Anno nono

Georgii III. Regis.

An Act for raiſing Money to diſcharge Debts contracted for rebuilding the Pariſh Church and Tower of *Saint Nicholas*, in the City of *Briſtol*; and to rebuild the Spire, and compleat the ſaid Church; and for other Purpoſes.

Preamble, reciting Act 33 *Geo.* II.

WHEREAS an Act was paſſed in the Thirty third Year of the Reign of his late Majeſty King George the Second, for rebuilding, widening, and enlarging the Bridge over the River Avon, in the City of Briſtol, and erecting a temporary Bridge adjoining; and for widening the Streets, Lanes, Ways, and Paſſages leading thereto; and for building another Bridge over ſome other Part of the ſaid River within the ſaid City, if neceſſary; and for opening proper Ways and Paſſages thereto: And whereas by the ſaid Act Proviſion is made that, if in caſe any Damage or Injury ſhould be done to the Pariſh Church of Saint Nicholas in Briſtol aforeſaid, either by taking down, for the Purpoſes of the Act, any Part of the ſaid Church, or by reaſon or means of the pulling down of any Houſe or

Houſes contiguous or adjoining thereto, then the Truſtees thereby appointed ſhould be obliged, and they were thereby directed and required to cauſe ſo much of the ſaid Church as ſhould be ſo taken down to be rebuilt, and all ſuch other Damages which the ſaid Church ſhould ſuſtain, to be made good with all convenient Speed, in as ſubſtantial and commodious a Manner as the ſame was then built, or as the Circumſtances of the Caſe (due Regard being had to the Intent and Purpoſe of the Act) would admit; the reaſonable Charges and Expences whereof the ſaid Truſtees were thereby impowered and required to pay out of the Monies ariſing by virtue of the Act: And whereas, for the Purpoſe of widening certain Streets and Paſſages leading to Briſtol Bridge, for the Accommodation of the Publick, under the Proviſions of the ſaid Act, it was found neceſſary to take down a Part of the ſaid Pariſh Church of Saint Nicholas; And whereas, upon a Survey of the ſaid Church for that Purpoſe, it was deemed expedient, from the dangerous Situation in which the remaining Part of the ſaid Church would be left, and on account that it would then have been too ſmall for the Inhabitants of the ſaid Pariſh, to take down the Whole of the ſaid Church, together with the Tower and Spire thereto belonging; And whereas the ſaid Church and Tower have been rebuilt in the moſt frugal Manner, and on a more commodious Plan, with regard to publick Convenience, at the Expence of Six thouſand five hundred and forty nine Pounds, Five Shillings, including the Purchaſe of Land neceſſary for that Purpoſe: And whereas it is computed that the rebuilding the ſaid Spire, which is not yet begun, the making an Approach to the ſaid Church by means of a large Flight of Steps, which are alſo to be uſed as a publick Foot-way, and the painting the ſaid Church, and otherwiſe compleating the ſame in a decent Manner, together with the Charges of paſſing this Act, and other incidental and contingent Expences, will amount to about the Sum of One thouſand and ſeventy five Pounds, making, together with the ſaid Sum of Six thouſand five hundred and forty nine Pounds and Five Shillings, the Sum of Seven thouſand ſix hundred and twenty four Pounds and Five Shillings; towards ſatisfying which there has been paid, by Money received of the Truſtees appointed to execute the Act for rebuilding the ſaid Bridge purſuant to Proviſions therein contained; by Money contributed by the Corporation of Briſtol; by Money likewiſe contributed by the Society of Merchants of the

ſaid

said City; by the Sale of old Materials of the said Church and Tower; and by Money belonging to the said Parish; the Sum of Three thousand one hundred and twenty four Pounds and Five Shillings; which will leave a Debt upon the said Parish of Four thousand five hundred Pounds; for Part whereof, videlicet, Three thousand four hundred and twenty five Pounds, the Vestrymen of the said Parish have given Bonds, carrying Interest after the Rate of Four Pounds per Centum per Annum: And whereas it appears that the Sum of One thousand and four hundred Pounds, which has been advanced and paid by the Trustees under the said recited Act, pursuant to an Agreement entered into by them with the Vestry of the said Parish, is not a due Proportion of the Expence incurred in rebuilding the said Church, agreeable to the original Intention of the said Parties at the Time of such Agreement: And whereas the said Trustees apprehend, that, in consequence of their having entered into and executed the said Agreement, they are not now impowered under the Provisions of the said Act to allow or advance any further Sum for that Purpose, although they think it very reasonable that a further Sum should be allowed by them on account of the great additional Expences which have accrued and were unforeseen at the Time of making the said Agreement, and are therefore willing to apply the further Sum of One thousand Pounds out of the Money arising by virtue of the said Act, towards discharging the said remaining Debt of Four thousand and five hundred Pounds: And whereas the Land Owners and Inhabitants of the said Parish are desirous that the remaining Sum of Three thousand five hundred Pounds may be raised and paid by Means the least inconvenient and burthensome: 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 it shall and may be lawful for the said Bridge Act Trustees, and they are hereby required, by and out of the Monies arising by virtue of the said Act, to pay, on or before the Twenty fourth Day of June, One thousand seven hundred and sixty nine, unto the Trustees for putting this Act into Execution, or to such Person or Persons as they shall appoint to receive the same, the further Sum of One thousand Pounds, for the Purposes of this Act; which said Sum of One thousand

Bridge Act Trustees to pay 1000 *l.* to the Trustees of this Act;

Pounds, when paid, together with the said Sum of One thousand four hundred Pounds already paid, as aforesaid, shall be and is hereby declared to be in full Satisfaction and Discharge of all Demands of the said Parish of Saint Nicholas, or the Inhabitants thereof, on the said Bridge Trustees, on account of the Damages occasioned by the taking down the said Church and rebuilding thereof; and also that it shall and may be lawful to and for the Trustees by this Act nominated and appointed, or to be elected, or any Seven or more of them, by the Ways and Means herein after mentioned and directed, to raise such further Sum or Sums of Money as shall be necessary for the Purposes aforesaid;

the same declared to be in full Satisfaction of all Demands of the Parish of St. *Nicholas*.

Trustees Names.

And be it further enacted by the Authority aforesaid, That the Right Worshipful the Mayor of the City of Bristol for the time being, the Members in Parliament for the said City for the time being, the Alderman of the Ward of Saint Nicholas in the said City for the time being, the Vicar, Churchwardens, and Clerymen, of the said Parish of Saint Nicholas for the time being, Matthew Brickdale, Richard Blake, Slade Baker, Francis Brown, Henry Bright, Richard Combe, Maurice Ceely, Isaac Elton senior, Isaac Elton junior, Alexander Edgar, Thomas Edwards Freeman, Richard Farr, Joseph Farell, John Foy, John Harmer, Henry Hobhouse senior, Henry Lippincott, Michael Miller senior, Michael Miller junior, James Martindale, William Miles, William Matthew, Esquires; the Reverend John Camplin Clerk, George Atwood, Thomas Berjew, Jeremy Baker, John Innys Baker, John Bill, William Barrow, Thomas Clarke, Edward Curtis, John Davies, John Gresley senior, John Gresley junior, William George, Richard George, John Griffin, Joseph Haskins, Richard Hayward, William Hale, Thomas Jenkins, John King, Robert Lucas, William Lucy, Henry Morgan, Richard Meyler senior, Edward Nicholas, Simon Pedley, John Reed, Thomas Seymour, William Seede, Robert Salmon, John Sage, Jacob Thrall, William Williams, William Wanklyn, William Wigginton, Abraham Wigginton, together with One other Person, to be elected by the said Trustees, or any Seven or more of them, at their First Meeting to be held in pursuance of this Act, shall be, and they and their Successors to be elected in Manner herein after mentioned, are hereby nominated and appointed Trustees for putting this Act in Execution; and they the said Trustees, or any Seven or more of them, shall, and they are hereby impowered to receive and take the Monies arising by virtue of this

Act; which Monies are hereby vested in the said Trustees for the Purposes of this Act, and shall be by them paid and applied to and for the Uses and Purposes herein after mentioned, and not otherwise; and the said Trustees, or any Seven or more of them, are hereby impowered, by Warrant under their Hands and Seals, to authorize and appoint the Receivers and Collectors of the Rates and Assessments to be made and collected by virtue of this Act, or any of them, to levy the said Rates and Assessments upon any Person or Persons liable to pay the same, who, after Demand made thereof, shall neglect or refuse to pay such Rates and Assessments, according to the true Intent and Meaning of this Act, by Distress of the Goods and Chattles of the Person or Persons so liable and neglecting or refusing to pay the same; and to detain and keep such Goods and Chattles until such Rates and Assessments, with the reasonable Charges of such Distress, shall be paid: And it shall and may be lawful for such Person or Persons so distraining, after the Space of Three Days next after such Distress taken, to sell the Goods so distrained, returning the Overplus (if any there be) upon Demand, to the Owner and Owners thereof, after such Rate or Rates, Assessment or Assessments, and the reasonable Charges of detaining, keeping, and selling the same, shall be deducted.

Money vested in the Trustees.

Rates, &c. how to be recovered.

And be it further enacted, That when any of the Trustees named in or appointed by virtue this Act, shall die or refuse to act, it shall and may be lawful to and for the surviving or remaining Trustees, or any Seven or more of them, at any publick Meeting, by Writing or Writings, under their Hands and Seals, to elect, nominate, and appoint, One or more fit Person or Persons, living or residing, or owning an Estate in the said Parish, to be a Trustee or Trustees, in the room of such Trustee or Trustees so dying, or refusing to act; and all and every the Person and Persons so chosen and appointed to be joined with the surviving or remaining Trustees, shall and may, and is and are, hereby authorized and impowered to act in the Execution of this Act, to all Intents and Purposes, in as full, large, and ample Manner, as the said Trustees, herein before named and appointed, are by this Act impowered to do.

On Death or Refusal, others to be chosen.

Provided always, and be it further enacted by the Authority aforesaid, That no Person (other than those intitled to be Trustees by virtue of their Offices or Stations) shall be capable of acting as a Trustee in the Execution

Qualification of Trustees.

cution of this Act, who shall not, when he shall first act as a Trustee, own, or occupy, a House or Premisses in the said Parish, rated in the preceding Half Year's Assessment to the Land Tax for the Sum of Ten Pounds per Annum, or upwards.

Trustees not to have any Contract or Employment under this Act.

Provided also, That if any Person appointed a Trustee for the Execution of this Act, shall undertake any Part of the building of the said intended Steeple, or any Part of the painting or compleating of the said Church, or have any Share or Interest in any Contract relating thereto, or enjoy any beneficial Employment under or by virtue of this Act; every such Person shall, during his and their Continuance in such Employment, or the Term of such Contract, be utterly disabled and disqualified from acting as a Trustee.

Trustees Meetings.

And be it further enacted, That the said Trustees, or any Seven or more of them, shall, and are hereby required to meet in the Vestry Room of the said Parish-Church on the First Monday in May, One thousand seven hundred and sixty nine, and proceed to put this Act in Execution; and shall and may, and are hereby impowered to adjourn themselves from time to time, to meet at the said Vestry Room, or other Place or Places in the said Parish, as they shall see Occasion; and shall and may meet at any Time without Adjournment, giving in the said Parish Church on a Sunday, Three Days Notice at the least of all such Meetings; and that the said Trustees shall, at all their Meetings to be had and held in pursuance of this Act, defray their own Charges and Expences.

Trustees to defray their own Expences.

Collectors to be appointed.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Vestrymen of the Parish of Saint Nicholas aforesaid, in their Vestry assembled, and they, or the major Part of them so assembled, are hereby impowered and required, within Three Calendar Months after the passing of this Act, to nominate Four substantial Inhabitants of the said Parish (not being of the People called Quakers) out of which the said Trustees, or any Seven or more of them, shall choose, and, by Writing under their Hands, appoint Two Persons; and in Default of such Nomination, the said Trustees, or any Seven or more of them, shall, in Manner aforesaid, appoint Two Persons (not being Quakers, who are hereby excused and exempted from serving this Office) out of the Inhabitants of the said Parish, to be Receivers or Collectors of such Rates and Assessments, and Sums of Money, as shall become due or payable by virtue of this Act,

until

until the Twenty fourth Day of June, One thousand seven hundred and seventy; and the said Vestrymen in their Vestry assembled, or the major Part of them so assembled, are hereby authorized, impowered, and required, on the Monday in Easter Week which shall be in the Year One thousand seven hundred and seventy, and also on Monday in Easter Week in every succeeding Year during the Continuance of this Act, to nominate Four other like Inhabitants; and the said Trustees, or any Seven or more of them, shall, before the Twenty fourth Day of June in every Year choose and in Manner aforesaid appoint Two of them; and in Default of such Nomination, the said Trustees, or any Seven or more of them, shall, in Manner aforesaid, appoint Two other like Inhabitants (except as aforesaid) to be Receivers or Collectors of the said Rates, Assessments, and Sums of Money directed to be raised and levied for the Purposes of this Act, for the Year ensuing: And all Persons, who by virtue of this Act are charged or chargeable with all or any of the said Rates and Assessments, or liable thereto, are hereby required to pay the same to such Receivers or Collectors accordingly (the said Receivers or Collectors giving Receipts for the same gratis.)

Collectors to account.

And be it further enacted by the Authority aforesaid, That the said Receivers or Collectors to be appointed as aforesaid, shall from time to time, Once in every Three Months, or oftener, if required by the said Trustees, or any Seven or more of them, give in a particular, true, and perfect Account in Writing, under their respective Hands, of all Monies which they and every of them shall have respectively received, collected, or levied, by virtue of this Act, and of all Sums of Money rated and not paid, and all other Matters relating to the said Office of Receiver or Collector; and also within Fourteen Days after the most usual Feasts or Days of Payment in the Year, pay all such Monies as shall be in their or any of their Hands, to the said Trustees, or any Seven or more of them, or to such Person or Persons as the said Trustees, or any Seven or more of them, shall, by any Writing or Writings under their Hands, authorize and appoint to receive the same: And in case any such Collector or Receiver shall neglect or refuse to act in or execute such Duty or Office by the Space of Ten Days after such Appointment, and Notice thereof in Writing left at his or their usual Place of Abode, then every Person so neglecting or refusing shall forfeit the Sum of Ten Pounds to the

In case of Refusal to act, others to be chosen.

Truſtees appointed by this Act, to be levied, recovered, and applied, in ſuch Manner as the Rates to be raiſed by virtue of this Act are directed to be levied, recovered, and applied; and that upon every ſuch Neglect or Refuſal of any Perſon or Perſons ſo to act in ſuch Office as aforeſaid, it ſhall and may be lawful to and for the ſaid Truſtees, or any Seven or more of them, and they are hereby required to chooſe, and, in Manner aforeſaid, appoint a Collector or Receiver in the Place and Stead of each ſuch Perſon ſo neglecting or refuſing to act as aforeſaid, and every ſuch new Collector or Receiver ſhall be ſubject and liable to the like Duties and Penalties as the Perſon he ſucceeds was ſubject and liable to.

Penalty on refuſing to account.

And be it further enacted, That in caſe any ſuch Collector or Receiver ſhall neglect or refuſe to make ſuch Account or Payment as is herein before directed, that then it ſhall and may be lawful to and for any Two or more Juſtices of the Peace of and for the ſaid City of Briſtol, at any Quarter Seſſions, or any other Seſſion or Meeting, upon Complaint thereof made to them, to make Inquiry of and concerning ſuch Neglect or Refuſal, as well by Confeſſion of the Parties, as by the Oath or Oaths of any credible Witneſs or Witneſſes (which Oath the ſaid Juſtices are hereby impowered and required to adminiſter) and if any ſuch Collector or Receiver ſhall be convicted of ſuch Neglect or Refuſal before ſuch Juſtices of the Peace, that then the ſaid Juſtices ſhall, upon ſuch Conviction, commit the Perſon or Perſons ſo offending, to the Common Gaol in and for the ſaid City of Briſtol, and County of the ſame City, there to remain without Bail or Mainprize, until he or they ſhall have made a true and perfect Account and Payment as aforeſaid, or ſhall have compounded with the ſaid Truſtees, or any Seven or more of them, for the ſame; which Compoſition the ſaid Truſtees, or any Seven or more of them, are hereby impowered to make and receive.

No Perſon to ſerve Office again, or fine, in leſs than ſeven Years.

Provided always, That no Perſon who ſhall have ſerved the Office of Collector or Receiver, or ſhall have paid the ſaid Forfeiture, ſhall be ſubject or liable to be appointed to, or to ſerve, the ſaid Office, during the Space of Seven Years then after, without his Conſent.

For raiſing Money by Annuities.

And, in order to raiſe the ſaid Sum of Three thouſand five hundred Pounds, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons, not being under the

Age

Age of Forty eight Years, to contribute, advance, and pay, into the Hands of the said Trustees, or any Seven or more of them, or such Person or Persons as they, or any Seven or more of them, shall, by any Writing under their Hands and Seals, authorize to receive the same, such Person giving sufficient Security to the said Trustees, or any Seven or more of them, any Sum or Sums of Money, not exceeding in the Whole the Sum of Three thousand five hundred Pounds, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of every such Contributor or Contributors respectively, or the natural Life of any Person, not being under the Age of Forty eight Years, who shall be nominated by or on Behalf of any such Contributor at the Time of Payment of his or her respective Contribution-money; which Annuity or Annuities shall not exceed the Rate of Eight Pounds a Year for every One hundred Pounds, and so in Proportion for any greater or less Sum to be advanced and paid as aforesaid; and shall be payable and paid half-yearly by the said Trustees, or any Seven or more of them, or by such Person as they shall appoint, in the Vestry Room of the said Parish, or in such Place of the said Parish as they, or any Seven or more of them, shall for that Purpose appoint: And in case the Person who shall be nominated by or on Behalf of any Contributor shall happen to die on the Day on which the Annuity payable for such Person's Life became due, the Whole of such Annuity shall be paid to such Contributor; or if such Person shall die before such Day, then a proportionable Part of such Annuity shall be paid according to the Time such Person lived of the last Half Year in which the said Annuity was growing due: Which said Sum or Sums of Money so received by the said Trustees for the Purchase of such Annuity or Annuities, shall, together with the said Sum of One thousand Pounds, to be received in Manner aforesaid, be by them immediately applied and paid, in the first Place, in paying the Charges and Expences in and about procuring and passing this Act; and in the next Place, in paying and discharging the said Sum of Three thousand four hundred and twenty five Pounds, together with all Interest due thereon, and the Remainder in rebuilding the Spire of the said Church of Saint Nicholas, and in painting and otherwise compleating the said Church, and all other necessary and contingent Expences relating to the said Church and Tower, and to putting this Act otherwise effectually in

Application of the Monies.

in Execution, according to the true Intent and Meaning thereof, and to and for no other Use or Purpose whatsoever; and also that the said Trustees, or any Seven or more of them, shall, until such Time that the said principal Debt of Three thousand four hundred and twenty five Pounds, and the other Charges and Expences as aforesaid, shall be satisfied and paid, pay and apply the Money to be raised by the Rates and Assessments to be laid and collected by virtue of this Act, in paying off and discharging the Arrears of the Interest of the said Three thousand four hundred and twenty five Pounds, and the growing Interest thereof, and all other the Charges and Expences as aforesaid; and the Overplus of the Money that shall be so raised by the said Rates and Assessments, shall, from time to time, be applied by the said Trustees in Discharge of the said principal Debt of Three thousand four hundred and twenty five Pounds, or such Part thereof as the said Trustees shall direct and appoint.

Annuities to be entered in Books.

And it is hereby further enacted by the Authority aforesaid, That there shall be provided by the Trustees, and kept in the Vestry Room of the said Church, or in such Place in the said Parish as they the said Trustees, or any Seven or more of them, shall appoint, a Book or Books, in which there shall be fairly written in Words at length the Names and Surnames, with the proper Additions and Places of Abode, of all such Persons who shall be Purchasers of any of the Annuities aforesaid; and of all Persons by whose Hands the said Purchasers shall pay in any Sum or Sums of Money upon the Credit of this Act; and also the Sum and Sums so paid for the Purchase of such Annuities, and the respective Days of Payment thereof; and also the Names of the Persons to whom the said Sum of Three thousand four hundred and twenty five Pounds is now due, and the Sums due to them respectively; and also the Days of Payment of all and every Sum in discharge of the said principal Sums or Interest, or any Part thereof; to which Book and Books, it shall be lawful for the said Creditors and Purchasers, their Executors, Administrators, or Assigns, respectively, and to and for any Person or Persons who shall be liable to pay any Assessment to be made by virtue of this Act, from time to time, and at all seasonable Times, to have Recourse and to inspect the same, without Fee or Reward.

Annuities charged on the Rates.

And be it further enacted, That all and every the Annuities so to be purchased by virtue of this Act, shall be and are hereby declared to be charged upon the Rates or Assessments herein after-mentioned, and shall be paid and

and payable, from time to time, out of the Monies arising by the same; and all and every the Contributor and Contributors upon the Credit of this Act, or such Person or Persons as he, she, or they, shall appoint his, her, or their respective Executors, Administrators, or Assigns, shall be entitled, by virtue of this Act, to have, receive, and enjoy, the respective Annuity or Annuities so to be purchased as aforesaid, during the Term of the natural Life of the Person to be nominated by each such Purchaser and Contributor as before mentioned; and that all and every such Purchaser and Purchasers, and their Executors, Administrators, and Assigns respectively, shall have good, sure, absolute, and indefeazable, Estates and Interests in the Annuities so by them respectively to be purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities shall be subject or liable to any Parliamentary Tax, or other Taxes, Rates or Duties whatsoever. Not to be taxed.

And be it further enacted, That every Contributor upon this Act for the Purchase of any such Annuity or Annuities as aforesaid, his, her, or their Assigns, upon Payment of the Consideration or Purchase-money for the same, or any Part or Proportion thereof, into the Hands of the said Trustees, or any Seven or more of them, or to such Person or Persons as they, or any Seven or more of them, shall for that Purpose appoint, shall have One or more Receipt or Receipts, importing the Receipt of such Purchase-money as shall be so paid; and upon Payment of all the Purchase-money for any such Annuity or Annuities as aforesaid, every such Contributor, his, her, or their Assigns respectively, shall have an Order on Parchment or Vellum (which may be made without any Stamp thereon) for Payment of the said Annuity or Annuities for and during the natural Life of such Person as shall be nominated as aforesaid; which Order shall be signed by the said Trustees, or any Seven or more of them; and after signing thereof the same shall, by virtue of this Act, be firm, good, valid, and effectual in Law, according to the Purport and true Meaning thereof, and of this Act. Purchasers of Annuities to have Receipts and Orders.

Provided nevertheless, That the Trustees signing such Orders shall not thereby be deemed to make their own Persons or private Estates liable to the Payment of the Money therein mentioned, or any Part thereof. Trustees not liable in their own Persons.

And be it further enacted, That it shall and may be lawful to and for the Purchaser or Purchasers of any such Annuity or Annuities as aforesaid, and his, her, or Annuities may be assigned.

their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hands and Seals (without any Stamp thereon) to assign such Annuity or Annuities, or any Part thereof, or Interest therein, to any Person or Persons whomsoever, and so toties quoties, as often as Occasion shall require; and a Memorandum or Entry of all such Assignments shall be made in a Book, which is hereby required to be kept for that Purpose in the Vestry Room belonging to the said Church; which Entry or Memorandum shall be made gratis; and such Book may, at all reasonable Times, be inspected by any Person or Persons interested therein.

Proviso.

Provided always, That no Assignment shall be deemed good or effectual until such Entry or Memorandum shall be made in such Book as aforesaid.

Application of the Rates.

And be it further enacted, That the several Rates and Assessments directed by this Act to be collected, levied, and paid, shall be chargeable with and for the Payment of the said Bond Debts and Interest, and the said Annuities; and the Arrears thereof, from time to time; and shall vest in the Bond Creditors and Annuitants, upon Default of Payment of the Interest of the said respective Debts and the said Annuities, within the Space of Thirty Days next after any of the Times when the same shall be made payable, until the same shall be fully paid and satisfied, together with the Interest and the Costs and Charges occasioned by the Non-payment thereof; and that the said Creditors and Annuitants, in case there shall be any Arrear of Interest of the said Bond Debts, or of the said Annuities, for the Space of Thirty Days as aforesaid, and until full Payment thereof, with Interest, Costs, and Charges as aforesaid, shall have the same Powers, Rights and Authorities, of assessing, collecting, levying, and recovering the said Rates and Assessments, as are by this Act granted to the said Trustees, their Collectors or Receivers, or any of them.

Rates to be made.

And be it further enacted, That the said Trustees, or any Seven or more of them, may and shall from time to time, by Writing under their Hands and Seals, and they are hereby required to make an Assessment on all Lands, Houses, Tenements, and Hereditaments, within the said Parish of Saint Nicholas, not exceeding Two Shillings in the Pound in any One Year, of the full yearly Rent or Value of such Lands, Houses, Tenements, and Hereditaments, as the same shall be ascertained and rated to the Land Tax in the preceding

Half

half Year, and order and direct the Collectors and Receivers, so to be chosen and appointed as aforesaid for the time being, to collect quarterly from the Owners and Occupiers of such Lands, Houses, Tenements, and Hereditaments, the several respective Sums of Money to be assessed as aforesaid; One half Part of which Rates and Assessments shall be paid or allowed by the Landlords or Owners, and the other half Part by the Tenants or Occupiers of such respective Lands, Houses, Tenements, and Hereditaments. To be paid by Landlord and Tenant.

And be it further enacted, That the Tenants or Occupiers of such respective Lands, Houses, Tenements, and Hereditaments, shall be liable to pay the Whole of such Rate or Assessment; and shall and may deduct out of his or her Rent, payable to his or her Landlord or Owner, the said half Part of such Rate and Assessment; and the said Landlords, mediate or immediate, according to their respective Interests, are hereby required to allow to such Tenants such Payments and Deductions accordingly; and every Tenant paying such Rate or Assessment for or upon the Landlord's or Owner's Account, and producing a Receipt for the same (which Receipt the said Collectors are hereby required to give without Fee or Reward) shall be acquitted and discharged of any from so much Money as the same shall amount unto, as fully and effectually as if the same had been actually paid to any such Landlord or Landlords, or any Person or Persons to whom his or her Rent was or should have been paid or payable; and the Monies arising by such Rates or Assessments shall be accounted for, paid, and applied, in such Manner as by this Act is directed. Tenants liable; but may deduct the Landlord's Part out of next Rent.

And whereas several Houses within the said Parish are, by the Landlords or Owners thereof, let out in Lodgings or Tenements to divers Tenants, whereby it may be difficult to rate or assess such Houses, and to recover such Rates and Assessments when made; for Remedy thereof, be it enacted, That the said Trustees, or any Seven or more of them, shall and may rate and assess the Owner and Owners of all such Houses as shall be let to, or occupied by, Two or more Tenants; which Rate or Assessment shall be paid by One or more of the Occupiers of any Part or Parts of such Houses: And in case any Occupier or Occupiers of any Part or Parts of such House or Houses shall neglect or refuse to pay the same, after Demand made thereof, then the said Rate or Assessment shall be levied by Distress and Sale of the Goods of him, her, or them so refusing to How divided Houses shall pay.

to pay the same; which Distress and Sale shall be made in like Manner as the Distress and Sale of the Goods and Chattles of other Persons neglecting or refusing to pay the Rates or Assessments imposed, and directed to be imposed, by virtue of this Act, are directed to be made as aforesaid. And such Occupier or Occupiers of such Tenements, are hereby required and authorized to pay such Sum and Sums of Money as shall be so rated, imposed, or assessed, on the Owners or Occupiers thereof, in pursuance of this Act, and to deduct the same out of the Rent thereof; and the Landlord or Landlords, Owner or Owners thereof, are hereby required to allow such Deductions and Payments upon the Receipt of the Residue of his, her, or their Rents; and every Tenant paying such Assessment or Assessments, shall be acquitted and discharged for so much Money as the said Assessment or Assessments shall amount unto, as if the same had been actually paid to the Person or Persons to whom his, her, or their Rent shall be due and payable.

Agreement between Landlord and Tenant not vacated.

Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall make void any Contract, Covenant, or Agreement, between Landlord and Tenant, relating to the Payment of any Rates within the said Parish.

Distress may be made in any other Parish.

And be it further enacted by the Authority aforesaid, That when any Person or Persons shall refuse or omit to pay the Sum or Sums rated or assessed upon him, her, or them, by virtue of this Act, the same may be levied and recovered as directed by this Act, not only in the Parish of Saint Nicholas, but in any other Parish or Place.

Succeeding Collectors may recover Arrears of the Rates

And be it enacted, That if any Person or Persons shall be in Arrear for any of the said Rates or Assessments, to the Collector or Collectors appointed for the Year in which such Rates or Assessments were made, the same shall be paid to the Collector or Collectors for the succeeding Year or Years; or in Neglect or Default thereof, such Collector or Collectors for the succeeding Year or Years, may levy the same in such Manner as the Collector or Collectors for the Year or Years wherein the same were made might have done: And in case the Money so to be assessed and collected in any One Year, shall not be sufficient to answer the Purposes for which the same was so rated and assessed, such Deficiency shall be supplied out of the next Rate or Assessment: And in case there shall remain, at the End of any One Year, any Surplus of Money collected and received by virtue of this Act in that Year, such Surplus shall, from time

Deficiency of Rates to be made good.

Surplus to be applied in Aid of next Rates.

to

to time, as the same shall happen to arise, be applied in Aid of the succeeding Year's Expences.

Losses by Insolvency to be made good by an additional Rate.

And be it further enacted, That in case any of the Monies collected or received by virtue of this Act, shall be lost by Insolvency, or otherwise, the said Trustees, or any Seven or more of them, shall and may make a new additional Rate or Assessment, Rates or Assessments, for supplying and making good such Deficiencies, and the Charges occasioned by or on account of the same, which shall be collected and levied in Manner aforesaid; any thing herein before contained to the contrary notwithstanding.

Persons aggrieved may appeal.

Provided always, and be it further enacted, That if any Person or Persons shall find himself, herself, or themselves, aggrieved by any Rate or Assessment to be made by virtue of this Act, it shall and may be lawful for such Person or Persons to apply to the Justices of the Peace at the next General or Quarter Sessions, or Adjournment thereof, to be holden for the City of Bristol, and County of the same City; who are hereby impowered to summon and examine Witnesses upon Oath, and to hear and determine the Matter of the said Appeal, and their Determination thereupon shall be conclusive to all Parties.

Rates not to be paid for Premises unoccupied.

Provided always, and be it further enacted, That nothing herein contained shall extend to charge or subject any Person to pay any of the Rates or Assessments to be made by virtue of this Act, for any House, or other Building which shall be empty and unoccupied, during the Time such House or Building shall be so empty and unoccupied; any thing herein contained to the contrary notwithstanding.

Land Tax Books may be inspected to ascertain the Rates.

And be it further enacted, That it shall and may be lawful to and for such Person or Persons, as the said Trustees, or any Seven or more of them, shall appoint, at all convenient Times, to inspect the Duplicates of the Books of Assessments of the Land Tax for the said Parish gratis, in order to ascertain the Rates to be made by virtue of this Act, and to take Copies thereof.

Commencement and Continuance of the Rates.

And be it further enacted by the Authority aforesaid, That the several Rates or Assessments hereby directed and appointed to be raised and levied for the Purposes aforesaid, shall take Place from the Twenty fourth Day of June, One thousand seven hundred and sixty nine; and that from and after the Payment of the said Bond Debts and Interest, and the Expences and Charges of erecting the said Spire, painting and otherwise compleating the said Church, the obtaining this Act, and

putting

putting the same into effectual Execution; and also from and after the Determination of the Annuities to be granted by virtue of this Act, the Rates and Assessments hereby directed to be raised and levied, shall absolutely cease and determine; and that from and after the Determination of any of the said Annuities, a proportionable Part, as near as may be, of such Rates or Assessments, shall cease.

Power to compound for a gross Sum in lieu of the Rate.

Provided always, and it is hereby further enacted and declared, That it shall and may be lawful for the Owner or Proprietor of any such Lands, Houses, Tenements, or Hereditaments, within the Space of Two Calendar Months after the passing of this Act, to pay to the said Trustees, or any Seven or more of them, or to such Person or Persons as they, or any Seven or more of them, shall appoint to receive the same, such gross Sum as shall be his or her just Proportion of the said Sum of Three thousand five hundred Pounds; which Sum, when paid, shall be entered in the Book to be kept as aforesaid, and shall be applied for the Purposes of this Act, and shall be instead and in lieu of such Annual Payments as would be otherwise charged by virtue of the said Rate or Assessment hereby directed to be laid and charged upon such respective Land, House, Tenement, or Hereditament, which shall from thenceforth for ever be freed and exonerated from the Payment of any Rate or Assessment to be made or laid by virtue of this Act.

Limitation of Actions.

And be it further enacted by the Authority aforesaid, That if any Suit or Action shall be commenced or prosecuted against any Person or Persons for any Thing done in pursuance of this Act, every such Suit or Action shall be commenced within Six Calendar Months after the Fact was committed; and shall be brought and tried in the City of Bristol, and County of the same City, and not elsewhere; and the Defendant or Defendants therein may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in Pursuance of this Act, or by Authority thereof; and if it shall appear to be so done, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become Nonsuit, or discontinue his, her, or their Action, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs,

General Issue

Treble Costs.

and

and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs in any other Cases by Law.

And it is hereby enacted and declared, That this Act shall be deemed and taken to be a Publick Act, and all Judges, Justices, and other Persons, are to take Notice thereof as such, in all Courts and Places whatsoever, without specially pleading the same. Publick Act.