guardians shall, and are hereby required to receive and provide for all such Poor of and belonging to the said Abby Court, and Hospital of Saint John, and they are hereby impowered to set them at work, and have hereby such Power over such Poor, in all Respects, as the said Guardians are hereby declared to have over the Poor of the said several Parishes in Chester: And the said Dean and Chapter, and their Successors, or such other Person or Persons who for the time being shall be liable to maintain

Corporation to have the Care of the Poor of the *Abby Court*, and *St. John's* Hospital;

tain and provide for the Poor of the said Abby Court; and also the said Mayor and Citizens, and their Successors, or such other Person or Persons who, from time to time, shall be liable to provide for the Poor of and belonging to the said Hospital of Saint John, shall, and they are hereby severally required (within Thirty Days next after Notice thereof in Writing, signed by the Clerk or Treasurer of the said Corporation, shall be given to the Treasurer or Treasurers of the said Dean and Chapter, and the said Mayor and Citizens for the time being respectively, or left at their respective Places of Abode; and for want of such Treasurer or Treasurers, each such Notice to be left, in respect of the Poor of the said Abby Court, at the Office of the Register of the Consistory Court for the Diocese of Chester, and in respect of the Poor of the said Hospital of Saint John, at the Town Clerk's Office in the said City) to pay, or cause to be paid, unto the said Treasurer of the said Corporation for the time being, or to such Person or Persons as the said Guardians, or any Five or more of them, shall direct, so much and such Sum and Sums of Money as the said Guardians, or any Five or more of them, in any of their said Courts, shall order and direct to be the Proportion and Share of Money needful to be paid to them, and to be raised for the Maintenance, by the said Guardians, of the respective Poor, from time to time, of and belonging to the said Abby Court, and the said Hospital of Saint John; in Proportion, and after the same Rate (according to the Number of the Poor) as the Poor of and belonging to the said several Parishes in Chester shall, at the Time of the making every such Order, appear to the said Guardians to be then maintained and provided for, under the Powers hereby given: And in case the said Dean and Chapter, or their Successors, or the said Mayor and Citizens, and their Successors, or any other Person or Persons who for the time being shall order and send the Poor of and belonging to the said respective Districts, called The Abby Court, and the Hospital of Saint John, into the said House of Industry, as before directed, shall, at any Time or Times, neglect or refuse to raise and pay to the said Guardians, or their Order, or their Treasurer, so much and such Sum or Sums of Money as the said Guardians, or any Five or more of them, shall appoint, within Ten Days next after the Expiration of every such Notice as aforesaid; then, and so often, it shall and may be lawful for the said Guardians, or any Five or more of them, to sue for and recover every such Sum of Money so being neglected or refused to be paid, together with Treble Costs of Suit, by Action of

being paid for the same.

Debt,

Debt, in any Court of Record in Great Britain, to be commenced and prosecuted by the said Guardians, against the said Dean and Chapter, or their Successors, or the said Mayor and Citizens, or their Successors, or against such other Person or Persons who, for the time being, shall order, compel, and send in such Poor, pursuant to the Powers hereby given to the said House of Industry, or who shall act as a Party or Parties liable, for the time being, to relieve and provide for such respective Poor; and that no Essoin or Wager of Law, or any Imparlance whatsoever, shall be allowed the Defendants or Defendant in any such Action; and the said Guardians shall have such Remedy for the Recovery of the Damages in any such Action, and of the Treble Costs before directed, as any Plaintiff at Law is intitled to have in the Case of a Verdict and Judgement for him.

Provided always, That nothing in this Act contained, shall bind the said Dean and Chapter, or their Successors, to relieve and provide for the Poor belonging to the said Abby Court for the time being, any further or otherwise than of Right they are liable to do; nor shall this Act, or any Thing herein contained, conclude or take away any Power or Authority in Law (if any such there is or may be) for the appointing of any Inhabitant or Inhabitants within and for the said District of the said Abby Court, to be Overseer or Overseers of the Poor thereof, for the time being, nor to obstruct any such Overseer or Overseers in the Execution of his or their Office, or from making any Rate or Rates for the Relief of such Poor, according to the Laws in being; so that all the Poor of and belonging to the said Abby Court for the time being, shall nevertheless be maintained and provided for, under the Care of the said Guardians as before is enacted; and that every such Overseer, who may hereafter be so appointed as aforesaid, shall be subservient to the Directions of this Act, as the Person or Persons who, for the time being, shall be liable to relieve and provide for the Poor in and belonging to the said Abby Court.

Guardians may contract for the Care of the Poor of any other Place:

And be it further enacted by the Authority aforesaid, That the said Guardians may (if they think proper) at any of their said Monthly or Special Courts, and the Churchwardens and Overseers of the Poor, or other Person or Persons having the Care of the Poor of any Parish, Township, or other Place, may contract and agree together, for the maintaining and employing of the Poor of any such Parish, Township, or Place, by the said Guardians, in the said House of Industry, and under the Management of the said Guardians, in all Respects, according

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ing to the Powers hereby given over the Poor of the ſaid ſeveral Pariſhes in the ſaid City of Cheſter, for and during ſuch Time together, not leſs than One Year, and under ſuch Payments to the ſaid Guardians, as they and ſuch other contracting Parties ſhall mutually agree upon; all of which Poor ſhall be compellable to go into the ſaid Houſe of Induſtry, and ſhall not, during each ſuch Contract, be otherwiſe relieved, and ſhall be ſubject, in all Reſpects, to the Rules and Powers of the ſaid Corporation, and to the like Puniſhments and Proſecutions as the Poor of the ſaid ſeveral Pariſhes in Cheſter are hereby ſubjected to, and ſhall be ſeverally liable to be diſmiſſed and diſcharged out of the ſaid Houſe, and from under the Care of the ſaid Guardians, and to be ſent to his, her, or their proper Pariſh, Townſhip, or Place, there to be again relieved and provided for according to Law, for any Breach of ſuch Contract, by the Contractors on their Part, or for any Miſbehaviour, Non-conformance, or other Offence, in any of ſuch Poor, when, and as the ſaid Guardians, or any Nine or more of them, ſhall think proper, and by the Order of any Monthly or Special Court ſhall direct; and that each and every Churchwarden and Overſeer, or other Perſon having the Care of the Poor of every ſuch Pariſh, Townſhip, or Place, ſhall and hereby have Authority to raiſe and levy by Taxation in each ſuch Pariſh, Townſhip, or Place, in the ſame Manner, within ſuch Time, and by ſuch Ways and Means, and with all and every ſuch Power of Diſtreſs and other Powers, as are herein before given and appointed, as to rating, levying, and raiſing, the Money for the Relief and Employ of the Poor in the ſaid ſeveral Pariſhes in the ſaid City of Cheſter, all and every ſuch Sum and Sums of Money, for the Maintenance and Employ of all ſuch their reſpective Poor, as the ſaid Guardians ſhall, from time to time, direct and apportion to be paid for all ſuch Poor, according to the Tenor of every ſuch Contract or Agreement; ſaving and reſerving, nevertheleſs, to any Perſon rated, or liable to pay any ſuch Rate, Power and Liberty to appeal againſt the ſame to any Two Juſtices of the Peace, reſiding near the Pariſh or Place, within ſuch Time, after ſuch Notice, and in ſuch Form, as is herein preſcribed as to Appeals againſt any of the Rates to be made in any of the ſaid Pariſhes in the ſaid City, for the Relief of the Poor thereof; and which Two Juſtices ſhall, and hereby have full Power to ſettle and finally determine ſuch Appeal, in ſuch ſummary Way, as aforeſaid; and in caſe any ſuch contracting Churchwarden, Overſeer, or other

Rates to be made for thoſe Purpoſes in the reſpective Places.

Perſons aggrieved by ſuch Rates may appeal.

Collector neglecting to raise the Money, liable in his own Person.

Person, on Behalf of any such Parish, Township, or Place, shall neglect or refuse to raise and levy, and to pay all such Sums of Money so directed by the said Corporation to be paid to them in pursuance of every such Contract, every such Churchwarden and Overseer, or other Person or Persons having so contracted with the said Corporation, shall, within Ten Days after the Time for every such Payment shall be expired, be, and is and are hereby made severally liable to pay and make good every such Payment to the said Corporation, by and out of his and their own proper Goods and Effects; and in Default thereof, after Demand made to any One of them, on Behalf of, and by Order of the said Corporation, it shall be lawful for any One Justice, having Jurisdiction there, on Complaint to him made, by Order of the said Corporation, certified to him from any Court, by Warrant under his Hand and Seal, to levy all such Arrears, and every such Sum and Sums of Money, by Distress and Sale of the proper Goods and Chattles of each or any of such Churchwardens or Overseers, or other Person or Persons having so contracted with the said Guardians, on the Behalf of any of such Poor, together with the Charges of every such Distress; and for want of such Distress, by like Warrant under the Hand and Seal of any such One Justice, to apprehend, and thereby to commit every such Churchwarden and Overseer, or other such contracting Person, to the Common Goal of the proper City or County, there to remain without Bail or Mainprize, until all such Arrears and Sums of Money, with the Charges attending any of such Proceedings aforesaid, to be ascertained by any such Justice, shall be fully paid and satisfied to the said Guardians, or compounded for; which Composition the said Guardians, or any Nine or more of them, are hereby impowered to make.

Accounts between the Guardians and the Dean and Chapter, on account of the Poor of the *Abby Court*, to be settled.

Provided always, and be it further enacted by the Authority aforesaid, That so soon as may be after the said First Day of May, One thousand seven hundred and fifty two, the said Guardians, or any Two or more of them, in any of their said Courts, together with any Two Inhabitants of the said Abby Court, to be nominated by the said Dean and Chapter, or by Two Persons to be then mutually chosen, One by the said Guardians, or any Two or more of them, and the other by any such Two Inhabitants, shall take an Account, and ascertain what Sum of Money remains due from the said Dean and Chapter, for the maintaining of the Poor of the said Abby Court in the said House, and for the Rent thereof, according

according to the Rules therein before observed, to the Time of holding of such Court, and also the Value of the Interest, Share, or Part, which the said Dean and Chapter then have in the Goods and Materials, into such Time used and provided in such House, and shall set each Sum of Money against the other; and in case any Balance shall appear due to the said Dean and Chapter, the same shall be paid to them out of the said Money raised by the said several Parishes in Chester, in pursuance of the Powers hereby given; and such Interest of the said Dean and Chapter in all such Goods and Stock, shall from thenceforth remain, and be the Property of the said Corporation, and for the Use of the said several Parishes; and in case any Balance shall then appear due from the said Dean and Chapter on any such Account, the same shall be paid by them as soon as may be, and before any such the Poor thereof shall or may be taken upon any such Contract as aforesaid, under the Care of the said Guardians, to the Treasurer of the said Corporation, or some other Person by them appointed, to be applied for and towards the Discharge of all such Arrears of Rent and Maintenance due for and in respect of all the Poor of the said several Parishes in Chester, together with those of the said Abby Court, to the said First Day of May, One thousand seven hundred and sixty two.

Persons employed under the Guardians not to obtain any Settlement,

And be it further enacted by the Authority aforesaid, That no Person who shall be hired or employed by the said Guardians, or shall act under the Powers hereby given, shall gain or be entitled to any Settlement by reason thereof; nor shall any Bastard born on the Body of any poor Woman, whose legal Settlement is in any of the Parishes and Places within the said City of Chester, intended to be incorporated within this Act, other than such Parish in which the said House of Industry is or shall be situate, or in any of the Parishes, Townships, or Places only, with the Overseers of the Poor, whereof the said Guardians shall at any Time contract for the Maintenance of the Poor thereof under the Powers given by this Act, and who is under the Care and Government of the said Guardians for the time being, gain or be entitled to any Settlement in the Parish, Township, or Place, in which the said House of Industry is situate, and where such Bastard shall be born, unless the same shall happen in the proper Parish, Township, or Place, where the Settlement of the Mother shall then be; but that the Settlement of each such Bastard shall follow that of the Mother, as fully as if such Bastard had been born in such Parish, Township, or Place, to which the Settlement

nor Bastards born of any Woman under their Care, except, &c.

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ment of such Mother shall belong, and shall be deemed as One of the Poor thereof by the said Guardians, and to every other Intent and Purpose; with Power nevertheless, and that it shall be lawful for the Churchwardens and Overseers of the Poor of every such Parish, Township, or Place, to which the Settlement of every such Woman shall belong, to have and take, and they are hereby entitled to have such Remedy against the Mother and the Father of any such Bastard respectively, for the indemnifying the same Parish, Township, or Place, by reason of such Bastard Child and otherwise, in all Respects as the Law directs in the Case of Bastards, and as fully as if such Bastard had been actually born in the Parish, Township, or Place, to which the Mother's Settlement shall so belong; and also that any Two or more of the said Guardians, being Justices of the Peace, shall and may, and have hereby Authority, at the End of One Calendar Month from the Time any such Woman shall be so delivered of any Bastard, and at any Time after she shall have declared on Oath, as the Law in such Cases directs, who is the Father of such Child, in case he shall be One of the Poor under the Care of the said Guardians, to set and inflict such reasonable Punishment, on such Mother and such Father, either by Whipping, Confinement, or hard Labour, or by distinguishing him or her with some Badge or Token of the Offence, to be fixed on the most conspicuous Part of his or her Outside Garment, as the said Guardians, being Justices of the Peace, shall think fit and proper.

Parents of Bastards to be punished.

A Minister to be provided.

Provided always, and it is hereby further enacted, That the Poor under the Care of the said Guardians shall be instructed in the Protestant Religion, and shall have Prayers read to them by some Minister of the Church of England, and be visited by him in the Case of Sickness, as the Chaplain of the said Corporation, to be appointed by them, and shall attend Divine Service on Sundays, in such Order and Manner as the said Guardians shall think proper; and that the said Guardians shall, and hereby have Power to nominate for such Time, and to pay and allow such Stipend or Allowance to any such Chaplain as they shall think reasonable, not exceeding Twenty Pounds by the Year, or after that Rate.

When the Earnings of the Poor shall be sufficient to maintain them, the Rates to cease.

Provided also, and be it further enacted by the Authority aforesaid, That in case it shall ever hereafter happen, that by reason of the Employment and Industry of the Poor of the said several Parishes in the said City of Chester, by virtue of the Powers hereby given, there shall be made and result such Benefit, Profit, and Increase,

creaſe, from the Labour and Induſtry of ſuch Poor (of which the ſaid Guardians ſhall wholly judge and determine) as will, at and for any certain Time to come, not leſs than One Year, be more than ſufficient to maintain and employ all ſuch Poor, and to anſwer the Purpoſes of the ſaid Corporation; then, and ſo often, and for ſuch Time as the ſaid Guardians, or any Nine or more of them, ſhall find there ſhall be ſuch clear Benefit, Profit, and Increaſe, there ſhall not be any Sums of Money rated or collected in the ſaid ſeveral Pariſhes for the Uſe of the ſaid Corporation, or the Poor under the Government thereof, by virtue of any Precept from the ſaid Guardians, or otherwiſe; and that all ſuch Benefit, Profit, and Increaſe, ſo from time to time to ariſe, ſhall be, and is hereby veſted in the ſaid Guardians, with Power to place all ſuch Surpluſage of Profit at Intereſt, or to lay out the ſame in the Purchaſe of Lands of Inheritance, and again to call in and aſſign, and to alienate any ſuch Lands, or otherwiſe to manage the ſame, for the future Maintenance and Employ of the Poor of the ſaid ſeveral Pariſhes, and the Uſes of the ſaid Corporation, as they ſhall from time to time think moſt proper.

Profits veſted in the Guardians, for the Uſe of the Corporation.

And it is hereby further enacted by the Authority aforeſaid, That all pecuniary Penalties and Forfeitures inflicted, directed and made payable to the Uſe of the ſaid Corporation, as herein is and are mentioned and expreſſed (except in ſuch Caſes where it is hereby otherwiſe ordered) and alſo all other pecuniary Penalties and Forfeitures whatſoever herein mentioned, or which ſhall be inflicted and appointed by any Bye-law or Ordinance to be made by the ſaid Corporation, purſuant to the Powers hereby given, ſhall and may be ſeverally recovered, and are hereby directed and impowered to be ſeverally recovered, by Diſtreſs and Sale of the Goods and Chattles of every ſuch Perſon having incurred any ſuch Forfeiture, and ſo offending, by virtue of a Warrant or Warrants, under the Hand and Seal, or Hands and Seals, of any One or more Juſtice or Juſtices of the Peace for the ſaid City and County of the ſaid City of Cheſter, together with the Coſts of Diſtreſs to be aſcertained by ſuch Juſtice or Juſtices, who are hereby ſeverally impowered, and are hereby ſo required, upon the Application of any Perſon, by Order of the ſaid Guardians, or of any other Perſon claiming ſuch Penalty, or any Part thereof, to iſſue and grant ſuch Warrant or Warrants: And in caſe ſufficient Diſtreſs ſhall not be found, then it ſhall be lawful for any Juſtice or Juſtices of the ſaid City and County, by Warrant under his or their Hand or Hands, upon the like

Recovery of Penalties.

like Application, to apprehend any such Offender or Offenders in the said City of Chester, or in any other County or Place in Great Britain, although out of the original Jurisdiction of such Justice or Justices; and by virtue of such Warrant, and by Words in the Body thereof, to commit and to direct such Offender or Offenders to be committed, when so apprehended, to the Common Gaol of the City, County, or Place, wherein he, she, or they shall be so apprehended, there to remain without Bail or Mainprize, for such Space of Time as the said Justice or Justices, by such Warrant, shall appoint, not exceeding Six nor less than Three Calendar Months, unless he or they shall sooner pay such Penalty or Forfeiture, with all the Charges attending the Proceedings against him or them, to be ascertained by any One Justice of the said City: And such of the aforesaid Penalties and Forfeitures as shall be so recovered for the Use of the said Corporation, shall be paid to the Treasurer of the said Corporation, or to some other Person, for the Use of the said Corporation, as the said Guardians, or any Nine or more of them, shall appoint.

This Act not to vary the Limits, &c. of the Parishes.

Provided always, and it is hereby further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not vary, alter, or affect, the Limits or Jurisdiction of any of the said several Parishes in the said City of Chester, or to unite or affect the same in any Manner further or otherwise than is mentioned and expressed in and by this Act; and that the Churchwardens and Overseers of the Poor of and in each of the said several Parishes, shall be chosen in and out of each of the said several Parishes from time to time, as the Law now directs; but that they and every of them, when so chosen, shall act and be subservient in all Respects, in Manner herein directed, and pursuant to the Powers and Authorities hereby given and enacted.

And whereas it would tend greatly to the Safety, Preservation, and Benefit of the Inhabitants of the City of Chester, that the Streets, Rows, and Passages in the said City and the Liberties thereof, should be kept in good Order, clean and properly lighted, and an able Watch kept therein in the Night-time; and that sufficient Engines and able Men should be kept and employed for the Extinguishment of Fires which may happen within the said City; and also, that proper Rules and Regulations should be fixed and prescribed, for the better Government of Hackney Coach-men and Chair-men, Carters, Carmen, and Porters, plying within the said City and County of the said City, and for ascertaining the Rates and

Prices to be from time to time payable to them respectively: It is therefore further enacted by the Authority aforesaid, That from and after the Fifth Day of April, One thousand seven hundred and sixty two, the Mayor, Recorder, and Justices of the Peace, of and for the said City of Chester, and County of the said City, for the time being, together with Six of the principal Inhabitants of each of the several Wards within the said City, which are distinguished by the Names of the East Gate Ward, Saint John's Ward, Saint Giles's Ward, Trinity Ward, Saint Martin's Ward, North Gate Ward, Saint Oswall's Ward, Saint Thomas's Ward, Saint Olave's Ward, Saint Michael's Ward, Saint Mary's Ward, and Saint Bridget's Ward, and who shall be qualified in like Manner as the Guardians of the Poor within the said City are herein before directed to be qualified, and who shall be chosen yearly and every Year in such Manner as is herein after prescribed, shall be, and they are hereby constituted and appointed Commissioners for the Intents and Purposes herein after mentioned and declared. Commissioners for lighting, watching, &c. Their Qualification.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for such of the Inhabitants of the said several Wards in the said City, who shall be Owners or Occupiers of any Messuages, Lands, or Hereditaments, in any Part of the said City, rated and charged to the Land Tax after the yearly Rent of Ten Pounds at the least, and who shall respectively pay such Tax in his own Right, and also such other Persons, who by reason of any Personal Estate shall be charged, and pay to the Land Tax raised and levied within the said several Wards of the said City, to meet in the Inner Pentice in the said City, on the first Monday in May, One thousand seven hundred and sixty two, between the Hours of Ten of the Clock in the Morning and Three in the Afternoon; and on the first Monday in September or October, between the said Hours, in every ensuing Year, at the said Inner Pentice, or at such other Place in the said City, as the said Commissioners, or any Seven or more of them present, shall at any of their Meetings direct and appoint; and the said Inhabitants so met, or the major Part of them, shall, and they are hereby required, to appoint Six of the most discreet and substantial Inhabitants out of and in respect of each of the said several Wards, to be joined with the Mayor, Recorder, and Justices of the said City, for putting this Act in Execution, pursuant to the Powers herein after given and expressed; and in case of the Death or Removal of any of the said Inhabitants so appointed, or of their refusing By whom to be chosen.

On Death or Refuſal to act, others to be choſen,

to act in the Premiſes, it ſhall and may be lawful for ſuch the ſaid ſeveral Inhabitants of the ſaid ſeveral Wards, or any Five of them, at any ſuch Place of Meeting, and within ſuch Hours as aforeſaid, within Thirty Days after ſuch Death, Removal, or Refuſal, to meet, and elect and appoint ſo many fit Perſons inhabiting within any ſuch Ward, to ſupply the Places of ſuch Perſons as ſhall ſo die, remove, or refuſe to act, to be joined with the Commiſſioners conſtituted and appointed to put this Act in Execution; and ſuch Perſon or Perſons as ſhall from time to time be ſo elected and appointed, ſhall from thenceforth have the ſame Power and Authority to act in all Things relating to the Matters herein contained, as if he or they had been expreſsly named in and appointed by this Act: And in caſe any Perſon or Perſons ſo nominated or appointed, ſhall neglect or refuſe to accept ſuch Office and Appointment, and to execute the ſame according to the Powers herein given, and ſhall not ſhew reaſonable Cauſe for ſo doing to the Commiſſioners aſſembled at any Meeting, after Two Days Notice exclusive being firſt given to any ſuch Perſon, under the Hand of the acting Clerk of the ſaid Commiſſioners for the time being, directing him to be and appear at any ſuch Meeting, every ſuch Perſon ſhall forfeit and pay to the Uſe of the ſaid Commiſſioners for the Purpoſes of this Act, ſuch Sum of Money, not exceeding Five Pounds, nor under Twenty Shillings, as they, or the major Part of them aſſembled at any ſuch Meeting, ſhall direct.

Penalty on refuſing to act.

To

First Meeting.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners ſo nominated and appointed as aforeſaid, or any Seven or more of them, to meet, and they are hereby authorized and required to meet and aſſemble together in the Inner Pentice of the ſaid City, on the Twentieth Day of May, One thouſand ſeven hundred and fifty two, or on ſome following Day, as ſoon afterwards as may be, between the Hours of Nine and Twelve in the Forenoon, in order to put this Act in Execution, purſuant to the Powers hereby given; and ſhall and may, from time to time, by Adjournment, meet and aſſemble together at the ſame Place (but ſo as not to interfere with or obſtruct the Buſineſs of the Magiſtracy and Sheriffs or Common Council of the ſaid City) or at any other convenient Place within the ſaid City, as they, or any Seven or more of them, ſhall appoint.

Power to adjourn.

Provided always, and be it enacted by the Authority aforeſaid, That in caſe ſuch the Inhabitants of the ſaid ſeveral Wards in the ſaid City, as aforeſaid, ſhall at any

Time

Time neglect or refuse to nominate and appoint so many, and such of the Inhabitants of the said several Wards, to be joined to and act with the Mayor, Recorder, and Justices of the said City for the time being, according to the Directions herein prescribed; then and so often, it shall and may be lawful for the Mayor, Recorder, and Justices of the said City for the time being, or the major Part of them, and they are hereby authorized and required to proceed and to put this Act in Execution, as Commissioners hereby appointed for such Purpose.

Method of choosing Commissioners in case the Inhabitants shall neglect to do it.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, at any of their Meetings to be held in pursuance of this Act, to nominate and appoint such and so many able-bodied Men, not exceeding Sixty in the whole, to be Watchmen; and such and so many Keepers and Lighters of the Lamps, Scavengers, Rakers, or Cleansers of the Streets, Lanes, Passages and publick Places, Keepers and Managers of the Fire Engines; and so many able-bodied Men, not exceeding Thirty, to be Firemen within the said City and Suburbs thereof; and so many Clerks, and other Officers, as they shall think proper (all which said Clerks and other Officers shall be subject and liable to be displaced and removed, and new ones appointed in his or their Stead, at any such Meetings of the said Commissioners) and also, to order and appoint what Number and Sort of Lamps, how, and in what Parts of the said City they shall be set up, and to what House, Buildings, or other Places within the said City, or Liberties thereof, they shall be affixed, and where the same shall be placed, and for how long Time the same shall be and continue lighted; and also to appoint at what Places the said Watchmen shall stand and be stationed; how long they shall continue on Duty, and in what Manner and how often they shall go their Rounds, and how they shall be armed; and how and in what Manner the Scavengers, Rakers or Cleansers, Keepers and Lighters of Lamps, Keepers and Managers of the Fire Engines, and the Firemen, shall respectively act and execute their several Offices, Places, and Employments, and what Wages and Allowances shall be paid and given to all the said Persons respectively; and also shall and may, from time to time, at any of the said Meetings, make such other Orders, Rules, Regulations, and Bye-laws, as the Nature of each particular Service shall to them or the major Part of them present, appear to require.

Watchmen, Lamplighters, Scavengers, and Firemen, to be appointed,

and Clerks and other Officers, who may be removed.

Regulation of the Lamps,

of the Watchmen,

Scavengers, and others.

Allowances to be made them.

Power to make By-laws, &c.

And be it further enacted by the Authority aforesaid, That every Person and Persons inhabiting within the said

How the Streets are to be cleansed,

City of Chester, or any Part thereof, or so many of them, or the Person or Persons to be appointed Scavenger or Scavengers, as the said Commissioners, or any Seven or more of them, shall direct, shall sweep and cleanse, or cause to be swept and cleansed, the Streets, Lanes, Rows and publick Steps and Places, before or aside of the respective Houses, Shops, Buildings, and Walls of every respective Inhabitant in the said City, at such Times in every Week, or at such other Times, and the Dirt and Soil so swept and cleansed shall there heap together, with the least Obstruction to the Passage in such Streets or Lanes, as the said Commissioners, or any Seven or more of them, to be so assembled as aforesaid, shall from time to time order and direct; and of every such Order, the said Commissioners, or any Seven or more of them, shall cause Notices to be dispersed and placed on such of the Gates, or other conspicuous Parts in the said City, as they shall think fit, to the End the Dirt and Soil in the said Streets, Lanes, and publick Places, may be so heaped ready for, and that the Scavenger or Scavengers shall and may carry away the same as hereafter directed, upon Pain of every such Inhabitant forfeiting to the said Commissioners Five Shillings for every such Disobedience and Non-performance of any such Order; and that no Person whatsoever shall throw, cast, lay, bring, drive or convey, or cause, permit, or suffer to be thrown, set, cast, laid, brought, drove or carried, any Ashes, Rubbish, Soil, Timber, Boards, Bricks, Stones, Slates, Coals, Dirt, Dung, Filth, Casks, Tubs, Goods, Merchandize, Coaches, Waggons, Carts, or other Carriages, or any Annoyance, Nuisance, or Obstruction whatsoever (the Sweepings and Cleansings of the said Streets, Rows, Lanes, and Places, to be swept and heaped as aforesaid, excepted) in any open Street, Lane, Row, publick Passage, Watercourse, or other Place whatsoever, within the said City, or the Liberties thereof, so as to stop, obstruct, incommode, or annoy the publick or other Way or Passage there; and that no Cart, Waggon, or other Carriage, shall remain in the publick Streets and Passages within the said City, or the Liberties thereof, any longer than is needful and proper for the necessary loading and unloading the same respectively; and that the Mayor or the Recorder of the said City, or any Two other Justices of the said City for the time being, shall and may, and they are hereby authorized and impowered, upon View or Information, to make such Order or Orders, under his or their Hand or Hands, for the removing of any the Matters or Things aforesaid out of the Highways, Streets, Rows, Paths,

and Annoyances prevented.

Paths, Passages and Watercourses, within the Liberties of the said City, as to him or them shall seem requisite and expedient; and if any Person or Persons who shall be the Owner or Owners of, or shall act as his or their Servant or Servants, or who shall make or occasion any such Annoyance or Obstruction as aforesaid, upon Notice given to him, her, or them, or left at his, her, or their Place of Abode in the said City, under the Hand of the said Mayor or Recorder, or any Two such other Justices as aforesaid, requiring him, her, or them to remove any such Annoyance or Obstruction, shall neglect or refuse so to do; and to obey such Order, within the Time limited and directed by such Notice, every such Person so offending shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings, to be recovered as is herein after mentioned.

Penalty on Scavengers neglecting their Duty.

And it is hereby further enacted by the Authority aforesaid, That any Person or Persons who shall be appointed Scavenger or Scavengers as aforesaid, shall sweep and clean, or cause to be swept and cleansed, the Streets, Lanes, Rows, and publick Places within the said City, and the Dirt, Soil, Filth, Ashes, or Rubbish, to be carried thereout from time to time, in such Order and Manner as the said Commissioners, or any Seven or more of them, shall order, direct, or contract for, upon Pain of every such Scavenger or Scavengers forfeiting and paying for his or their Breach or Non-performance of any Part of any such Order, Direction, or Contract, the Sum of Twenty Shillings.

Property of Soil, Lamps, &c. vested in the Mayor, &c. for Use of the Commissioners.

And be it further enacted by the Authority aforesaid, That the Property of the Dirt, Soil, and Rubbish to be swept and cleansed as aforesaid, in and from the Streets, Rows, Lanes, and Passages in the said City, and of all the said Lamps, Iron, Timber, Furniture, and Materials thereto belonging or affixed, and of the said Fire Engines and Materials belonging to the Use and Practice thereof, with all the Tools, Arms, and Implements of the said Watchmen, Scavengers, Firemen, and other Persons, which shall be bought, ordered, or provided for the Purposes aforesaid, shall be, and are hereby vested for the Use of the said Commissioners, and for the Purposes of this Act, in the Mayor and Citizens of the said City of Chester, and their Successors, who are by such their Name of Incorporation hereby authorized and impowered to bring Actions and prosecute Indictments against any Person or Persons, for stealing, taking, or carrying away, breaking, extinguishing, spoiling, or damaging the

the ſame, or any of them, in any Wiſe or Manner whatſoever.

Pavements and Pipes may be broke, and Plugs fixed, to get Water when Fires happen,

And it is hereby further enacted by the Authority aforeſaid, That for the more expeditious Extinction of Fires that may happen in the ſaid City, any of the ſaid Firemen, or any other Perſon or Perſons, by Order of any One or more of the ſaid Commiſſioners preſent at any Fire, ſhall and may take up or break any of the Pavements within the ſaid City, or any Water-pipe or Water-pipes, laid or to be laid therein; and that the ſaid Commiſſioners, or any Seven or more of them, ſhall and may, from time to time, at the Coſts of the ſaid Commiſſioners, order and appoint ſuch and ſo many Plugs, called Fire-plugs, to be put and placed into the Main, or other Pipes laid or to be laid along any Part of the ſaid City, and belonging to any Perſon or Perſons, Proprietor or Proprietors whatſoever, for the better obtaining Water for the working of the Fire Engines, or otherwiſe extinguiſhing of ſuch Fires, but for no other Uſe or Purpoſe whatſoever; and that the Owners or Proprietors of any ſuch Water-pipe or Water-pipes for the time being, ſhall, upon all Occaſions of any Fire happening in the ſaid City, force up, and ſupply into ſuch Pipes, all ſuch Water as can or may be obtained and got along and into the ſame, by means of the Water Engines or Works ſubſiſting for the time being; and that ſuch Pavements ſo to be taken up, and ſuch Pipes to be ſo broken, ſhall be repaired and made good by the ſaid Commiſſioners, by and out of the Rates and Money to be raiſed as hereafter mentioned; and alſo that the ſaid Commiſſioners, or any Twenty one or more of them, are hereby impowered and required, from time to time, as they ſhall find it neceſſary, to order, direct, and appoint, all and every or any of the Inhabitants, Owners, or Occupiers of any Meſſuages, Buildings, Lands, and Premiſſes, or the Mayor and Citizens of the ſaid City, or any other Perſon or Perſons, Body Corporate, Proprietors, or Community, within the ſaid City, who by Right ought to repair and amend the Streets, Lanes, Rows, Paſſages, Entries, Steps, or publick Places within the ſaid City, according to the Cuſtom had and uſed therein, to alter, repair, and amend, or wholly to take up and newly lay down, flag, pave, and finiſh the ſame, or any Part or Parts thereof, in ſuch Manner and Form, and within ſuch Time, at his, her, or their own proper Coſts and Charges, as they the ſaid Commiſſioners, or any Twenty one or more of them, ſhall at any ſuch Time or Times order, direct, and appoint; and in caſe any ſuch Perſon or Perſons, Body Corporate,

and replaced by the Commiſſioners.

Directions for paving the Streets, &c.

Corporate, Proprietors or Community, ſhall neglect or refuſe to obſerve and obey any ſuch Order or Appointment for the Space of Three Days excluſive after the Time therein appointed, then the ſaid Commiſſioners, or any Twenty one or more of them, ſhall, and hereby have full Power to hire and employ any Perſon or Perſons, and to cauſe the Part or Parts, or the Whole of any ſuch Street, Lane, Row, Paſſage, Entry, Steps, or Places, within the ſaid City, ſo neglected or refuſed to be repaired, altered, amended, or new laid, purſuant to any ſuch their former Order as aforeſaid, to be repaired, altered, and amended, taken up, laid down, flagged, paved, and finiſhed, in ſuch Manner and Form, and at ſuch reaſonable Charge and Expence, as they ſhall think fit and proper; and alſo to appoint, fix, and aſcertain the Whole, or the Share or Part of any ſuch Charges and Expences, to be and which ſhall be paid by the Occupier of every ſuch Houſe, Building, or other Place, where the Owner or Occupier thereof ought to have obeyed ſuch former Order, and to have done the Repairs, Alterations, and Amendments therein directed, by ſuch Proportions, and in ſuch Manner (if more than One) according to and as near as may be to the yearly Value after which every ſuch Houſe, Building, or other Place, ſhall be rated or pay to the Land Tax, or according to the yearly Value thereof, of which the ſame Number of Commiſſioners ſhall, and hereby have Power to judge and determine, and alſo to appoint any Perſon or Perſons to demand and receive ſuch Charges, after ſuch Appointments and Appointments as aforeſaid; and in caſe of Non-payment thereof upon ſuch Demand, it ſhall be lawful for any One Juſtice of the ſaid City, upon due Proof of ſuch Demand and Non-payment, by Warrant under his Hand and Seal, to cauſe all ſuch Charges and Sums of Money, to be forthwith levied and raiſed by Diſtreſs and Sale of the Goods and Chattles of the Party adjudged to pay the ſame, with the Charges of ſuch Diſtreſs and Sale, and for want of ſuch Diſtreſs and Sale, by like Warrant to commit the Party to the Common Gaol of the ſaid City, there to remain without Bail or Mainprize, until Payment of ſuch Expences and Charges, or Compoſition made for the ſame, which Compoſition the ſaid Commiſſioners, or any Seven or more of them, are hereby impowered to make.

How Expences are to be paid.

And it is hereby further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or the major Part of them, at their ſaid Meetings, ſhall, with all convenient Speed, cauſe a true Copy or Tranſcript of all ſuch Or-

Copies of Regulations for the Watchmen to be delivered to the Conſtables.

bers and Regulations as they shall, from time to time, make for the better Direction and Government of the Watchmen, to be delivered to each of the Constables of the several Wards within the said City, and that One of the said Constables, from and after the said Twentieth Day of May, One thousand seven hundred and fifty two, progressively and by Rotation throughout the said Wards, beginning in the Order they are herein before named, shall attend every Night at such Time, and so long, to settle and fix the Watchmen at their several Stations and Rounds, and also to watch and ward, as the said Commissioners, or any Seven or more of them, shall appoint; and that each of the said Constables of the said several Wards at any Time or Times whatsoever, and also all and every the said several Watchmen in their several Rounds and Courses of Watching, shall, and are hereby severally impowered and required, to use his and their best Endeavours to prevent and stop, as well all Mischiefs happening or likely to happen by Fire, as all Murders, Burglaries, and Robberies, and to secure and apprehend all Malefactors, Rogues, Vagabonds, Whores, Night-walkers, or other disorderly or suspected Persons, or others disturbing the Publick Peace, or who shall be found idling or wandering about in the Night-time, or otherwise offending or misbehaving themselves in any of the Matters aforesaid, and to detain and safely keep every such Person or Persons so apprehended in Custody, and to convey him, her, or them, as soon as conveniently may be, before the Mayor or Recorder, or any One of the other Justices of the Peace in and for the said City for the time being, in order to be examined and dealt with according to Law; and if it shall appear to such Justice, upon Examination of any Witness or Witnesses, that any Woman so apprehended, shall be, or is commonly reputed to be, a Whore, or a lewd or disorderly Person, or a common Night-walker, it shall be lawful for any such Justice, in any such Case, to order such Woman to be confined, whipped, and kept to hard Labour in the House of Correction in the said City, for any Time not exceeding Thirty Days, or to be confined in the said House of Correction, and to be publickly whipped, within the Space of Three Days, at or near the Place called The High Cross, or near the publick Pillory in Cheapside, as such Justice shall order and direct; and that each such Constable and every such Watchman, shall and may, and is hereby required, during the Times of his and their Watching to assist and defend any Person or Persons who shall be unlawfully assaulted, attacked, or abused, within

Power to apprehend disorderly Persons.

who are to be dealt with according to Law.

Reputed Whores to be punished.

Constables or Watchmen to defend Persons attacked.

within the said City; and that the said Commissioners, or any Seven or more of them, have hereby Power and Authority to give to any such Constable or Watchmen such pecuniary Reward, out of the Rates hereby directed to be raised, for his or their apprehending of any Murderer, Burglar, Rogue, or Robber, Whore, Night-walker, or other disorderly Person, as soon as he, she, or they shall be convicted or found guilty of the Offence, as they the said Commissioners, or any Seven or more of them, shall think proper, not exceeding the Sum of Forty Shillings, for apprehending any such Murderer, Burglar, Rogue, or Robber, nor exceeding the Sum of Two Shillings and Six Pence for every such Whore, Night-walker, or other disorderly Person. and to be rewarded for so doing.

And be it further enacted by the Authority aforesaid, That from and after the said Twentieth Day of May, One thousand seven hundred and sixty two, the said Commissioners, or any Seven or more of them, so assembled, shall, and have hereby full Power, from time to time, to set down and ascertain the Rates, Fares, and Prices, which shall, from time to time, be paid and payable to Hackney Coachmen, Chairmen, Carters, Carmen, and Porters, respectively, plying and being within the said City and the County thereof, for the carrying and conveying of One or more Person or Persons in any such Coach or Chair, and also of any Goods or Materials in such Carts, Cars, or Carriages, and for the carrying of Goods and Messages, or for any other Business, from any Part of the said City or the Liberties thereof, to any other Part of the same, as they the said Commissioners, or any Seven or more of them, shall think reasonable and proper; which said Rates, Fares, and Prices, and none other, shall, from time to time, be paid or payable to any of such Hackney Coachmen, Chairmen, Carters, Carmen, or Porters; and also that the said Commissioners, or any Seven or more of them, so from time to time to be assembled, shall and may, and have hereby full Power to make and ordain such Orders, Rules, and Bye-laws, for the better governing and regulating of all such the said Hackney Coachmen, Coaches, Chairmen, and Chairs, Carters, Carmen, Carts, and Carriages, and Porters, within the said City for the time being, in all Respects whatsoever, as shall appear fit and proper in the Judgement of such Commissioners, so from time to time to be assembled, and to fix and appoint such pecuniary and other Penalties for the Non-observance or Non-performance, or other Breach of all or any such Rules, Orders, or Bye-laws, or any Part thereof, The Regulation of Hackney Coachmen, &c.

of,

of, and to be thereby directed to be, from time to time, recoverable by such Distress, Ways, or Means, and for the Offender to be convicted in such Manner, and for want of Payment of the Forfeiture on Demand, or of some sufficient Distress being had for the Recovery thereof, to fix and prescribe such Powers for the Offender to be committed for such Time, not exceeding Thirty Days, to the House of Correction, or the Northgate Gaol in the said City, as they the said Commissioners, or any Seven or more of them, so assembled, shall, from time to time, order, direct, and appoint, so that each such Penalty or Forfeiture, for each such separate Offence, shall not be so ordered or ordained to exceed the Sum of Five Shillings; all which Orders and Rules shall, from time to time, be final and binding to all Intents and Purposes whatsoever, and every Proceeding in consequence thereof, shall be good and effectual.

Who shall preside at Meetings of Commissioners.

And it is hereby further enacted by the Authority aforesaid, That at every Meeting of the Commissioners by virtue of this Act, the Mayor, or in his Absence, the Recorder of the said City for the time being, if present, or, if both absent, the senior Justice of the Peace of the said City then present, or, for want of such Justice, such One of the Commissioners present, as the major Part of them then attending shall appoint, shall preside and be called President; and in case of Equality of Voices of the Commissioners assembled (including his own) such President shall, upon all such Occasions, have another and a decisive Voice; and that upon any special Occasion between the Time of any Adjournment of the said Commissioners, or at any other Time, it shall be lawful for the said Commissioners, or any Seven or more of them, to call a Special Meeting or Assembly, and to summon the others of the said Commissioners then in the said City, by virtue of an Order under their Hands, giving Two Days exclusive Notice to meet and assemble at the Inner Pentice, between the usual Hours appointed for holding such Meetings; at which Time and Place after such Summons, the said Commissioners, or any Seven or more of them present, shall and may, and have hereby full Power to proceed in the Execution of any of the Powers hereby given; and in case at any of the Meetings of the said Commissioners appointed to be held by Adjournment, or otherwise, a sufficient Number of such Commissioners hereby enabled to execute and transact the Powers hereby given, shall not meet and attend, it shall and may be lawful to and for any One or more of the said Commissioners who shall then and there attend, by Writing under his

Presidents have casting Voice.

Special Meetings.

Commissioners not attending to be summoned.

or

or their Hand or otherwise, to order all and every or any of the other Commissioners not attending, so as to compose a sufficient Meeting, to be forthwith summoned and required to come and attend such Meeting; and in case any such Commissioners, after such Summons, shall neglect or refuse immediately thereupon to come and attend such Meeting, and also in case any Commissioner who shall meet and be attending at any of the Meetings or Assemblies hereby impowered (whether by Summons or not) shall depart and withdraw himself from thence before the Business of the Meeting shall be ended, without the Consent of the major Part of the Commissioners then present, every such Person so offending in any of the Matters aforesaid, shall forfeit and pay for every such Offence to the Use of the said Commissioners the Sum of Five Shillings. Penalty on refusing to attend, or departing without Leave.

And it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful, to and for the said Commissioners, or any Seven or more of them, at any of their said Meetings, to contract with any Person or Persons for a sufficient Number of Lamps, necessary to fix and set up in the said City, and for Irons, Posts, and other Materials needful for fixing the same from time to time, and for finding and providing the said Lamps with all Requisites, and for lighting, supporting, attending and repairing the same; and also with any Person or Persons to be and act as Scavenger or Scavengers, for carry away the Dirt and Soil of the Streets, Lanes, and publick Passages in the said City, according to the Purport of this Act; and also with any Person or Persons, to make and finish, and to repair and keep in order such Fire Engine or Fire Engines, or to buy or procure such Fire Engine or Fire Engines, as the said Commissioners, or any Seven or more of them, at any such Meetings shall think meet and proper; and also to make and enter into any such other Contracts for, or to purchase or procure such Goods, Materials, and Things which they shall judge fit and necessary for the Uses and Purposes hereby directed, so that previous to the making of any such Contract, Ten Days Notice be given by Writing, to be affixed upon the Exchange, and on some Four other conspicuous Parts in the said City, and in some publick News Paper, expressing the Intention of the intended Contract, and for any Persons willing to undertake the same, to make Proposals for that Purpose, to be offered and presented to the said Commissioners at a certain Time and Place in each Notice to be mentioned. Commissioners may contract for Lamps, &c. and with Scavengers, and for Engines, and other Necessaries.

And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall wantonly, wilfully, carelessly, or maliciously, break, throw down, extinguish, Penalty on breaking Lamps,

tinguiſh, damage, diſplace, or ſpoil, any Lamp that ſhall be hung out, fired or ſet up to light the Streets, Rows, or Paſſages, in the ſaid City, or the Poſts, Irons, Furniture, or other Materials belonging or uſed to or with any ſuch Lamp, or ſhall ſo break, damage, or deſtroy any of the ſaid Fire Engines, or any Part thereof, or any of the Materials or Utenſils thereto belonging, or uſed therewith, every ſuch Perſon ſo offending in any of the Matters aforeſaid, which ſhall be taken and deemed diſtinct and ſeparate, and being thereof convicted by the Oath of One or more Witneſs or Witneſſes, before any One or more Juſtice or Juſtices of the Peace for the ſaid City, ſhall, for the Firſt Offence, forfeit the Sum of Five Pounds, and for the Second Offence, the Sum of Ten Pounds, and for the Third Offence, the Sum of Fifteen Pounds, to be recovered and levied by Diſtreſs and Sale, and in ſuch Manner as is herein after mentioned as to the Recovery of pecuniary Penalties; and in caſe any Perſon or Perſons ſhall throw, diſperſe, or ſet Fire to any Squibs, Rockets, Serpents, Crackers, or other Fire Works, or ſhall fire off any Gun or Piſtol, or expend and ſet Fire to, or cauſe to be fired, any Gunpowder alone, or with any other Ingredient, or ſhall make or aſſiſt at the making of any open Fire, uſually called Bonfires (except any ſuch Fire Works or Bonfires, which ſhall be directed by the Corporation, or the Mayor, and any Four Juſtices of the ſaid City, upon any publick Rejoicing, which they have hereby Power to direct) or ſhall throw, diſperſe, or carry about any open Fire, in any of the Streets, Lanes, Rows, Paſſages, or other Places within the ſaid City, and ſhall be convicted of any of the ſaid Offences (which ſhall be taken and deemed diſtinct and ſeparate) by the Oath of any One or more Witneſs or Witneſſes, before any One Juſtice or Juſtices of the Peace for the ſaid City, every ſuch Perſon ſo convicted, ſhall forfeit and pay for every ſuch ſeparate Offence, the Sum of Ten Shillings, to be levied and recovered as hereafter mentioned.

or throwing Squibs, &c. or firing Gunpowder,

or making Bonfires, except by direction of the Corporation.

Commiſſioners to aſcertain the Money to be raiſed in each Ward,

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners, or any Seven or more of them, and they are hereby required, at their firſt or any ſubſequent Meeting (Meetings for the following Purpoſe not being oftener than Four Times in any One Year) to ſtate, ſet down, and aſcertain what Sum and Sums of Money ſhall be raiſed by Taxation in Manner herein after mentioned, by and out of all the ſaid ſeveral Wards in the ſaid City of Cheſter, ſo far as they the ſaid Commiſſioners, or any

Seven or more of them, ſhall at every ſuch Meeting direct the Taxation to be and extend within each Ward, for defraying the Expences of putting this Act in Execution, ſo that the whole Money they ſhall ſo aſcertain to be raiſed within any One Year, ſhall not exceed in any One Year the Sum of One Shilling in the Pound, for every Pound for which the Premiſſes to be taxed or rated by virtue of this Act, ſhall, for the time being, be rated in Value to the Land Tax, and after no other or greater Value, and to fix and aſcertain the Proportion of ſuch Money ſo to be raiſed in each Ward, according to, and to be guided by, the total Sum which ſhall be raiſed and paid by and out of each ſuch Ward, for the time being, to the Land Tax in each preceding Year; and they are hereby authorized and required to iſſue, and, as ſoon as may be, to ſend out, and to direct their Order, under the Hands of any Seven or more of them, to the Collectors of the Land Tax of each of the ſaid ſeveral Wards for the time being, expreſſing the Money ſo fixed to be raiſed by and out of each ſuch Ward as aforeſaid, and thereby to command and require the ſaid Collectors of each ſuch Ward, jointly and ſeverally, to rate and aſſeſs, as ſoon as may be, and, within Thirty Days exclusive from the Date thereof, to collect and receive, and to cauſe the ſaid reſpective Sums to be raiſed and levied by Taxation and Aſſeſſment, equally, and in Proportion as near as may be (according as the ſame Premiſſes were and ſhall be rated to the Land Tax, in and by every preceding Rate and Aſſeſſment to the Land Tax) of and upon all Tenants and Occupiers (which Tenants and Occupiers ſhall, and are hereby liable to pay the Whole of every ſuch Rate) of all ſuch Meſſuages, Houſes, Shops, Vaults, Warehouſes, Malt-houſes, Work-houſes, Brew-houſes, and other Buildings, Yards, Gardens, and Orchards, ſituate, lying, and being within the ſaid City and the Liberties thereof, ſo far as the ſaid Commiſſioners, or any Seven or more of them, in any ſuch Orders ſhall direct; and where any of ſuch Meſſuages, Buildings, and other Premiſſes before mentioned ſhall be rated to the Land Tax, jointly and together, and alſo where any of ſuch Meſſuages, Buildings, and Premiſſes, ſhall be tenanted or occupied by different and ſeveral Perſons liable to be rated as aforeſaid, then the ſaid Collectors of the ſaid ſeveral Wards, in every or any ſuch Caſe, ſhall, and are hereby required, and have Power and Authority to divide and apportion the Share or Part of every ſuch Rate, to be by them ſo made, upon the ſeveral Tenants or Occupiers of any ſuch Meſſuages, Buildings and Premiſſes which ſhall

and iſſue their Orders to the Collectors of the Land Tax to aſſeſs accordingly,

upon Tenants.

be

be so rated and assessed, jointly and together, to the Land Tax for the time being, according to the Value of the particular Part thereof so held by each such Tenant or Occupier, in proportion to the whole yearly Value, after which Rate the Whole of the same Premisses shall be so assessed together to the Land Tax, and also by the like Rule to divide and apportion the Rate they shall at any Time make upon the Tenants or Occupiers of a Part or Share only in any One of such Messuages, Buildings, and Premisses; and that all the said Collectors of the said several Wards to whom any such Order and Orders from the said Commissioners shall, from time to time, be so directed as aforesaid, shall obey and execute the same in all Respects, and is and are hereby required, and shall and hereby have and hath full Power and Authority, by virtue of every such Order, and of all or any of the Powers hereby given, as soon as may be (not exceeding Six Days inclusive from his or their Receipt thereof) to make, lay, and assess every such Rate upon such Parties and such Premisses, and to collect and receive, and cause to be raised and levied within the Time to be specified in every such Order as aforesaid, and by such Taxation as before-mentioned, each and every of such Sum or Sums of Money to be so set down and directed, in and by every such Order; out of all which Money, when so collected, the said Collectors of the said several Wards so levying and collecting the same, shall and may deduct and retain, on paying over such Money, the Poundage or Sum of Two Pence for every Twenty Shillings out of every such Collection for his and their Trouble therein, and in executing their Parts and Duties according to this Act; and in case any Person or Persons, Occupier or Occupiers of any of the Premisses aforesaid, who shall be rated, rated, or assessed by Name, or as Tenant or Occupier, pursuant to the Powers hereby given, shall neglect or refuse to pay any such Rate or Assessment to the Collector or Collectors of the proper Ward, or to some Person for that Purpose acting under him or them, immediately upon Demand thereof by any such Collector or Person, or within Two Days exclusive next after any such Demand, it shall be lawful for any One Justice of the Peace of the said City, upon due Proof before him of any such Demand and Non-payment, by Warrant under his Hand and Seal, which he is hereby impowered and required to grant, to authorize and direct the said Collectors of the same Ward, and any other Person to be therein named, to levy and raise as soon as may be such Rate or Money so in Arrear, and neglected or refused to be paid, together with

Collectors to obey Orders from Commissioners;

and to be allowed 2 *d.* in the Pound.

the

the Coſts attending the ſame, to be aſcertained by ſuch Juſtice, by Diſtreſs and Sale of the Goods, Cattle, and Chattles of every ſuch Perſon or Perſons ſo in Arrear, and neglecting or refuſing to pay as aforeſaid, reſtoring the Overplus of ſuch Diſtreſs and Sale to the Party or Parties ſo diſtrained, or leaving ſuch Overplus for his, her, or their Uſe, at the Place where ſuch Diſtreſs ſhall be made; and in caſe no ſuch ſufficient Diſtreſs can be found, then any One Juſtice of the ſaid City, on due Proof thereof by the Oath of any One Perſon ſo being impowered to make ſuch Diſtreſs, ſhall, and is hereby impowered and required to iſſue his Warrant impowering any Perſon or Perſons to apprehend and immediately to commit the Offender to the Common Gaol of the ſaid City, there to remain without Bail or Mainprize, until ſuch Rate or Rates, and all Coſts and Charges attending ſuch Proceedings as aforeſaid, ſhall be fully paid, or Compoſition made for the ſame, which Compoſition the ſaid Commiſſioners, or any Seven or more of them, are hereby impowered to make, and the ſaid ſeveral Collectors of the ſaid ſeveral Wards who ſhall be ſo ordered, and ſhall make, collect, and gather any ſuch Rates and Money as aforeſaid, ſhall, and they are hereby ſeverally required, within Three Days excluſive after the Return or Expiration of every ſuch Order to them, to pay, or cauſe to be paid, the whole Money to be ſo by them reſpectively rated, aſſeſſed, collected, and received, to the Treaſurer or Treaſurers acting under the ſaid Commiſſioners, or to ſuch other Perſon or Perſons for the time being, as they ſhall appoint, to be applied for the Uſes and Purpoſes of this Act, and ſhall, and hereby is and are required, at the Time of his or their making every ſuch Payment of ſuch Money ſo collected, to deliver over to the Perſon or Perſons ſo impowered to receive the ſame, a true and exact Copy or Duplicate of each ſuch Aſſeſſment (founding every ſuch Payment) with an Account underwrote of any Money therein rated and unavoidably loſt through the Inſolvency of the Party rated, or otherwiſe through his or her Default; and in caſe any Collector or Collectors, to whom any ſuch Order ſhall be directed and delivered from the ſaid Commiſſioners as aforeſaid, ſhall neglect or refuſe to receive, obey, and perform the ſame in all Reſpects, and to make and levy ſuch Rates, and to deliver over a Copy of every ſuch Aſſeſſment with ſuch Account underwrote, within ſuch Time, to ſuch Perſon, and in ſuch Manner as before directed, every ſuch Collector or Collectors ſo offending in any of ſuch Matters or Things, ſhall forfeit and pay for every ſuch Offence the Sum of Five Pounds

Rates refuſed to be paid may be levied by Diſtreſs and Sale;

For want of Diſtreſs, Party to be committed.

Money to be paid over to the Commiſſioners, with a Copy of the Rates.

Penalty on Collectors refuſing.

to the Use of the said Commissioners, to be recovered as herein after mentioned: And in case any such Collector or Collectors shall, after having raised and collected the said Rates, or any Part thereof, become insolvent, or otherwise unable to pay over the same, or shall die insolvent, of which the said Commissioners, or any Seven or more of them, at any following Meeting, are hereby impowered to judge and determine; then in every or any such Case it shall and may be lawful for the said Commissioners, or any Seven or more of them, at any of the said following Meetings after such Insolvency or Inability, by the like Order, under their Hands, to appoint any other Collector, or any Two substantial Householders in any such Ward, to rate, collect, and receive, and to cause to be raised and levied the Whole, or such Part of such Sum or Sums of Money so before ordered to be raised by and out of any such Ward, as had been so neglected to be raised by the Collector or Collectors thereof, and so much of such Money so ordered to be raised, as any such Collector or Collectors shall have collected, and become unable to pay over as aforesaid (which last mentioned Money every Person rated in such Assessment, shall be liable to make good and pay over and above the Sums remaining unpaid, or having been so paid by them respectively in proportion to the Rate therein laid on every Person) in the like Manner, and with the same Effect and Power in every Respect; and which further Order every such Collector or Householder shall, and is hereby required to obey, and to execute and fulfil the Purport and Effect thereof in all such Cases, as fully and effectually in all Parts, and subject to the like Penalty for Disobedience, with such Remedy for Recovery thereof, as is and are hereby before given and directed, in case such Order had been originally issued to and executed by, or refused or neglected to be executed by any such Collector or Collectors of any of the said several Wards.

In case of Insolvency of Collectors, others to be appointed.

Money lost, to be made good by a fresh Rate.

And it is hereby further enacted by the Authority aforesaid, That in case any such Collector or Collectors of any of the said several Wards, or any Householders therein, who shall be so ordered to rate and collect any of the said Sums of Money directed by the said Commissioners to be rated and raised aforesaid, shall, after he, they, or any of them, shall have so collected and received any of such Sums of Money, embezzle or expend the same, or any Part thereof, or shall refuse or neglect to pay over the same, and every Part thereof, to the Treasurer or Treasurers, or to such other Person or Persons to be appointed by the said Commissioners as aforesaid, it shall be lawful for any One Justice of the said City, on Complaint thereof

Penalty on Collectors embezzling the Money, &c.

thereof to him made, by Order of the ſaid Commiſſioners, or any Seven or more of them, and who is hereby required to grant the ſame, by Warrant under his Hand and Seal, to levy and raiſe ſuch Money, as ſoon as may be, by Diſtreſs and Sale of the Goods, Cattle, and Chattles of every ſuch Perſon or Perſons, with the Coſts of ſuch Diſtreſs and Sale, to be fixed by any ſuch Juſtice: And, in order the more certainly to charge every ſuch Collector with the Receipt of ſuch Money ſo by him collected, ſo as to anſwer every Remedy hereby given for the Recovery thereof, the ſeveral and reſpective Perſons having paid any ſuch Money, or any Part thereof, ſhall, and are hereby declared to be good Witneſſes, and may be examined before any ſuch Juſtice on Oath, or in any Court of Law whatſoever, to prove any ſuch Payments by him, her, or them; and in caſe no ſuch ſufficient Diſtreſs can be had and made, then any One ſuch Juſtice ſhall, by Warrant under his Hand and Seal (at the Application of any Perſon, by Order of the ſaid Commiſſioners, or ſooner, if he think fit) cauſe ſuch Perſon or Perſons ſo offending to be apprehended, and thereby to commit him or them to the Common Gaol of the ſaid City, there to remain, without Bail or Mainprize, until he or they ſhall pay, account, and conform; and in caſe any ſuch Perſon ſhall ſecrete himſelf, or abſcond, ſo as to avoid any ſuch Commitment, or ſhall depart from the ſaid City, without paying over any Money ſo by him collected and received, as herein directed, or ſhall ſpend or embezzle the ſame, it ſhall be lawful for the Mayor and Citizens of the ſaid City of Cheſter, by their Name of Incorporation for the time being, and they are hereby impowered (without Limitation of Time) to ſue for, and to recover, the ſame Money from any ſuch Perſon, his Heirs, Executors, or Adminiſtrators, by Action of Debt, Bill, Plaint, or Information, to be by them brought and commenced againſt him, them, or any of them, in any Court of Record in Great Britain, for the Uſe of the ſaid Commiſſioners, wherein no Eſſoin, or Wager of Law, or any Imparlance, ſhall be allowed; and upon a Verdict for the ſaid Mayor and Citizens, they ſhall recover Treble Coſts, and have ſuch Remedy for the ſame, as any Plaintiff or Plaintiffs hath or have in any other Caſes by Law; and which Coſts (after deducting all other Coſts thereout) on the Part of the ſaid Mayor and Citizens, ſhall, when received, be paid over to the Uſe of the ſaid Commiſſioners; and all Money expended by, or recovered againſt, the ſaid Mayor and Citizens, in any ſuch Action or Proſecution, or any other Action or Proſecution

Perſons paying the Rates, to be competent Witneſſes againſt the Collectors.

For want of Diſtreſs, Party to be committed.

If Parties ſecrete themſelves, they may be afterwards ſued.

Mayor, &c. to be reimburſed their Expences of proſecuting by the Commiſſioners.

Proſecution hereby directed to be brought in their Names (and which Money ſhall not be recovered or received again by the ſaid Mayor and Citizens from any ſuch Defendant) ſhall be raiſed and repaid to them the ſaid Mayor and Citizens by the ſaid Commiſſioners, as ſoon as may be; and they are hereby impowered to order ſuch Money to be rated and raiſed, with the other Rates to be collected in the ſaid ſeveral Wards, by virtue of the Powers herein given to ſuch Commiſſioners.

Perſons removing, ſtill liable to pay the Rates,

And it is hereby further enacted by the Authority aforeſaid, That in caſe any Perſon liable to pay the ſaid Rates and Aſſeſſments in any of the ſaid ſeveral Wards, by virtue of this Act, ſhall remove from or quit the Houſe, Buildings, or Premiſſes (in reſpect of which ſuch Aſſeſſment or Rate is and ſhall be firſt made as aforeſaid) before the Rate due from ſuch Perſon ſhall be paid, it ſhall and may be lawful to and for the ſaid Collectors to have and cauſe the ſame to be levied by Diſtreſs and Sale of his, her, or their Goods and Chattles, by ſuch Warrant, Ways any Means as aforeſaid, in caſe ſuch Perſon ſhall reſide within the ſaid City, and ſufficient Diſtreſs can be found, as fully, and in like Manner, as if ſuch Perſon had not removed, and had neglected or refuſed to pay ſuch Rate; and for want of ſuch Diſtreſs, or in caſe the Party ſhall be removed out of the ſaid City, then the Mayor and Citizens of the ſaid City of Cheſter for the time being ſhall and may (on the Requeſt of the ſaid Commiſſioners) ſue for and recover the ſame from any ſuch Perſon or Perſons, with Treble Coſts of Suit, to the Uſe of the ſaid Commiſſioners, in any Court of Record in Great Britain, by Bill, Plaint, or Information.

and may be ſued:

They may appeal.

Provided always, and it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall apprehend him, her, or themſelves to be unequally taxed, charged, or rated, by any Rate or Aſſeſſment made by the Collectors in any of the ſaid Wards, or any Houſholder, purſuant to the Powers hereby given, every ſuch Collector or Houſholder having made ſuch Rate for the time being, ſhall, and is and are hereby required, upon the Requeſt of any Perſon or Perſons apprehending him, her, or themſelves, to be ſo aggrieved, to produce and ſhew to him, her, or them, any ſuch Rate and Aſſeſſment, and permit him, her, or them, to take a Copy or Extract thereof; and it ſhall be lawful for any ſuch Perſon or Perſons, within Two Days excluſive after any Demand ſhall be made on him, her, or them, for any ſuch Rate, to lodge his, her, or their Appeal againſt any ſuch Rate, before

before any Two Justices of the Peace in and for the said City; and, by Summons under their Hands, to cause such Collector or Collectors, or other Householder, having so made such Rate, within Two Days then next, to appear before any such Two Justices, or any Two other Justices of the said City, at such Hour and Place as in such Summons shall be appointed, and then and there to produce every such Rate and Assessment; at which Time and Place any such Two Justices shall and have hereby Power to hear such Complaint, and to examine all Parties and their Evidences thereon on Oath, by way of, and as the Appeal of the Party so complaining, and shall make such final Order and Judgement in the Premisses, as shall be binding to all Parties, and as to them shall appear just and reasonable.

Persons not to gain any Settlement by paying Rates, or being employed.

Provided always, and it is hereby further enacted, That no Person shall gain any Settlement in any of the Parishes within the said City, for or in respect of the Rates or Assessments hereby imposed for maintaining a Nightly Watch, lighting, paving, and cleansing the Streets, Rows, and Passages, and providing Fire Engines and Fire-men, or in consequence of being any wise employed under this Act.

Application of Money raised.

And be it further enacted by the Authority aforesaid, That all and every the Monies to be rated and raised in the said several Wards, and all Penalties recovered to the Use of the said Commissioners, shall be applied by them for the respective Uses and Purposes, and according to the Powers hereby directed, appointed, and prescribed; and that all Sums of Money to be so raised and received, and all Money to be expended and laid out pursuant to the Powers hereby given, and also all the several Meetings, Bye-laws, Rules, and Ordinances of the said Commissioners, shall, from time to time, be fairly wrote and entered in proper Books to be provided and kept for such Purposes, by some Person or Persons to be appointed Clerk or Clerks, Treasurer or Treasurers, by and under the said Commissioners, who shall and hereby have full Power, at any of their Meetings, to appoint any such Clerk or Clerks, Treasurer or Treasurers, and to appoint any such Salary or Stipend to be paid to him or them, not exceeding the yearly Sum of Twenty Pounds each, to be paid out of the Rates hereby impowered to be raised; and that the Rules and Orders, and every other Proceeding directed by the said Commissioners, at all their said Meetings, shall be wrote and subscribed by One such Clerk

Proceedings to be entered in Books.

Commissioners may appoint Officers, and allow them Salaries.

or Treaſurer in ſuch Book or Books to be provided as aforeſaid; and that all ſuch Entries of all ſuch Meetings, Rules, and Orders, ſo ſigned by any ſuch Clerk or Treaſurer as aforeſaid, ſhall be deemed Originals, and ſhall be admitted to be read as Evidence in all Courts whatſoever; and that all ſuch Books ſhall, at any of ſuch Meetings of the ſaid Commiſſioners, be open, and liable to the Inſpection of any Perſon rated and paying to the Rates and Aſſeſſments, who ſhall have Power to make any Objections or Proteſts againſt any of the Proceedings of the ſaid Commiſſioners, for the Conſideration of the ſaid Commiſſioners, who, or any Seven or more of them, ſhall, at ſuch Meeting, or at the next following Meeting, debate and hear any ſuch Objections, and make ſuch Order therein as to them ſhall ſeem meet and proper.

Books when ſigned to be deemed Originals.

Books may be inſpected, &c.

Bye-laws, &c. may be varied or altered.

Provided nevertheleſs, and it is hereby further enacted, That the ſaid Commiſſioners, or any Seven or more of them, at any of their ſaid Meetings, ſhall and may, and have hereby full Power to revoke, vary, alter, or make void, any of their former or paſt Orders, Bye-Laws, or Proceedings, in ſuch Manner as they, or any Seven or more of them, ſhall find it needful and proper.

Pecuniary Penalties how to be determined.

And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Mayor or Recorder, or any One other Juſtice of the Peace in and for the ſaid City, to hear and determine any of the Offences (not herein directed to be otherwiſe heard) which are made ſubject to, and puniſhable by, any pecuniary Penalties directed by this Act; and upon any Information or Complaint (which ſhall in all Caſes be made within Three Calendar Months after the Offence committed) exhibited before any ſuch Juſtice, to ſummon the Party or Parties accuſed, and the Witneſſes on either Side, to be and appear before him, or any One other Juſtice, at ſuch Time and Place in the ſaid City, not exceeding Two Days excluſive from the Date of any ſuch Summons, as ſhall be therein appointed; and upon the Appearance, or Contempt of the Party accuſed in not appearing according to ſuch Summons, it ſhall and may be lawful for any One ſuch Juſtice, upon ſuch Summons being firſt proved, to proceed to the Examination of any Witneſs or Witneſſes upon Oath, which he is hereby impowered to adminiſter, and to hear the Circumſtances of the Caſe, and thereupon, or upon Confeſſion of the Party, to give and ſign ſuch Conviction and Judgement for the Forfeiture

and Payment of ſuch Penalty; or to acquit the Party accuſed for want of due Proof of the Offence, as ſhall be juſt and conformable to the Tenor and true Meaning of this Act; and which Conviction and Judgement any ſuch Juſtice ſhall, and is hereby impowered, in any ſuch Caſe, to draw up, or cauſe to be drawn up, and to ſign the ſame, in ſuch Form and Manner, ſo that the Sum forfeited, and for what Offence, is expreſſed; as he ſhall think proper and direct; and the ſame ſhall not be vacated or quaſhed, or any Advantage taken thereof, for want of Form therein, or by reaſon of any Irregularity in the Proceedings, previous to, or on, the making of any ſuch Judgement or Conviction; and where the Party or Parties ſo accuſed ſhall be convicted upon, or by reaſon of, any ſuch Information or Complaint, then the Penalty or Forfeiture wherein he, ſhe, or they ſhall be ſo ſeverally convicted, and all and every other Penalties and Forfeitures by this Act incurred and impoſed (the Manner of recovering and levying whereof is not otherwiſe hereby particularly directed) ſhall and may be recovered, with the Coſts of the Conviction and Recovery thereof, by Diſtreſs and Sale of the Offender's Goods and Chattles, by virtue of a Warrant or Warrants under the Hand and Seal, or Hands and Seals, of any One or more Juſtice or Juſtices of the Peace in and for the ſaid City, which he or they are hereby impowered and required to make: And in caſe ſufficient Diſtreſs ſhall not be immediately found within the ſaid City, then it ſhall be lawful for any One or more of ſuch Juſtice or Juſtices of the ſaid City, and he or they are hereby required and impowered, by Warrant under his or their Hand or Hands, to apprehend and cauſe to be apprehended any ſuch Offender or Offenders ſo convicted in, or liable to pay any ſuch Penalty or Penalties hereby appointed and directed, either within the ſaid City of Cheſter, or in any other City, County, or Place; and by Force of ſuch Warrant, to convey and commit him, her, or them, to the Common Gaol or Houſe of Correction of any ſuch City, County, or Place, wherein any ſuch Offender or Offenders ſhall or may be apprehended, as fully and effectual to all Intents, as if he, ſhe, or they had been originally apprehended and committed within the ſaid City of Cheſter, there to be and remain without Bail or Mainprize for the Space of Six Calendar Months, or until he, ſhe, or they ſhall have fully paid any ſuch Penalty or Forfeiture, together with the Coſts and Charges incurred by ſuch Means as aforeſaid, touching

Conviction not to be quaſhed for want of Form.

Penalties and Forfeitures how to be recovered and applied.

touching the Recovery thereof, to be aſcertained by any One Juſtice of the ſaid City of Cheſter; and all and every the ſeveral Penalties and Forfeitures which ſhall be incurred and recovered by virtue of this Act, and which are not herein directed to be otherwiſe wholly applied, ſhall be paid and applied immediately from and after the Recovery and Payment thereof as follows; that is to ſay, One Moiety thereof to any ſuch Informer or Informers, Witneſs or Witneſſes againſt the Offender or Offenders, in ſuch Shares or Parts, as the Juſtice or Juſtices before and by whom any ſuch Conviction ſhall be made, ſhall order and direct; and the other Moiety thereof to be paid to the Treaſurer or Treaſurers of the ſaid Commiſſioners for the time being, or to any other Perſon, as they, or any Seven or more of them, ſhall appoint, for the Uſes and Purpoſes in this Act mentioned.

Diſtreſs not to be deemed unlawful, nor the Party making it a Treſpaſſer, for want of Form.

And be it further enacted by the Authority aforeſaid, That where any Diſtreſs and Sale ſhall be made for any Sum or Sums of Money directed to be levied, or any Perſon or Perſons ſhall be arreſted or apprehended and committed by Force of this Act, or by virtue of any Clauſe therein contained, or by and in conſequence of any Power hereby given from the Beginning to the End hereof, either to the ſaid Corporation, or to the ſaid Commiſſioners, or to any Juſtice or Juſtices of the Peace or otherwiſe howſoever; no ſuch Diſtreſs, Sale, Arreſt, or Commitment, ſhall be deemed unlawful, nor the Party or Parties making or doing the ſame reſpectively, be deemed a Treſpaſſer or Treſpaſſers, on account of or by reaſon of any Defect or Want of Form, or other Irregularity, in any Summons, Conviction, Order, Warrants, or other Proceeding or Proceedings whatſoever, relating to or concerning any ſuch Diſtreſs, Sale, Arreſt, or Commitment; nor ſhall the Party or Parties making or doing the ſame Diſtreſs, Sale, Arreſt, or Commitment reſpectively, be deemed or conſtrued a Treſpaſſer or Treſpaſſers ab initio, on account of any Irregularity which ſhall be afterwards done or tranſacted, in any ſuch Caſe by him or them; but the Perſon or Perſons aggrieved by any ſuch Irregularity, ſhall and may recover Satisfaction for the ſpecial Damages only, and ſhall have no more Coſts than Damages in an Action upon the Caſe.

Proceedings not to be quaſh'd for want of Form only;

Provided always, and be it further enacted by the Authority aforeſaid, That no Order made touching or concerning any of the Matters in this Act contained, or any other Proceedings to be had touching the Conviction of any Offender

Offender or Offenders againſt this Act, or any Part thereof, ſhall be quaſhed or vacated for want of Form only, or be removed or removeable by Certiorari, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record whatſoever; any Law or Statute to the contrary notwithſtanding. nor removeable by *Certiorari*.

Provided alſo, That no Action or Suit whatſoever ſhall be commenced againſt any Perſon or Perſons for any Thing done or to be done, in purſuance of this Act, or any Clauſe, Power, or Thing herein contained from the Beginning to the End hereof, until after Ten Days Notice thereof in Writing, ſigned by the Party grieved, ſhall be given to the Treaſurer or the Clerk of the ſaid Corporation, or to the Treaſurer or Clerk of the ſaid Commiſſioners for the time being, under whoſe Power or Authority the Grievance ſhall have moſt immediately ariſen; nor after a ſufficient Satisfaction, or a Tender thereof, hath been made to the Party or Parties ſo alledging him, her, or themſelves to be aggrieved, nor after Six Calendar Months next following ſuch Grievance, and the Fact committed; and every ſuch Action ſhall be laid in the County of the City of Cheſter, and tried before the Mayor of the ſaid City, and by a Jury of the Citizens there, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit, ſhall and may plead at his Election ſpecially, or 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 of this Act, and by Force of ſome or One of the Powers and Authorities hereby given; and if the ſame ſhall appear to be ſo done, or that ſuch Action or Suit ſhall be brought before Ten Days Notice had been thereof given as aforeſaid, or after a ſufficient Satisfaction made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought or tried in any other City or County than as aforeſaid, then the Jury in any ſuch Caſe ſhall find for the Defendant or the Defendants: And upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be Nonſuited, or diſcontinue his, her, or their Action or Actions, after the Defendant or Defendants ſhall have appeared; or if upon Demurrer Judgement ſhall be given againſt the Plaintiff or Plaintiffs; then the Defendant or Defendants ſhall and may recover Treble Coſts, and have ſuch Remedy for the ſame as any Defendant or Defendants hath or have in other Caſes by Law. Limitation of Actions. General Iſſue. Treble Coſts.

Publick Act. And be it enacted by the Authority aforeſaid, That this Act, and every thing herein contained, ſhall be deemed, adjudged, and taken to be, a Publick Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

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