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for the same County, of the Insufficiency or Inconveniency of their Gaol or Prison, to conclude and agree upon such Sum or Sums of Money as upon Examination of able and sufficient Workmen shall be thought necessary for the building, finishing, and repairing a public Gaol or Gaols belonging to the Shire or County whereof they are Justices of the Peace; and by Warrant under their Hands and Seals, or under the Hands and Seals of the greater Number of them, by equal Proportions, to distribute and charge the Sum or Sums of Money to be levied for the Uses aforesaid upon the several Hundreds, Lathes, Wapentakes, Rape, Ward, or other Division of the said County, in the Manner prescribed by the said Act; which said Act was revived and continued, by an Act passed in the Tenth Year of the Reign of Her late Majesty Queen *Anne*, for Seven Years, and to the End of the then next Session of Parliament, and made perpetual by an Act of the Sixth Year of the Reign of His late Majesty King *George* the First: And whereas by an Act passed in the Seventh Year of the Reign of King *James* the First, for the due Execution of divers Laws and Statutes heretofore made against Rogues, Vagabonds, and sturdy Beggars, and other lewd and idle Persons, it is (amongst other things) enacted, that there shall be erected, built, or otherwise provided, within every County of this Realm of *England* and *Wales*, where there is not One House of Correction already built, provided, or continued, One or more fit and convenient House or Houses of Correction, by the Justices of the Peace, or the more Part of them, at their respective Quarter Sessions; and that the Master or Governors of the said Houses of Correction shall have such Sums of Money yearly as shall be thought meet by the said Justices, the same to be paid quarterly beforehand by the Treasurers appointed by an Act made in the Three and fortieth Year of the late Queen *Elizabeth*, intituled *An Act for the Relief of the Poor*; which said Act was to continue for Seven Years, and till the End of the next Session of Parliament; and was further continued by an Act passed in the Third Year of the Reign of King *Charles* the First, intituled *An Act for the Continuance and Repeal of divers Statutes*, unto the End of the First Session of the next Parliament; and, by an Act passed in the Sixteenth Year of the same Reign, continued in force until repealed by some other Act of Parliament: And whereas by an Act passed in the Forty-third Year of the Reign of Queen *Elizabeth*, intituled *An Act for the Relief of the Poor*, it is (amongst other things) enacted, that the Justices of the Peace of every County or Place Corporate, or the more Part of them, in their General Sessions to be holden next after the Feast of *Easter*, and so yearly, as often as they shall think meet, shall rate every Parish to such a weekly Sum of Money as they shall think convenient, so as no Parish be rated above the Sum of Sixpence nor under the Sum of a Halfpenny weekly to be paid, and so as the total Sum of each Taxation of the Parishes in every County amount not to above the Rate of Twopence for every Parish within the said County; and it is thereby likewise enacted, that the Justices of the Peace, at their General Quarter Sessions to be holden at the Time of such Taxation, shall set down what competent Sums of Money shall be sent quarterly out of every County or Place Corporate for the Relief of the poor Prisoners of the King's Bench and Marshalsea, and also of such Hospitals and Almshouses as shall be in the said County, and what Sums of Money shall be sent to every one of the said Hospitals and Almshouses, so as there be sent out of every County yearly Twenty Shillings at the least to each of the said Prisons of the King's

King's Bench and Marshalsea; which Sums are rateably to be assessed upon every Parish, and to be levied and collected as in and by the said Act is directed: And whereas by an Act passed in the Fourteenth Year of the Reign of Queen *Elizabeth*, intituled *An Act how Vagabonds shall be punished and the Poor relieved*, it is enacted, that the Justices of the Peace of every County, or the more Part of them, in their General Quarter Sessions, shall rate every Parish at such reasonable Sums of Money for the Relief of Prisoners as they shall think convenient, so as no Parish be rated above Sixpence or Eight-pence weekly; and the Churchwardens of every Parish shall levy the same every *Sunday*, and once in every Quarter pay the said Sums to the High Constables or other Head Officers; and the said High Constables and Head Officers shall pay the Money received of the said Churchwardens to such Person as shall be appointed by the said Justices in Sessions, to be by them distributed weekly for the Relief of Prisoners; so much of which said Act as relates to the taxing, levying, receiving, and employing of Gaol Money was revived and continued to the End of the then next Session of Parliament by an Act passed in the First Year of the Reign of King *James* the First, intituled *An Act for continuing and reviving of divers Statutes, and for repealing of some others;* and was further continued by an Act passed in the Twenty-first Year of the Reign of the said King *James*, intituled *An Act for continuing and reviving of divers Statutes, and repeal of divers others;* and was further continued to the End of the next Session of Parliament by an Act passed in the Third Year of the Reign of King *Charles* the First, intituled *An Act for the Repeal and Continuance of divers Statutes*, and by an Act passed in the Sixteenth Year of the same Reign was continued in force until repealed by some other Act of Parliament: And whereas by an Act passed in the Nineteenth Year of the Reign of King *Charles* the Second, intituled *An Act for Relief of poor Prisoners, and setting them on work*, it is (among other things) enacted, that the Justices of the Peace at their General Sessions, or the major Part of them, if they think fit, may provide a Stock of Materials for setting poor Prisoners on work, in such Manner and by such Ways as other County Charges are levied and raised, and provide and pay fit Persons to oversee such Work, and make such Orders concerning the Premises, as they from Time to Time shall think fit, provided that no Parish be rated above Sixpence by the Week towards the Premises: And whereas an Act passed in the Twelfth Year of the Reign of Her late Majesty Queen *Anne*, for reducing the Laws relating to Rogues, sturdy Beggars, and Vagrants into One Act of Parliament, and for the more effectual punishing such Rogues, Vagabonds, sturdy Beggars, and Vagrants, and sending them whither they ought to be sent, it is (amongst other things) enacted, that the Justices of the Peace at their Quarter Sessions may from Time to Time, when need shall be, by such Ways and Means as Monies for County Gaols or Bridges may be raised, cause such Sums of Money to be raised within their respective Precincts and Jurisdictions, for the passing and conveying or maintaining of Rogues and Vagabonds, as shall be necessary for those Purposes; which said several Rates, when collected, are to be paid, by virtue of the said several Acts, into the Hands of Treasurers or Receivers to be appointed by the Justices at their respective General or Quarter Sessions of the Peace, and to be accounted for, as in and by the said several Acts are recited: And whereas it is apparent that the Manner and Methods prescribed by the said several respective Acts for collecting some

of the said Rates are impracticable, the Sums charged on each Parish in the respective Divisions being so small that they do not by an equal Pound Rate amount to more than a fractional Part of a Farthing in the Pound on the several Persons thereby rateable; and if possible to have been rated, the Expence of assessing and collecting the same would have amounted to more than the Sum rated: And whereas many and great Doubts, Difficulties, and Inconveniences have arisen in making and collecting other of the said Rates: Therefore that the good Ends and Purposes of the said several Statutes may be answered, and the several Sums of Money thereby intended to be raised may effectually be collected with as much Ease and Certainty and as little Expence as can be to the Parties obliged by the said Laws to pay the same; be it therefore 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 First Day of *September* One thousand seven hundred and thirty-nine, the Justices of the Peace in that Part of *Great Britain* called *England*, within the respective Limits of their Commissions, at their General or Quarter Sessions, or the greater Part of them then and there assembled, shall have full Power and Authority from Time to Time to make One general Rate or Assessment for such Sum or Sums of Money as they in their Discretions shall think sufficient to answer all and every the Ends and Purposes of the before-recited Acts, instead and in lieu of the several separate and distinct Rates directed thereby to be made, levied, and collected; which Rate shall be assessed upon every Town, Parish, or Place within the respective Limits of their Commissions, in such Proportions as any of the Rates heretofore made in pursuance of the said several Acts have been usually assessed; and the several and respective Sums so assessed upon each and every Town, Parish, or Place within the respective Limits of their Commissions, shall be collected by the High Constables of the respective Hundreds and Divisions in which any Town, Parish, or Place doth lie, in such Manner and at such Times as is herein-after directed.

After 1 Sept. 1739, Justices to make from Time to Time One general Assessment, instead of the several Rates appointed by several Acts;

II. And, that the respective Sum or Sums so to be assessed and collected may be well and truly paid to the respective High Constables, be it further enacted by the Authority aforesaid, That the Churchwardens and Overseers of the Poor for the Time being of each and every Parish and Place within the respective Counties, Cities, and Liberties in which they respectively lie, shall and they are hereby required, out of the Money collected or to be collected for the Relief of the Poor of such Parish or Place, to pay to the High Constables of the respective Hundreds or Divisions of the said Counties, Cities, and Liberties, the respective Sum or Sums of Money so rated and assessed upon such Parish or Place, within the Space of Thirty Days after Demand thereof made in Writing, to be given to the said Churchwardens or Overseers of the Poor, or any of them, or left at their or either of their Dwelling House or Houses, or affixed on any of the Church Doors of such Parish or Place to which such Officer shall belong, by the said High Constable or High Constables of the respective Hundreds or Divisions; which Demand the respective High Constable or High Constables is and are hereby required to make, at such Times as the said Justices of the Peace, or the greater Part of them, shall by their Order in Sessions direct; and the Receipt or Receipts of such High Constable or High Constables shall be a full and sufficient

to be paid out of the Poor's Rate of every Parish to the High Constable;

Discharge to such Churchwardens and Overseers of the Poor, or other Person paying the same, and shall be allowed in their Accounts as such by the Justices of the Peace before whom such Accounts shall be passed; and in case such Churchwardens and Overseers of the Poor, or any of them, shall neglect or refuse to pay any the Sum or Sums of Money hereby assessed, after Demand made as aforesaid, such High Constable or High Constables shall and they are hereby empowered to levy the same by Distress and Sale of the Goods and Chattels of such Churchwardens and Overseers, or either of them, so refusing or neglecting to pay the same as aforesaid, by Warrant under the Hands and Seals of Two or more Justices of the Peace of the County, Riding, Division, City, Town Corporate, Liberty, or Place, residing in or near such Parish or Place, rendering the Overplus, if any there shall be, after deducting the Money assessed and the Charges of the Distress and Sale, to the Owner or Owners thereof.

or to be levied on them by Distress.

III. Provided nevertheless, and be it enacted by the Authority aforesaid, That in case no Rate is or shall be made for the Relief of the Poor in any Parish, Township, or Place, the Justices of the Peace in their respective General or Quarter Sessions, or the greater Part of them then and there assembled, shall and may by their Order direct the Sum of Money assessed on such Parish, Township, or Place for the Purposes of this Act to be rated and levied on any such Parish, Township, or Place by any Petty Constables or other Peace Officer of or belonging to the same, in such Manner as Money for the Relief of the Poor is by Law to be rated or levied; which Sum so rated and levied shall be paid by such Petty Constable or other Peace Officer to the respective High Constable for the Hundred, Division, or Liberty wherein such Parish, Township, or Place shall lie; and shall be demanded of, paid by, or levied on such Petty Constable or other Peace Officer in the same Manner as any Rates are herein-before directed to be demanded of, paid by, and levied on the Churchwardens and Overseers of the Poor, or any of them; and if such Petty Constable or other Peace Officer shall pay such Sum, before the same shall be so by him rated and levied as aforesaid, he may afterwards rate and levy the same, or shall and may be allowed and reimbursed the said Sum of Money out of any Constable's or other Rate made or to be made on any such Parish, Township, or Place, which the said Justices of the Peace or the greater Part of them in their Sessions shall order and direct.

Where there is no Poor's Rate, the Petty Constable of the Place to levy and pay the County Rate.

IV. And whereas it will be very inconvenient to many Towns, Parishes, and Places in the several Counties of *York*, *Derby*, *Durham*, *Lancaster*, *Chester*, *Westmoreland*, *Cumberland*, and *Northumberland*, that the Rates by this Act directed to be paid by and levied on the Churchwardens and Overseers of the Poor for the Purposes aforesaid should be paid out of any Rate to be made for the Relief of the Poor in such Towns, Parishes, and Places; be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Justices of the Peace for the respective Ridings, Divisions, or Counties of *York*, *Derby*, *Durham*, *Lancaster*, *Chester*, *Westmoreland*, *Cumberland*, and *Northumberland*, at their respective General or Quarter Sessions, or the greater Part of them then and there assembled, if they shall think convenient, to order the Sum of Money directed to be assessed on any such Town, Parish, or Place, for all or any of the Purposes of this Act, to be paid by and levied on the Petty

Counties excepted from paying the Rate of this Act out of the Poor's Rate.

Petty Constable of or for any such Town, Parish, or Place within the said Counties respectively, in such Manner as the same is herein directed to be paid and levied in Cases where no Rate is made for the Relief of the Poor; any thing herein contained, or any Law, Usage, or Custom, to the contrary notwithstanding.

Proviso in favour of Places heretofore not paying all or any County Rates.

V. Provided always, and be it enacted by the Authority aforesaid, That this Act or any thing herein contained shall not extend or be construed to extend to make any Persons, Liberties, Divisions, or Places liable to pay to any Rate to be made in pursuance of this Act, to which such Person, Liberty, Division, or Place did not or was not liable to contribute before the passing hereof; but that it shall and may be lawful to and for the Justices of the Peace at their respective General or Quarter Sessions, or the greater Part of them then and there assembled, to order and ascertain what Proportion of any Rate to be made by virtue of this Act shall be assessed on and paid by the several Persons, Liberties, Divisions, and Places, who have usually contributed or are liable to pay only to One or more of and not to all the Rates hereby intended to be raised and thrown into one general Rate or Assessment.

High Constables to pay the Monies to the Treasurers appointed by the Quarter Sessions, and they to whomsoever the Justices shall direct.

VI. And be it further enacted by the Authority aforesaid, That the respective High Constables shall and they are hereby required, at or before the next General or Quarter Sessions respectively after they or any of them shall have received such Sum or Sums of Money, to pay the same into the Hands of such Person or Persons (being resident in any such County, Riding, Division, City, Liberty, or Place where such Rates shall be respectively made) whom the said Justices shall at their respective General or Quarter Sessions, or the greater Part of them then and there assembled, appoint to be the Treasurer or Treasurers, (which Treasurer or Treasurers they are hereby authorized and empowered to nominate and appoint,) such Treasurer or Treasurers first giving sufficient Security in such Sums as shall be approved of by the said Justices at their respective General or Quarter Sessions, or the greater Part of them then and there assembled, to be accountable for the several and respective Sums of Money which shall be respectively paid to them in pursuance of this Act; and to pay such Sum or Sums of Money as shall be ordered to be paid by the Justices in their General or Quarter Sessions, and for the due and faithful Execution of the Trusts reposed in him or them; and all and every such Sum or Sums of Money as shall be paid into his or their Hands by virtue of and in pursuance of this Act shall be deemed and taken to be the public Stock; and the said Treasurer or Treasurers shall and are hereby required to pay so much of the Money in their Hands to such Person and Persons as the said Justices at their respective General or Quarter Sessions, or the greater Part of them then and there assembled, shall by their Orders from Time to Time direct and appoint, for the Uses and Purposes of the said recited Acts, and for any other Uses and Purposes to which the public Stock of any County, City, Riding, Division, or Liberty is or shall be applicable by Law.

Treasurers to keep Books of Entries,

VII. And be it further enacted by the Authority aforesaid, That the said respective Treasurer or Treasurers shall and are hereby required to keep Books of Entries of the several Sums respectively received and paid by

by him or them in pursuance of this Act; and is and are also hereby required to deliver in true and exact Accounts upon Oath if required (which Oath the said Justices at their respective General or Quarter Sessions are hereby empowered to administer) of all and every the Sum and Sums of Money respectively received and paid by him or them, distinguishing the particular Uses to which such Sum or Sums of Money have been applied, to the Justices at every General or Quarter Sessions respectively to be holden within the Limits of their Commissions; and shall lay before the Justices at such Sessions the proper Vouchers for the same.

and to account upon Oath.

VIII. And be it further enacted by the Authority aforesaid, That the respective High Constables shall and they are hereby required to demand and levy such Rates and Assessments in manner before directed, and shall account for the same before the said Justices at their respective General or Quarter Sessions, if thereunto required, in the like Manner as the said Treasurer or Treasurers is and are hereby directed to account; and in case such High Constables, or any of them, shall neglect or refuse so to demand, levy, or account, then it shall and may be lawful to and for the said Justices at their respective General or Quarter Sessions, or the greater Part of them then and there assembled, to commit such High Constable or High Constables to the Common Gaol of the County, Riding, Division, City, Town Corporate, Liberty, or Place, there to remain without Bail or Mainprize until he or they shall have caused such Rates or Assessments to be demanded and levied, and shall have rendered a true Account or Accounts in the Manner hereby directed; and in case it shall appear by such Account or Accounts that any Sum or Sums of Money is or are remaining in his or their Hands, which he or they shall have received of the respective Churchwardens and Overseers, or other Persons, which ought to have been paid to the respective Treasurer or Treasurers, at the Time or Times limited by this Act, or of the respective Treasurer or Treasurers, in order to be applied to the Purposes aforesaid; and if he or they shall neglect or refuse to pay the same over into the Hands of the respective Treasurer or Treasurers, or otherwise, if thereunto required by Order of the said Justices at their respective General or Quarter Sessions, or the greater Part of them then and there assembled, then it shall and may be lawful for the said Justices, at such their General or Quarter Sessions, or the greater Part of them then and there assembled, to commit such High Constable or High Constables to the Common Gaol of the County, Riding, Division, City, Town Corporate, Liberty, or Place, there to remain without Bail or Mainprize until he or they shall have made full Payment of the Sum or Sums of Money that shall appear to be due on such Account or Accounts; and all the Accounts and Vouchers of the said Treasurers and High Constables shall, after having been passed by the said Justices at their respective General or Quarter Sessions, be deposited with the Clerk of the Peace for the Time being of each County respectively, or the Town Clerk, High Bailiff, or Chief Officer of any City, Town Corporate, or Liberty, who is and are hereby required to keep them among the Records of such County, City, Town Corporate, or Liberty, to be inspected from Time to Time by any of the said Justices within the Limits of their Commissions, as Occasion shall require, without Fee or Reward:

High Constables Charge.

Penalty on Default.

Their and the Treasurers Vouchers to be kept among the Records of the County, &c.

What shall be their respective Discharge.

IX. And be it further enacted by the Authority aforesaid, That the Receipts of such respective Treasurer or Treasurers shall be sufficient Discharges to all High Constables; and the Discharges of the said Justices of the Peace, or the greater Part of them, by their Orders made at their respective General or Quarter Sessions to such Treasurer or Treasurers, shall be deemed and allowed as good and sufficient Releases, Acquittances, or Discharges in any Court of Law or Equity to all Intents and Purposes whatsoever.

The Condition on which new Rates are to be made.

X. And be it further enacted by the Authority aforesaid, That no new Rate shall be made until it shall appear to the said Justices at their respective General or Quarter Sessions, or the greater Part of them then and there assembled, by the Accounts of their respective Treasurer or Treasurers, or otherwise, that Three Fourths of the Money collected by virtue of the preceding Rate have been expended for the Uses and Purposes aforesaid.

Treasurer to be continued or removed at the Will of the Quarter Sessions.

XI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Justices of the Peace at their respective General or Quarter Sessions, or the greater Part of them then and there assembled, to continue from Time to Time such Treasurer or Treasurers in his or their Office or Offices so long as they shall see convenient, and to remove him or them at their Pleasure, and appoint any other Person or Persons in his or their Place; and to allow to him or them and every of them, insisting on the same, such reasonable Sum or Sums of Money for his or their Care and Pains in the Execution of such Trust, not exceeding Twenty Pounds by the Year, as they in their Discretions shall think fit; which they are hereby empowered to direct the Payment of out of the Monies arising by the respective Rates hereby appointed to be made.

Parishes over-rated to appeal to the said Sessions.

XII. And be it further enacted by the Authority aforesaid, That in case the Churchwardens and Overseers of any Parish or Place shall at any Time have reason to believe the said Parish or Place is over-rated, such Churchwardens and Overseers may appeal to the respective Justices of the Peace at their next General or Quarter Sessions against such Part of the Rate only as may affect the Parishes or Places in which they serve such Offices; which Justices, or the greater Part of them then and there assembled, are hereby authorized and empowered to hear and finally determine the same: Provided nevertheless, that upon such Appeal such Rate shall not be quashed or destroyed in regard to any other Parishes or Places assessed thereby.

No Repairs of Bridges, &c. but upon Presentments of the Grand Jury.

XIII. And be it further enacted by the Authority aforesaid, That no Part of the Money to be raised and collected in pursuance of this Act shall be applied to the Repair of any Bridges, Gaols, Prisons, or Houses of Correction, until Presentments be made by the respective Grand Juries at the Assize, Great Sessions, General Gaol Delivery, or General or Quarter Sessions of the Peace held for any County, Riding, Division, City, Town Corporate, or Liberty, of the Insufficiency, Inconveniency, or Want of Reparation of their Bridges, Gaols, Prisons, or Houses of Correction.

XIV. And

Justices to contract with Persons for public Repairs upon public Notice.

XIV. And be it further enacted by the Authority aforesaid, That from and after the First Day of *June* One thousand seven hundred and thirty-nine, when any public Bridges, Ramparts, Banks or Cops, or other Works, are to be repaired at the Expence of any County, City, Riding, Hundred, Division, Liberty, or Town Corporate, it shall and may be lawful to and for the Justices of the Peace at their General or Quarter Sessions respectively, or the greater Part of them then and there assembled, if they think proper and convenient, after Presentment to be made as aforesaid of the Want of Reparation of such Bridges, Ramparts, Banks, or Cops, to contract and agree with any Person or Persons for rebuilding, repairing, and amending of such Bridges, Ramparts, Banks, or Cops as shall be within their respective Counties, Cities, Ridings, Hundreds, Divisions, Liberties, or Towns Corporate, and all other Works which are to be repaired and done by Assessment on the respective Counties, Cities, Ridings, Hundreds, Divisions, Liberties, or Towns Corporate, for any Term or Terms of Years, not exceeding Seven Years, at a certain annual Sum, Payment, or Allowance for the same; such Contractor or Contractors giving sufficient Security for the due Performance thereof to the respective Clerk of the Peace for the Time being, or the Town Clerk, High Bailiff, or Chief Officer of any City, Town Corporate, or Liberty; and that such Justices at their respective General or Quarter Sessions shall give public Notice of their Intention of contracting with any Person or Persons for rebuilding, repairing, and amending the Bridges, Ramparts, Banks, or Cops, and other Works aforesaid; and that such Contracts shall be made at the most reasonable Price or Prices which shall be proposed by such Contractors respectively; and that all Contracts when agreed to, and all Orders relating thereto, shall be entered in a Book to be kept by the respective Clerk of the Peace for the Time being, or the Town Clerk, High Bailiff, or Chief Officer of any City, Town Corporate, or Liberty for that Purpose, who is and are hereby required to keep them amongst the Records of such County, City, Town Corporate, or Liberty, to be from Time to Time inspected at all seasonable Times by any of the said Justices within the Limits of their Commissions, and by any Person or Persons employed or to be employed by any Parish, Township, or Place contributing to the Purposes of this Act, without Fee or Reward.

Justices to make but One Rate for Middlesex.

XV. And it is hereby further enacted, That there shall be but One Rate made and assessed by the Justices of the Peace of the County of *Middlesex*, in the said County, City, and Liberty of *Westminster*, for the several Purposes aforesaid, and for the Repair of the Gaol commonly called *New Prison*, in the said County of *Middlesex*.

Exception as to the House of Correction at Westminster.

XVI. Provided nevertheless, That the Justices of the Peace for the City and Liberty of *Westminster*, at their General or Quarter Sessions to be holden for the same City or Liberty, or the greater Part of them then and there assembled, shall have full Power to appoint the Governor or Master of the House of Correction within the said City or Liberty, who shall have such Sum of Money yearly as hath been accustomed for and towards the Support and Maintenance of the Prisoners in his Custody who shall be sick or unable to work (not exceeding the present Allowance of Fifty Pounds by the Year), and direct the Repairs and Management thereof as they heretofore have done; and the Treasurer or Treasurers

of

of the Money arising by the Rates in the said County of *Middlesex* and City and Liberty of *Westminster*, hereby appointed to be collected, shall and is and are hereby required to obey all Orders which shall from Time to Time be made by the said Justices of the said City and Liberty, or the greater Part of them then and there assembled at their General or Quarter Sessions, for the Payment of any Sum or Sums of Money for the Allowance allotted to such Governor or Master of the House of Correction, and the Repairs thereof, which Orders shall be good and sufficient Discharges to such Treasurer or Treasurers; any thing herein contained to the contrary thereof in anywise notwithstanding.

Justices empowered to oblige Collectors to account with them;

XVII. And be it further enacted by the Authority aforesaid, That the Justices of the Peace at their respective General or Quarter Sessions, or the greater Part of them then and there assembled, shall be and are hereby empowered to oblige, by their Order or Orders, the respective High Constables and Petty Constables, or any other Person or Persons who are or have been empowered to levy, collect, or receive any Sum or Sums of Money by virtue of and for the Purposes aforesaid, and who have any Sum or Sums of Money in their Hands, to account with them at their General or Quarter Sessions, in such Manner as High Constables are directed to account by virtue of this Act; and in case such High Constables or Petty Constables, or other Person or Persons, shall refuse to account or to pay over the Money that shall remain in their or any of their Hands, when thereunto required by Order of the said Justices, or the greater Part of them, in their respective General or Quarter Sessions assembled, in either of the said Cases the said Justices shall have the like Remedy against them, or any of them, as they have against the High Constables by virtue of this Act, for not accounting for or paying over the Money remaining in their Hands; and it shall and may be lawful to and for the said Justices, at their respective General or Quarter Sessions, or the greater Part of them then and there assembled, and they are hereby empowered to direct and order the Payment of the respective Sums of Money which shall appear to be remaining due, and not applied or disposed of, into the Hands of the respective Treasurer or Treasurers to be appointed by this Act, which shall be deemed to be Part of the Stock of the said Counties, Cities, Ridings, Divisions, Liberties, or Places respectively, and to enquire what Sums of Money are due and owing for the Purposes aforesaid, and then to order the Payment of such Sums as shall appear to them upon such Enquiry to be justly due and owing.

and to order the Money unapplied to be paid to the Treasurer.

No Action against Persons collecting on Rates discharged by Certiorari, &c.;

XVIII. And be it further enacted by the Authority aforesaid, That no Action or Suit shall be commenced or prosecuted against any Person or Persons who has or have been or shall be employed in the collecting or receiving any Money, in pursuance of the said recited Acts or this present Act, on any Rate or Rates which has or have been or shall be quashed or discharged on any Certiorari brought or to be brought in any of His Majesty's Courts of Record at *Westminster*, or otherwise, for any Money collected or received or to be collected or received on any such Rate or Rates before such Writ of Certiorari was or shall be brought and allowed; and that Justice may be done to such Persons who shall or may pay towards any Rate which shall be quashed or discharged, the several Sums of Money which shall appear to have been paid by them on such Rate, either in whole or in part, more than they ought to have paid, shall be repaid

but the Persons overrated to be relieved.

repaid or allowed to them in the next Rate or Rates which shall be made in pursuance of this Act, as if the same had been paid on such new Rate or Rates; any thing in any former Act, or any Law, Usage, or Custom, to the contrary thereof in anywise notwithstanding.

Such Collectors obliged to make Payment.

XIX. Provided nevertheless, and it is hereby further enacted, That all and every such Person and Persons so employed or to be employed shall account for and pay over the Money by them respectively received, in the same Manner, and under the like Penalties for any Neglect or Refusal therein, as are to be inflicted by virtue of this Act on any Person or Persons neglecting or refusing to account for or pay over any Money remaining in his or their Hands, which he or they have received in pursuance hereof; any thing in any of the said recited Acts contained to the contrary thereof in anywise notwithstanding.

Justices of Middlesex to have the same Powers at their General as at their Quarter Sessions.

XX. And be it further enacted by the Authority aforesaid, That the Justices of the Peace for the said County of *Middlesex*, at their General Sessions of the Peace to be holden for the said County, shall have the same Powers and Authorities to put this Act in execution as are hereby given them at their General Quarter Sessions; any thing in this or any former Act, or any Law, Usage, or Custom, to the contrary notwithstanding.

Writ of Certiorari on what Terms issuable.

XXI. And be it further enacted by the Authority aforesaid, That no Writ of Certiorari to remove any Rates made in pursuance of this Act, or to remove any Orders or other Proceedings taken or made by the said respective General or Quarter Sessions touching such Rates, shall be taken out or granted, but upon a Motion to be made some Time in the first Week of the next Term after the Time for appealing from such Rates or Orders is expired, and upon making it appear to the Court, by Affidavit or otherwise, that the Merits of the Question upon such Appeal or Orders will, by such Removal, come properly in the Judgment of the said Court; and that no such Writ of Certiorari shall be allowed until sufficient Security be given to the respective Treasurer or Treasurers appointed by virtue of this Act, in the Sum of One hundred Pounds, to prosecute such Writ of Certiorari with Effect, and to pay the Costs to be ascertained by the Court to which such Rates, Orders, or Proceedings shall be removed, in case such Rates or Orders shall be confirmed; nor shall any such Rates, Orders, or Proceedings be quashed or vacated for want of Form only; and all Charges attending such Removal shall be defrayed out of that or any subsequent Rate.

Part of the Acts 14 & 43 Eliz. & 19 Car. 2. repealed.

XXII. And be it further enacted by the Authority aforesaid, That so much of the before-recited Act passed in the Fourteenth Year of the Reign of Queen *Elizabeth*, as relates to the Method of taxing Parishes for the Relief of Prisoners; and so much of the said Act of the Forty-third Year of the same Reign, as relates to the Method of raising Money for the King's Bench and Marshalsea Prisons, Hospital, and Almshouses; and so much of the said Act of the Nineteenth Year of the Reign of King *Charles* the Second, as relates to the Method of rating Parishes for providing Materials for the setting poor Prisoners on work; shall be repealed and be absolutely null and void.

Manner of the Payment of the King's Bench and Marshalsea Money.

XXIII. Provided nevertheless, That such Sums as have been annually paid to the King's Bench and Marshalsea Prisons shall be paid out of the Monies arising by virtue of this Act, at such Times and in such Manner as is prescribed in and by an Act passed in the Eleventh Year of the Reign of His present Majesty, intituled *An Act for the more effectual securing the Payments of certain Sums of Money directed by an Act made in the Forty-third Year of the Reign of Queen* Elizabeth, *intituled 'An Act for 'the Relief of the Poor,' to be paid by the respective Treasurers of every County of* England *and* Wales, *for the Relief of the poor Prisoners of the King's Bench and Marshalsea Prisons;* and such Money as shall be judged necessary by the Justices of the Peace in Sessions to be applied, in pursuance of the said recited Act of the Fourteenth Year of the Reign of Queen *Elizabeth*, for the Relief of Prisoners, and of the said Act of the Nineteenth Year of the Reign of King *Charles* the Second, for providing Materials for the setting poor Prisoners on work, shall be paid out of the Monies arising by this Act.

Limitation of Actions.

XXIV. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing that shall be done in pursuance or by the Authority of this present Act, in every such Case the Action or Suit shall be commenced within Three Months next after the Fact committed, and not afterwards, and shall be laid and brought in the respective County in which the Cause of Action or Suit shall arise, and not elsewhere; and the Defendant or Defendants in such Action or Suit to be brought shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to be done, or that such Action or Actions shall be brought after the Time before limited for bringing the same as aforesaid, or shall be brought in any other County or Place, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his, her, or their Actions or Suit, after the Defendant or Defendants hath or have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

General Issue.

Treble Costs.

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