ANNO PRIMO

GULIELMI IV. REGIS.

****

Cap. iv.

An Act to alter, amend, and enlarge the Powers of an Act passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, for regulating the Poor of the City of *Bristol*, and for other Purposes connected therewith.

[11th *March* 1831.]

WHEREAS an Act was passed in the Third Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the Employment, Maintenance, and* 3 G. 4. c. 24. *Regulation of the Poor of the City of* Bristol; *and for altering the Mode of assessing the Rates for the Relief of the Poor, and certain Rates authorized to be raised and levied within the said City by certain Acts, for improving the Harbour there, and for paving, pitching, cleansing, and lighting the same City; and for the Relief of the Churchwardens and Overseers from the collecting of such Rates; and for amending the Act for paving, pitching, cleansing, and lighting the said City;* whereby the several Persons therein mentioned, and their Successors, to be from Time to Time appointed as therein directed, were declared to be One Body Politic and Corporate, by the Name of "The Governor, Deputy Governor, Assistants, and Guardians of the Poor of the City of *Bristol*:" And whereas the said

said Governor, Deputy Governor, Assistants, and Guardians have proceeded to put the said Act into execution, and considerable Benefit and Advantage has arisen in consequence thereof to the several Owners and Occupiers of Houses, Buildings, Lands, Tenements, and Hereditaments within the City and County of the City of *Bristol*, and to the Poor belonging to the same: And whereas the Building now used as a Poorhouse for the said City and County is an old decayed Structure, and not adapted for the Classification, Care, safe Custody, and Management of Pauper Lunatics, nor for the Accommodation, Reception, Care, and Management of the Poor of the said City and County; and the said Governor, Deputy Governor, Assistants, and Guardians of the Poor have no Means of providing any proper or sufficient Accommodation for such Persons as require to be kept under Confinement, being Pauper Lunatics, belonging to the said City and County: And whereas there are within the Parish of *Saint Philip and Jacob* in the County of *Gloucester*, adjoining to the said City and County of the City of *Bristol*, and lying near the Boundaries of the said City, a certain Building called the *Armoury*, and certain Messuages and other Buildings and Yards thereto belonging, and a certain Close of Ground adjoining thereto on the North and North-west Sides thereof, which, or a sufficient Part thereof, may at a moderate Expence be purchased and made fit and proper for the Reception of Pauper Lunatics belonging to the said City and County, and for other Purposes connected with the Reception, Care, and Management of the General Poor of the said City; and it would be of Advantage to the Inhabitants of the said City and County that Additions should be made at some future Time to the said Buildings, so as to adapt the same to the Reception, Care, and Management of the General Poor of the said City and County of *Bristol*; and it is desirable that the Poor of the said City, or such of them as cannot be conveniently accommodated in the present Hospital or Workhouse, should be removed thereto; but by reason of the Premises aforesaid being situated out of the Jurisdiction of the said City and County of the City of *Bristol*, the same cannot be purchased and appropriated to the Purposes aforesaid without the Aid and Authority of Parliament: And whereas the Powers and Provisions of the said recited Act, or some of them, have been found defective and insufficient for the Purposes thereby intended, and it is expedient that the same should be altered, amended, and enlarged, and that further, additional, and more effective Powers should be granted for the Purposes thereby intended: 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,

Powers of Act 3 Geo. 4. extended to this Act.

That the said recited Act, and all and every the Powers, Authorities, Articles, Provisoes, Exemptions, Penalties, Forfeitures, and all other Matters and Things therein contained, (save and except such as are or is varied, altered, enlarged, or repealed,) shall be as good, valid, and effectual for carrying the several Purposes of this Act into execution as if the same had been repeated and re-enacted in the Body of this Act.

II. And

Power to purchase.

II. And be it further enacted, That it shall be lawful for the said Governor, Deputy Governor, Assistants, and Guardians to contract and agree for the Purchase of the Plots, Pieces, or Parcels of Ground, Buildings, Messuages, Yards, and Premises mentioned, specified, and described in the Schedule to this Act annexed, or some Part or Parts thereof, and to take down or alter, add to, repair, or improve all or any of the said Messuages or Buildings, or any Part or Parts thereof respectively, and to sell and dispose of the Materials thereof, or appropriate the same, and all or any of the Ground or Site thereof, as and for a Lunatic Asylum for Paupers belonging to the said City and County, and as a Hospital or Workhouse for the Reception, Care, and Maintenance of all or any other Paupers or Poor of the said City and County, as the said Governor, Deputy Governor, Assistants, and Guardians of the Poor may from Time to Time think proper, order, and direct, and from Time to Time to enlarge, diminish, vary, and alter the Form, Situation, and Extent of the said Lunatic Asylum, Hospital, or Workhouse, and other Buildings connected therewith, and to erect such new and additional Buildings for the Reception, Care, Maintenance, and Employment of the Poor of the said City, as the said Governor, Deputy Governor, Assistants, and Guardians shall think expedient.

Incapacitated Persons empowered to sell.

III. And be it further enacted, That it shall be lawful for all Bodies Politic, Corporate, Collegiate, or Ecclesiastical, Corporations Aggregate or Sole, Tenants in Fee Simple, or for Life or for Years, or in Fee Tail, General or Special, and all Feoffees in Trust for charitable and other Purposes, Husbands, Guardians, Committees for Lunatics and Idiots, Executors and Administrators, and other Trustees and Persons whomsoever, not only for and on behalf of themselves and their respective Heirs, Executors, Administrators, and Successors, but also for and on behalf of their respective Cestuique Trusts, whether Infants, Issue unborn, Lunatics, Idiots, Femes Covert, or other Persons under any Disability of acting for themselves, and for all Femes Covert who are or shall be seised, possessed of, or interested in their own Right, or entitled to Dower or other Interest, and for all and every other Persons and Person whomsoever, who are, is, or shall be seised, possessed of, or interested in the Lands, Buildings, Messuages, Yards, and Premises specified in the Schedule to this Act annexed, which the said Governor, Deputy Governor, Assistants, and Guardians shall consider proper and necessary to be purchased for the Purposes of this Act, to contract and agree with the said Governor, Deputy Governor, Assistants, and Guardians for a Lease or Leases or for the absolute Sale thereof, or of any Part or Parts thereof, and of all and every Estates, Rights, Titles, Terms, and Interests whatsoever of, in, and to the same, and to convey and assign the same respectively unto the said Governor, Deputy Governor, Assistants, and Guardians, for the Purposes of this Act; and all such Contracts, Assignments, Bargains, Sales, Conveyances, and other Assurances shall, without any Fine, Recovery, or other Assurance in the Law whatsoever, and without Enrolment or Registry, be good, valid, and effectual to all Intents and Purposes, not only to convey the Estate and Interest of the Party or Parties so conveying, but also to convey all the Estate,

Right,

Right, Title, Interest, Trust, Use, Property, Possession, Claim, and Demand whatsoever of their several Cestuique Trusts, and all Persons whomsoever claiming or having Title to claim by, from, through, or under them or any of them, and all Persons entitled in Remainder or Reversion expectant on any particular Estates, and the same shall be deemed and considered to bar all Dower of the Wife or Wives of such Party or Parties, and all Estates Tail, and other Estates in Possession, Reversion, Remainder, or Expectancy, and of the Issue and Issues of the same Party or Parties claiming under them or any of them respectively; any Law, Statute, or Usage, or any other Matter or Thing whatsoever, to the contrary thereof in anywise notwithstanding.

Application of Compensation Money if amounting to 200*l.*

IV. And be it further enacted, That if any Money shall be agreed or awarded to be paid for the Purchase of the Lands, Buildings, Messuages, Yards, and Premises to be purchased, taken, or used by virtue of this Act, which shall belong to any Corporation, Feme Covert, Infant, Lunatic, or Person or Persons under any Disability or Incapacity as herein-before is mentioned, such Money shall, in case the same shall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of His Majesty's Court of Exchequer at *Westminster*, to be placed to his Account there *ex parte* the Governor, Deputy Governor, Assistants, and Guardians of the Poor of the City of *Bristol*, pursuant to the Method prescribed by an Act passed in the First Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act for the better securing Monies and Effects paid into the Court of Exchequer at* Westminster *on account of the Suitors of the said Court, and for the Appointment of an Accountant General and Two Masters of the said Court, and for other Purposes*, and the General Orders of the said Court, and without Fee or Reward, to the Intent that such Money may be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Buildings, Messuages, Yards, and Premises, in the Purchase of the Land Tax, or towards the Discharge of any Debt or Debts, or such other Incumbrances, or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Buildings, Messuages, Yards, and Premises, or affecting other Houses, Buildings, Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Trusts, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under and with the like Direction and Approbation of the said Court, in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Buildings, Messuages, Yards, and Premises which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making the Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime,

1 G. 4. c. 35.

meantime, and until such Purchase shall be made, the said Money shall, by Order of the said Court of Exchequer, upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities, or in Government or Real Securities; and in the meantime, and until such Bank Annuities or Government or Real Securities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends or Interest and annual Produce of the said Consolidated or Reduced Bank Annuities or Government or Real Securities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Buildings, Messuages, Yards, and Premises hereby directed to be purchased, in case such Purchase or Settlement were made.

When less than 200*l.*, and exceeding 20*l.*

V. And be it further enacted, That if any Money so agreed or awarded to be paid for the Lands, Buildings, Messuages, Yards, and Premises purchased, taken, or used for the Purposes of this Act, and belonging to any Corporation or to any Person or Persons under any Disability or Incapacity as aforesaid, shall be less than the Sum of Two hundred Pounds, and shall exceed the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Buildings, Messuages, Yards, and Premises purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy, Idiotcy, Lunacy, or other Incapacity, to be signified in Writing under their respective Hands, be paid into the Bank of *England* in the Name and with the Privity of the said Accountant General of the said Court of Exchequer, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same may be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Governor, Deputy Governor, Assistants, and Guardians of the Poor, (such Nomination and Approbation to be signified in Writing under the Hands or Seals of the nominating and approving Parties,) in order that such Principal Money and the Dividends arising thereon may be applied in the Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction or Approbation of the said Court of Exchequer.

When not more than 20*l.*

VI. And be it further enacted, That when such Money so agreed or awarded to be paid as aforesaid shall not exceed Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the Lands, Buildings, Messuages, Yards, Hereditaments, and Premises purchased, taken, or used for the Purposes of this Act, in such Manner as the said Governor, Deputy Governor, Assistants, and Guardians of the Poor shall think fit; or in case of Infancy, Idiotcy, Lunacy, or other Incapacity, then the same shall be paid to his, her, or their Guardian or Guardians,

Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

In case of not making out Titles, or if Persons cannot be found, Purchase Money to be paid into the Bank.

VII. And be it further enacted, That in case the Person or Persons to whom any Sum or Sums of Money shall be agreed or awarded to be paid for the Purchase of any Lands, Buildings, Messuages, Yards, Hereditaments, and Premises to be purchased by virtue of this Act, or of any Estate or Interest therein, shall refuse to accept the same, or shall not be able to make a good Title to the Premises, to the Satisfaction of the said Governor, Deputy Governor, Assistants, and Guardians of the Poor, or in case such Person or Persons to whom such Sum or Sums of Money shall be agreed or awarded to be paid as aforesaid cannot be found, or if the Person or Persons entitled to such Lands, Buildings, Messuages, Yards, Hereditaments, and Premises be not known or discovered, then and in every such Case it shall be lawful for the said Governor, Deputy Governor, Assistants, and Guardians of the Poor to order the said Sum or Sums of Money so agreed or awarded to be paid as aforesaid to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, to be placed to his Account to the Credit of the Parties interested in the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises, subject to the Order, Controul, and Disposition of the said Court of Exchequer; which said Court, on the Application of any Person or Persons making claim to such Sum or Sums of Money, or any Part thereof, by Motion or Petition, shall be and is hereby empowered, in a summary Way of Proceeding or otherwise, as to the same Court shall seem meet, to order the same to be laid out and invested in the Public Funds, and to order Distribution thereof, or Payment of the Dividends thereof, according to the respective Estate or Estates, Title or Interest of the Person or Persons making claim thereunto, and to make such other Order in the Premises as to the said Court shall seem just and reasonable; and the Cashier or Cashiers of the Bank of *England* who shall receive such Sum or Sums of Money is and are hereby required to give a Receipt or Receipts for such Sum or Sums of Money, mentioning and specifying for what and for whose Use the same is or are received, to such Person or Persons as shall pay any such Sum or Sums of Money into the Bank as aforesaid.

Respecting disputed Titles to Money.

VIII. And be it further enacted, That where any Question shall arise touching the Title of any Person to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the said Court of Exchequer, in pursuance of this Act, for the Purchase of any Lands, Buildings, Messuages, Yards, Hereditaments, or Premises, or of any Estate, Right, or Interest in such, to be purchased in pursuance of this Act, or to any Bank Annuities or Government or Real Securities to be purchased with any such Money, or to the Dividends or Interest of any such Bank Annuities or Government or Real Securities, the Person or Persons who shall have been in Possession of such Lands, Buildings, Messuages, Yards, Hereditaments, and Premises at the Time of such Purchase, and all Persons claiming under such Person or Persons,

or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Buildings, Messuages, Yards, Hereditaments, and Premises, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Exchequer; and the Dividends or Interest of the said Bank Annuities or Government or Real Securities to be purchased with such Money, and also the Capital of such Bank Annuities or Government or Real Securities, shall be paid, applied, and disposed of accordingly, unless it shall be made appear to the said Court that such Possession was a wrongful Possession, and that some other Person or Persons was or were lawfully entitled to such Lands, Buildings, Messuages, Yards, Hereditaments, and Premises, or to some Estate or Interest therein.

The Court may order reasonable Expences of Purchase to be paid by the Governor, &c.

IX. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons or Corporation entitled to any Lands, Buildings, Messuages, Yards, Hereditaments, and Premises, or any Part, Estate, Right, or Interest therein, to be purchased or taken under the Authority of this Act, the Purchase Money for the same shall be required to be paid into the Bank of *England*, or to be applied in the Purchase of other Houses, Buildings, Lands, Tenements, or Hereditaments, to be settled to the like Uses, in pursuance of this Act it shall be lawful for the said Court to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or so much of such Expences as the said Court shall deem reasonable, together with the necessary Costs and Charges of obtaining such Order, to be paid by the said Governor, Deputy Governor, Assistants, and Guardians of the Poor, who shall from Time to Time pay such Sums of Money for such Purposes as the said Court shall direct.

Lands, &c. purchased to be made Part of the City of Bristol.

X. And be it further enacted, That when and so soon as the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises mentioned, specified, and described in the Schedule to this Act annexed, or any Part or Parts thereof, shall have been purchased by the said Governor, Deputy Governor, Assistants, and Guardians of the Poor, and appropriated for the Reception of Paupers belonging to the said City and County of the City of *Bristol*, the said Premises, or such Part or Parts thereof as shall be used for the Purposes aforesaid, shall (so long as the same shall be used as an Asylum for the Pauper Lunatics, or in any other Way or Manner connected with the Reception, Care, Maintenance, and Employment of the Poor of the said City and County, and no longer,) be deemed to be in the said City and County of the City of *Bristol* and Port of *Bristol*, for the Purpose of Jurisdiction, Power, and Authority of the Mayor, Burgesses, and Commonalty of the said City of *Bristol*, and of the Mayor, Sheriffs, Escheators, Coroners, Justices, and other Officers and Ministers of the King's most Excellent Majesty, His Heirs and Successors, of the said City of *Bristol* and County of the same City, as fully and amply as if the same had been made Part and Parcel of the said City of *Bristol* and County of the same City, and of the Port of *Bristol*, before and at the Time of granting the several Charters under which the Mayor, Burgesses, and Commonalty of the said City of *Bristol*, and the

the Mayor and Aldermen of the same City, or any of them, do now hold and exercise Criminal and Civil Jurisdiction within the said City and County of the same City, and the Suburbs, Liberties, and Precincts thereof, or have Rights and Franchises in any Manner whatsoever within the same, and as if the several Powers and Authorities, Rights and Franchises, thereby or otherwise given, were herein repeated and applied to the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises hereby united to and made Part of the said City of *Bristol* and County of the same City; and from thenceforth the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises shall, for the Purposes and Time aforesaid, be wholly exempted and separated from the said County of *Gloucester*.

Reservation of certain Rights.

XI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to make any Alteration relative to the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises so exempted and separated from the said County of *Gloucester*, and added to the said City and County of the City of *Bristol*, touching any Rate, Levy, or Assessment usually raised within the said City of *Bristol* and County of the same City, or touching any Matter relative to any Ecclesiastical, Parochial, or Manorial Jurisdiction or Right, or to the taking away the Right of any Person or Persons having or hereafter to have a Freehold or Freeholds in the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises, to vote for the Election of any Knight of the Shire for the County of *Gloucester*, or for the Election of any Coroner or other Officer whatsoever, or to the conferring a Right on any Person or Persons having or hereafter to have a Freehold or Freeholds in the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises, of voting at the Election of Citizens for the City and County of the City of *Bristol*, but all such Rights, Matters, and Things shall be and remain as if this Act had not been passed.

Paupers, &c. not to gain a Settlement in Parish of St. Philip and Jacob.

XII. And be it further enacted, That no Person by any Act whatever having Reference to the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises, or any Part thereof, shall acquire a Settlement in, or in any Way, as casual Poor or otherwise, become chargeable to, the said Parish of *Saint Philip and Jacob*; and if by the Deaths of Paupers or others, or the Birth of illegitimate Children, in their going to and from the said City of *Bristol* to the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises, any Charge shall arise to the said last-mentioned Parish, the said Governor, Deputy Governor, Assistants, and Guardians of the Poor shall indemnify the said Parish of *Saint Philip and Jacob* therefrom.

Lands, Buildings, &c. to continue liable to be rated to the same Extent as heretofore.

XIII. And whereas when and so soon as the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises shall have been purchased by the said Governor, Deputy Governor, Assistants, and Guardians of the Poor, and appropriated for the Reception of Paupers belonging to the said City and County of the City of *Bristol*, under the Provisions of this Act, the same will not be subject and liable to such Rates, Taxes, and Levies to which the same are now subject and liable: And whereas it is expedient that the same should be made

subject

subject and liable to such Rates Taxes, and Levies; be it therefore further enacted, That the same Lands, Buildings, Messuages, Yards, Hereditaments, and Premises, when purchased and appropriated as aforesaid, shall be subject and liable to all Rates, Taxes, and Levies to which the same are now subject and liable, but shall not be assessed to any such Rates, Taxes, or Levies at a higher Rate or Value than that at which the same Lands, Buildings, Messuages, Yards, Hereditaments, and Premises are at the Time of such Purchase rated or assessed.

Senior Overseer of the Precinct of the Castle added to the Corporation of Guardians.

XIV. And be it further enacted, That the senior Overseer for the Time being of the Precinct of the Castle within the said City and County of the City of *Bristol* shall be and he is hereby appointed a Member of the Body Corporate constituted by the said recited Act under the Style of "The Governor, Deputy Governor, Assistants, and Guardians of the Poor of the City of *Bristol*," and shall be and is hereby empowered to act and join in acting in the Execution of the said recited Act and this Act, as fully and effectually, to all Intents and Purposes, as if he had been appointed a Member of the said Body Corporate by the said recited Act.

Power to sell certain Messuages and Land not wanted.

XV. And whereas the said Governor, Deputy Governor, Assistants, and Guardians are seised and possessed of certain Messuages, Farms, Lands, and Hereditaments which are not wanted for the Purposes of the said recited Act of the Third Year of the Reign of His said late Majesty, and of this Act, and the same, if sold and disposed of, would provide a Fund which might be advantageously applied in or towards the Discharge of the Expences attending the Purchase of the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises hereby authorized to be purchased, and of altering and adapting the same, and of erecting new and additional Buildings, for the Reception, Care, Maintenance, and Employment of all the Poor of the said City; and inasmuch as the present Hospital or Workhouse is a very old, inconvenient, unsuitable, and decayed Structure, and the annual Expences of maintaining and supporting the same are a considerable annual Charge upon the said Governor, Deputy Governor, Assistants, and Guardians, it is expedient that the said Governor, Deputy Governor, Assistants, and Guardians should be empowered to make sale of the Estates so vested in them, and of the several Buildings and Ground constituting the present Hospital and Workhouse and the Site thereof, in case the same shall become unnecessary, and of such Parts of the Lands hereby authorized to be purchased as may not be wanted to be retained, and to apply the Monies arising from such Sale to the Purposes of the said recited Act and of this Act; be it therefore further enacted, That if the said Governor, Deputy Governor, Assistants, and Guardians shall deem it expedient, it shall be lawful for the said Governor, Deputy Governor, Assistants, and Guardians, and any Person or Persons in whom any Lands, Tenements, or Hereditaments now are or under the Authorities of the said recited Act or this Act shall or may be vested, and they are hereby authorized and required, either by public Auction or private Contract, and either in One Lot or several Lots, to sell and dispose, and by Indenture or Indentures

tures under their Common Seal to grant and convey by way of absolute Sale in Fee Simple, or for such Estate and Interest as they shall then have therein, all or any Part or Parts of the Messuages, Premises, Lands, Tenements, or other Hereditaments which at and before the passing of this Act were or are vested in them the said Governor, Deputy Governor, Assistants, and Guardians, including therein the several Buildings and Ground constituting the present Hospital and Workhouse, and the Site thereof, in case the same shall become unnecessary for the Purposes of the said recited Act or this Act, subject to such Leases or other Incumbrances as may affect the same Premises respectively, and also all or any Part or Parts of such Lands, Buildings, Messuages, Yards, Hereditaments, and Premises as shall or may be purchased under the Powers and Authorities of this Act, and as shall not in the Judgment of the said Governor, Deputy Governor, Assistants, and Guardians be necessary or wanted to be retained for the Purposes of the said recited Act and of this Act, as they the said Governor, Deputy Governor, Assistants, and Guardians shall deem expedient, to such Person or Persons as shall be willing to treat for the same, to such Uses, upon such Trusts, and in such Manner, and upon such Terms, and for such Consideration, as the said Governor, Deputy Governor, Assistants, and Guardians shall judge advantageous and convenient; and upon Payment of the Money which shall arise by or from the Sale of such Lands, Tenements, or Hereditaments, or any Part or Parts thereof, it shall be lawful for the Treasurer for the Time being of the said Governor, Deputy Governor, Assistants, and Guardians, to sign and give Receipts for the Monies for which the same shall be sold, which Receipts shall be sufficient Discharges to any Person or Persons for the Purchase Money for which such Lands, Tenements, or Hereditaments shall be so sold, or for so much thereof as in such Receipts respectively shall be expressed or acknowledged to be received; and such Person or Persons shall not afterwards be answerable or accountable for any Loss, Misapplication, or Nonapplication of such Purchase Money or any Part thereof; and upon such Payment being so made, and such Conveyance or Conveyances executed, the said Messuages, Farms, Lands, Buildings, Yards, Hereditaments, and Premises so sold, and every Part thereof, shall be held by the Purchaser or respective Purchasers thereof, discharged of all Claims and Demands by or on the Part of the said Governor, Deputy Governor, Assistants, and Guardians, or of any Person or Persons claiming under or in Trust for them.

Application of Money arising from Sale of Lands, &c.

XVI. And be it further enacted, That the Monies arising from the Sale of such Messuages, Farms, Lands, and Hereditaments shall be applied and disposed of by the said Governor, Deputy Governor, Assistants, and Guardians in or towards the Purchase of the said Lands, Buildings, Messuages, Yards, Hereditaments, and Premises hereby authorized to be purchased, and in the altering and adapting the said Buildings hereby authorized to be purchased, and in erecting any new or additional Buildings, for the Reception, Care, Maintenance, and Employment of the Poor of the said City and County, and of furnishing the same for the Reception of the Inhabitants thereof, and for the Employment of the Poor therein, and the other general Purposes of the said Corporation.

XVII. And

Increasing the Penalty on Persons refusing to act as Guardians.

XVII. And whereas by the said recited Act it is enacted, that if any Person or Persons who should be duly elected a Guardian, Governor or Deputy Governor, or Assistant of the said Corporation, by virtue of the Provisions therein contained, other than and except the Mayor of the said City for the Time being, and the Aldermen of the said City, should, after Twenty Days Notice in Writing, signed by the said Governor, Deputy Governor, or by the Master for the Time being of the said Hospital, of such his Election or Appointment, and left at his or their last or usual Place or Places of Abode, or at his or their House or Houses of Business, if he or they shall not actually reside within the said City and County of the City of *Bristol*, refuse or omit to take upon himself or themselves respectively the Trust or Office or Trusts or Offices to which he and they should be so elected as aforesaid, then and in either of such Cases all and every such Person and Persons so refusing or neglecting as aforesaid should respectively forfeit and pay the several Sums of Money following; (that is to say), every such Person who should have been duly elected Governor of the said Corporation, the Sum of One hundred Pounds; every such Person who should have been duly elected Deputy Governor, the Sum of Fifty Pounds; every such Person who should have been duly elected an Assistant, the Sum of Thirty Pounds; and every such Person who should have been duly elected a Guardian, the Sum of Twenty Pounds; all which said Forfeitures and Penalties should be recoverable by Action or Suit in any of His Majesty's Courts of Record at *Westminster*, wherein no Essoign or Wager of Law, nor more than One Imparlance, should be allowed; and that the said Corporation should at any General or Special General Court or Assembly proceed to the Election of a new Governor or Deputy Governor, Assistant or Assistants, in the Place and Stead of the Governor, Deputy Governor, Assistant or Assistants refusing or omitting to act, as the Case might require; provided always, that no Person should be liable to any Penalty for omitting or refusing to take upon himself the Office of Guardian who should at the Time of his Election to the said Office have attained the Age of Sixty Years: And whereas it hath been found that the said Penalty of Twenty Pounds for not serving the Office of Guardian is insufficient to prevent many of the Persons elected Guardians of the said Corporation from refusing or omitting to take upon themselves the said Trust or Office, and several Persons so elected have preferred to pay the said Penalty or Sum of Twenty Pounds rather than to take upon themselves the said Office, to the great Inconvenience of the said Corporation, and the Prejudice of the other Inhabitants of the said City eligible to the same Office; and it is expedient that such Fine or Penalty should be increased; be it therefore further enacted, That from and after the passing of this Act, if any Person or Persons who shall be duly elected a Guardian of the said Corporation by virtue of the Provisions in the said recited Act contained, other than and except the Mayor of the said City, and the Aldermen of the said City, shall, after such Notice as by the said recited Act is required, refuse or omit to take upon himself or themselves respectively the Trust or Office or Trusts or Offices of a Guardian or Guardians to which he or they shall be so elected as aforesaid, such Person or Persons shall respectively forfeit

forfeit and pay the Sum of Forty Pounds instead of the Sum of Twenty Pounds as provided by the said recited Act, to be recoverable in the same Manner, and by the same Ways and Means as are directed and provided by the said recited Act, with the same Power for supplying Vacancies, and subject to such other Provisions as are contained in the said recited Act.

Treasurer and Clerk not to be the same Person.

XVIII. And be it further enacted, That it shall not be lawful for the said Governor, Deputy Governor, Assistants, and Guardians to continue or appoint the Person or Persons who has been or may be appointed their Clerk or Clerks in the Execution of the said recited Act and this Act, or the Partner or Partners of any such Clerk or Clerks, or any Person or Persons in the Service or Employ of any such Clerk or Clerks, or any Person or Persons in the Service or Employ of the Partner of such Clerk or Clerks, the Treasurer or Treasurers for the Purposes of this Act, or to continue or to appoint any Person or Persons who has been or may be appointed Treasurer or Treasurers, or the Partner or Partners of any such Treasurer or Treasurers, or any Person or Persons in the Service or Employ of any such Treasurer or Treasurers, or any Person or Persons in the Service or Employ of the Partner of such Treasurer or Treasurers, the Clerk or Clerks to the said Governor, Deputy Governor, Assistants, and Guardians; and if any Person or Persons shall accept both the Offices of Clerk and Treasurer for the Purposes of the said recited Act and this Act, or if any Person or Persons being the Partner or Partners of any such Clerk or Clerks or in the Service or Employ of any such Clerk or Clerks or of his or their Partner or Partners, shall accept the Office of Treasurer, or shall act as Deputy or Deputies of such Treasurer or Treasurers, or shall in any Manner officiate for such Treasurer or Treasurers, or being the Partner or Partners of any such Treasurer or Treasurers, or in the Service or Employ of any such Treasurer or Treasurers or of his or their Partner or Partners, shall accept the Office of Clerk in the Execution of the said recited Act and this Act, or shall act as Deputy or Deputies of such Clerk or Clerks, or shall in any Manner officiate for such Clerk or Clerks, or if any such Treasurer shall hold any Place of Profit or Trust under the said Governor, Deputy Governor, Assistants, and Guardians of the Poor, other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, together with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Justices may proceed by Summons for the Recovery of Penalties.

XIX. And be it further enacted, That in all Cases in which any Penalty or Forfeiture by the said recited Act of the Third Year of the Reign of His said late Majesty, and this Act, or either of them, is made recoverable by Information before a Justice of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against the said recited Act and this Act, or either of them, to summon the Party complained against

against before him, and on such Summons to hear and determine the Matter of such Complaint in a summary Way, and on Proof of the Offence to convict the Offender, and to adjudge him to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited or taken by or before such Justice; and all such Proceedings by Summons without Information shall be as good, valid, and effectual, to all Intents and Purposes, as if an Information in Writing had been exhibited.

For paying the Expences of the Act.

XX. And be it further enacted, That all the Costs, Charges, and Expences incident to and attending the obtaining and passing of this Act shall be paid and discharged by the said Governor, Deputy Governor, Assistants, and Guardians of the Poor, out of any Monies which may have arisen and been collected by virtue of the said recited Act, or out of the first Monies which shall arise by virtue thereof or of this Act, in preference to all other Payments whatsoever.

Public Act.

XXI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

The SCHEDULE to which the aforegoing Act refers.

ALL that Piece or Parcel of Land containing by Admeasurement One Acre and Two Roods, or thereabouts, situate, lying, and being in the Out Parish of Saint Philip and Jacob in the Hundred of Barton Regis in the County of Gloucester, formerly Part and Parcel of Two Closes of Land called Pennystone otherwise Penstone otherwise Punstone, Pieces bounded on the Northward and Westward by the remaining Part of one of the said Closes, formerly in the Occupation of one William Davis, on the East by the Remainder of the said other of the said Two Closes, heretofore in the Occupation of Sarah Tyler, and on the South and South-eastward Side by the Turnpike Road leading from Bristol to Stapleton.

And also all that Building called the Armoury, and all those Four Messuages or Dwelling Houses with the several Outbuildings and Offices heretofore erected and built in or upon the said Plot, Piece, or Parcel of Land by the principal Officers of His Majesty's Ordnance, for the Use of His Majesty King George the Third, and His Successors, and now in the Occupation of the said principal Officers of His Majesty's Ordnance, for the Service of His present Majesty King William the Fourth.

Also all that Close of Ground lying immediately adjoining the said Plot, Piece, or Parcel of Ground first above described, on the Northward and Westward Side thereof, called Pennystone otherwise Penstone otherwise Punstone's Close, situate in the Parish of Saint Philip and Jacob aforesaid, containing Three Acres and Eleven Perches, or thereabouts, formerly in the Occupation of the said William Davis, but now converted into Gardens in the Occupation of John Higgs and others.

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