ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 73.

An Act for altering and amending Three Acts, of the Sixth Year of Queen *Anne*, the Thirty-second Year of King *George* the Second, and the Twenty-sixth Year of His present Majesty, for erecting a Workhouse in the Town and Borough of *Plymouth*, in the County of *Devon*, and for setting the Poor on Work, and maintaining them there.

[21st *May* 1813.]

WHEREAS by an Act, passed in the Sixth Year of the Reign of Her Majesty Queen *Anne*, intituled *An Act for erecting a Workhouse in the Town and Borough of* Plymouth, *in the County of* Devon, *and for setting the Poor on Work, and maintaining them there*; 6 Ann. the Mayor and Recorder of the said Town for the Time being, Six of the Masters or Magistrates of the said Town, Six more of the Four-and-twenty or Common Council of the said Town, and Twenty other Persons to be chosen out of the ablest and discreetest Inhabitants of the Parish of *Saint Andrew* within the said Town, and Eighteen others of the ablest and discreetest Inhabitants of the Parish of *Charles*, within the said Town, were made and constituted a Corporation and Body Politic, by the Name of *Guardians of the Poor of the Town of Plymouth, in the County of Devon*, to have a perpetual Succession: And they had certain Powers and Property vested in them and their Successors, in Trust to manage, govern,

govern, direct, and employ the same for the Benefit and Advantage of the Poor of *Plymouth* aforesaid, under the Rules and Directions, and in the Manner therein mentioned: And the said Corporation was thereby empowered (among other Things) to rate and assess such Sum and Sums of Money as should be necessary for the Purposes in the said Act mentioned, on the respective Inhabitants or Occupiers of Lands, Houses, Tenements, Tithes Impropriate, Appropriation of Tithes, and on all Persons having and using Stocks and Personal Estates in the said Town and Liberties and Precincts of the same, and the Parishes therein mentioned, in equal Proportion, according to their several and respective Values, to be assessed, collected, and received by such Ways and Means, and in such Manner as is therein mentioned, so as the same should not exceed what had been paid in the said Town and Parishes towards the Maintenance of the Poor thereof, in the Year of our Lord One thousand seven hundred and two: And it was thereby enacted, that the said Corporation should take Care of and provide for all the Poor of the said Town, Precincts, and Parishes, who ought by Law to be relieved and provided for by their respective Parishes (except as therein mentioned): And whereas by another Act, passed in the Thirty-second Year of the Reign of His late Majesty
32 G. 2. c. 59. King *George* the Second, intituled *An Act to explain, amend, and render more effectual an Act passed in the Sixth Year of the Reign of Her late Majesty Queen* Anne, *intituled* '*An Act for erecting a Workhouse in the* '*Town and Borough of* Plymouth, *in the County of* Devon, *and for* '*setting the Poor on Work and maintaining them there*;' *and for obliging the Mayor and Commonalty of* Plymouth *to contribute towards the County Rates of* Devon; *and for applying, for the Relief of the Poor in the said Workhouse certain Surplus Monies which have formerly arisen by the Assessments for raising the Land Tax in the said Town*; the said Guardians of the Poor were thereby empowered to raise and levy by Assessment and Taxation of and on the respective Inhabitants or Occupiers of Lands, Houses, Tenements, Tithes Impropriate, Appropriation of Tithes, and on all Persons owning, possessing, having, and using Stocks and Personal Estates, or residing as Lodgers, Boarders, or Housekeepers in the said Town and Liberty, and Precincts of the same, and Parishes aforesaid, in equal Proportions, according to their several and respective Values and Abilities, by the Ways and Means therein mentioned, any Sum or Sums of Money not exceeding One thousand Pounds in any One Year, for the Purposes of the said Act: And whereas by another Act, passed in the Twenty-sixth Year of the Reign of His present Majesty King *George* the Third, intituled
26 G. 3. c. 19. *An Act to amend and render more effectual Two Acts, made in the Sixth Year of the Reign of Queen* Anne, *and the Thirty second Year of the Reign of His late Majesty King* George *the Second, for erecting a Workhouse in the Town and Borough of* Plymouth, *in the County of* Devon, *and for setting the Poor on Work, and maintaining them there*; *and for obliging the Mayor and Commonalty of* Plymouth *to contribute towards the County Rates of* Devon, *and for applying, for the Relief of the Poor in the said Workhouse, certain Surplus Monies, which have formerly arisen by the Assessment for raising the Land Tax in the said Town, and for granting further Power to the Guardians of the Poor of the Town of* Plymouth, *in the County of* Devon, the said Guardians of the Poor were thereby empowered to raise and levy, by Assessment and Taxation of and on the respective Inhabitants or Occupiers of Lands, Houses, Tenements, Tithes Impropriate, Appropriation of

Tithes, and on all Perſons owning, poſſeſſing, having, and uſing Stocks and Perſonal Eſtates, or reſiding as Lodgers, Boarders, or Houſekeepers in the ſaid Town and Borough of *Plymouth*, or the Liberty and Precincts of the ſame, and the Pariſhes of *Saint Andrew* and *Charles*, within the ſame, in equal Proportions, according to their ſeveral and reſpective Values and Abilities, by the Ways and Means therein mentioned, ſuch Sum or Sums of Money as ſhould or might be neceſſary for the employing and maintaining the Poor in the ſaid Town and Borough of *Plymouth*, and for the other Purpoſes in the ſaid Two recited Acts, or either of them, and in the ſaid Act now in recital (beſides the Charges and Expences of procuring and paſſing the ſame), ſo as ſuch Sum or Sums of Money ſo to be raiſed and levied did not in all exceed the Sum of One thouſand five hundred Pounds in any one Year, including ſuch Sum and Sums of Money as the ſaid Guardians had a Right or Power to raiſe and levy by virtue of both or either of the ſaid recited Acts, beſides the Expences of paſſing the ſaid Act now in recital; and further, that if at any Time or Times thereafter the ſaid Guardians of the Poor ſhould think it neceſſary to raiſe and levy any additional Sum or Sums, over and above the ſaid Sum of One thouſand five hundred Pounds (beſides the Expences of procuring the ſaid Act) in any One Year, in order the more effectually to carry the Purpoſes of that and the ſaid Two former Acts into Execution, then and ſo often the ſaid Guardians ſhould, under their Common Seal, certify to the Juſtices of the Peace at the next General Court of Quarter Seſſions to be holden in and for the ſaid Borough of *Plymouth*, the Circumſtance or Circumſtances which rendered an additional Rate or Aſſeſſment neceſſary, and ſpecify therein ſuch additional Sum or Sums as they the ſaid Guardians might think requiſite, and at the ſame Time produce, or cauſe to be produced to the Juſtices there preſent, a State of their Receipts and Payments for the preceding Year, authenticated by the Oath of the Treaſurer or Treaſurers of the ſaid Corporation of Guardians for the Time being, if required; or in caſe ſuch additional Rate or Aſſeſſment ſhould be wanted before the next General Court of Quarter Seſſions for the ſaid Borough ſhould be held, then that ſuch Certificate and State of Account ſhould be produced at the next Adjourned Seſſions for the ſaid Borough, or at a Special Seſſions to be held at the Guildhall in and for the ſaid Borough for the Purpoſe; and the Juſtices preſent at ſuch Court of General, Adjourned, or Special Seſſions, ſhould examine into the Circumſtances of the Caſe, and aſcertain, award, and direct, under their Hands, ſuch additional Sum or Sums of Money to be raiſed and levied as they thought proper, not exceeding the Sum to be ſpecified in the aforeſaid Certificate, which additional Sum or Sums ſo aſcertained and directed by the ſaid Juſtices, the ſaid Guardians of the Poor ſhould proportion out, rate, and aſſeſs, on the reſpective Inhabitants or Occupiers of Houſes, Lands, Tenements, Tithes Impropriate, Appropriation Tithes, and on all Perſons owning, poſſeſſing, having, and uſing Stocks and Perſonal Eſtates, or reſiding as Lodgers, Boarders, or Houſekeepers in the ſaid Town and Borough, or the Liberty and Precincts of the ſame, and Pariſhes aforeſaid, in equal Proportion according to their ſeveral and reſpective Values and Abilities, to be aſſeſſed, collected, and received by ſuch Ways and Means, and in ſuch Manner as is therein mentioned: And whereas the ſaid Sum of One thouſand five hundred Pounds, ſo to be raiſed and levied in any one Year, has, for many Years paſt, been uſually, and for the moſt Part, aſſeſſed

aſſeſſed and rated purſuant to and under the Directions of the ſaid laſt recited Act; and the ſaid Guardians have alſo found it neceſſary, for many Years paſt, to raiſe and levy additional Sum and Sums (over and above the ſaid Sum of One thouſand five hundred Pounds) in one and the ſame Year, by additional Rates and Aſſeſſments, in order the more effectually to carry the Purpoſes of the ſaid laſt Act and the ſaid Two former Acts into Execution, purſuant to and under the Directions of the ſaid laſt recited Act: And whereas the Poor within the Town of *Plymouth* have for ſeveral Years laſt paſt conſiderably increaſed, and from ſuch Increaſe, as well as from the Increaſe in the Price of Proviſions, and from other Circumſtances, it is found that the ſaid Sum of One thouſand five hundred Pounds, or ſo much thereof as hath been or could be levied and raiſed under the Proviſions of the ſaid recited Acts, together with the Annual Income of the Real and Perſonal Eſtates entruſted with and veſted in the ſaid Guardians of the ſaid Poor, is greatly inſufficient to anſwer the Purpoſes for which the ſame were intended, ſo that large additional Rates and Aſſeſſments are annually wanted to carry the Purpoſes of the ſaid Acts into Execution, before the Amount of the additional Sum or Sums of Money requiſite to be raiſed and levied, can be aſcertained and awarded, rated and aſſeſſed, collected and received, by Means whereof the ſaid Guardians have been obliged, from Time to Time, to borrow and take up at Intereſt divers Sums of Money, for the neceſſary Uſes and Purpoſes of the ſaid Acts; and have thereby incurred a conſiderable Debt, which is ſtill ſubſiſting: And whereas the Payment of the ſaid Rates is much evaded, by reaſon that divers Houſes within the ſaid Borough of *Plymouth* are let out in Parcels to Undertenants and to Lodgers in ſeparate Apartments, and inaſmuch as the Powers and Proviſions of the ſaid Acts, and eſpecially for aſſeſſing, raiſing, levying, and recovering the Rates or Sums of Money, for the Expences of maintaining and providing for the ſaid Poor in the ſaid Town and Borough of *Plymouth*, have been found by Experience inadequate for the Purpoſes thereby intended, it is expedient that the ſame ſhould be altered and amended, and it would tend to the Equalization and better Collection of the ſaid Rates, if additional Powers were given to the ſaid Corporation for aſſeſſing and collecting ſuch Rates; and it is alſo expedient that the ſaid Corporation ſhould be enabled to diſcharge their preſent Debt, and that additional Powers ſhould be given to them, for employing, maintaining, regulating, and managing the Poor under their Care, agreeable to the Purport and Intent of the ſaid recited Acts, and that they ſhould be empowered to levy and raiſe ſuch further yearly Sum or Sums of Money as are herein-after mentioned (in lieu and ſtead of and in addition to the ſaid yearly Sum of One thouſand five hundred Pounds), for the Purpoſe of carrying this Act and the ſaid recited Acts into Execution: But as ſuch beneficial Purpoſes cannot be effected without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, it ſhall and may be lawful to and for the Corporation of the Guardians of the Poor of the Town of *Plymouth*, in the County of *Devon*, and their Succeſſors, yearly and every Year, to make an Order or Orders for the raiſing and levying, and afterwards to raiſe and levy, by Aſſeſſment and

Power to raiſe a Sum by Aſſeſſments.

Taxation

Taxation of and on the reſpective Inhabitants or Occupiers of Lands, Houſes, Tenements, Tithes Impropriate, Appropriation of Tithes, Hereditaments and Premiſes, in the ſaid Town and Borough of *Plymouth*, or the Liberty and Precincts of the ſame, and the Pariſhes of *Saint Andrew* and *Charles*, within the ſame, in equal Proportions, according to their ſeveral and reſpective Values and Abilities, by the Ways and Means directed and appointed by the ſaid recited Act, paſſed in the Sixth Year of the Reign of Her late Majeſty Queen *Anne*, and by this Act, as herein-after mentioned, ſuch Sum or Sums of Money as ſhall or may be neceſſary for the employing and maintaining the Poor of the ſaid Town and Borough of *Plymouth*, the Payment and Diſcharge of the ſaid Debt, together with the Intereſt thereon due from the ſaid Guardians, and for other the Purpoſes in the ſaid Three ſeveral recited Acts, or any of them, and this Act mentioned, ſo as ſuch Sum or Sums of Money ſo to be annually raiſed and levied, do not in all exceed the Sum of Six thouſand Pounds in any one Year, including ſuch Sum and Sums of Money as the ſaid Guardians have a Right or Power to raiſe and levy, by virtue of all, any, or either of the ſaid recited Acts; which ſaid Sum or Sums ſo to be annually raiſed for the Purpoſes aforeſaid, ſhall be alſo aſſeſſed, raiſed, and paid, by ſuch Quarterly, Monthly, or other Payments, as the ſaid Guardians of the Poor ſhall from Time to Time think fit and expedient, by the ſame Ways and Means, and with the ſame or the like Powers of Diſtreſs, and other Powers for raiſing, levying, and compelling the Payment thereof, and with the ſame Liberty of Appeal to the Quarter Seſſions, as in the ſaid Three ſeveral recited Acts, or by this Act, or either of them, is given, provided, directed, or appointed, of or concerning the ordinary or annual Sums of Money thereby or by this Act directed to be raiſed and levied, for the Purpoſes of this or the ſaid recited Acts.

Additional Sum may be raiſed.

II. And be it further enacted, That if at the Time or Times of making any ſuch Order or Orders, for the raiſing and levying of any ſuch ordinary or annual Sum or Sums of Money; or at any Time or Times thereafter the ſaid Guardians of the Poor ſhall think it neceſſary to raiſe and levy any additional Sum or Sums over and above the ſaid Sum of Six thouſand Pounds in any One Year, in order the more effectually to carry the Purpoſes of this Act and the ſaid Three ſeveral recited Acts into Execution, then and ſo often the ſaid Guardians ſhall, under their Common Seal, certify to the Juſtices of the Peace at the then or the then next General Quarter Seſſions, to be holden in and for the ſaid Borough of *Plymouth*, the Circumſtance or Circumſtances which render ſuch additional Sum or Sums neceſſary, and ſpecify therein ſuch additional Sum or Sums as they the ſaid Guardians may think requiſite; and at the ſame Time produce or cauſe to be produced to the Juſtices there preſent, a State of their Receipts and Payments for the Year ending on the Second Day of *May* then next preceding, authenticated by the Oath of the Treaſurer or Treaſurers of the ſaid Corporation of Guardians for the Time being, if required; or in caſe ſuch additional Sum or Sums ſhall be wanted before the next General Quarter Seſſions for the ſaid Borough ſhall be held, that then ſuch Certificate and State of Account ſhall be produced at the next Adjourned Seſſions for the ſaid Borough, or at a Special Seſſions to be held at the Guildhall in and for the ſaid Borough for the Purpoſe, which Special Seſſions the Juſtices of the ſaid Borough

are hereby required to hold, on receiving Notice from the said Guardians Fourteen Days at least before the holding thereof; and the Justices present at such General, Adjourned, or Special Sessions, as the Case may be, shall examine into the Circumstances of the Case, and ascertain, award, and direct under their Hands such additional Sum or Sums of Money to be raised and levied, as they shall think proper, not exceeding the Sum to be specified in the aforesaid Certificate, which additional Sum or Sums so ascertained and directed by the said Justices, the said Guardians of the Poor shall proportion out, rate, and assess on the respective Inhabitants or Occupiers of Houses, Lands, Tenements, Tithes Impropriate, Appropriation of Tithes, Hereditaments and Premises in the said Town and Borough, or the Liberty and Precincts of the same, and Parishes aforesaid, in equal Proportion according to their several and respective Values and Abilities, either separately, by a separate Rate or Assessment or Rates or Assessments, or jointly, by a joint Rate or Assessment or Rates or Assessments, together with any such ordinary or annual Sum or Sums for which any such Order or Orders shall have been so made by the said Guardians as aforesaid, but for which no Rate or Assessment shall have been before that Time made; and shall and may, under their Common Seal, certify such separate or joint Rate or Assessment unto the Mayor, Recorder, and other Justices of the said Borough of *Plymouth* for the Time being or any Two of them; and the said Mayor, Recorder, and Justices, or any Two or more of them, may and are hereby required to issue out and grant their Warrant or Warrants under their Hands and Seals, thereby authorizing and requiring the Churchwardens and Overseers of the Poor of the Parishes of *Saint Andrew* and *Charles*, within the said Borough of *Plymouth* respectively, and the Collectors or Collector appointed by the said Guardians in Manner herein-after mentioned, or some or one of them, to demand, gather, and receive the same Rate or Assessment and Rates or Assessments; and when and as the said Sum or Sums so assessed shall be received, the said Churchwardens and Overseers, and Collectors or Collector, so respectively receiving the same, shall pay the same immediately to the Treasurer of the said Corporation of Guardians for the Time being, to be by him applied towards the Purposes of this Act and the Three several recited Acts.

Notice to be given of Application to raise additional Sum.

III. Provided always, and be it enacted, That, previous to the producing such Certificate and State of Receipts and Payments as aforesaid, to the Justices, either at a General, Adjourned, or Special Sessions as aforesaid, the said Guardians of the Poor shall cause Public Notice of the additional Sum or Sums so intended to be applied for by them, and of the Time of their intended Application, to be given in both the Parish Churches of *Saint Andrew* and *Charles*, within the said Borough, Two *Sundays* at the least previous to such Sessions, immediately after Divine Service in the Forenoon of each Day; which Notice the respective Ministers, or Parish Clerks of the said Parishes for the Time being, are hereby required to publish, on being requested so to do by the said Guardians, or their Clerk, or such other Person as shall be by them appointed for that Purpose; and, at the Time of producing the Certificate and State of Receipts and Payments as aforesaid, any Person or Persons liable to be included or rated or assessed in such additional Rate or Assessment, shall be at Liberty to attend either personally, or by his, her, or their Agent or Agents, and then and there, if

if he, ſhe, or they can, to bring any Evidence, to prove that ſuch additional Sum or Sums or any Part thereof is unneceſſary; and, on hearing the Allegations and Evidence of all Parties concerned, the Juſtices then and there preſent ſhall make ſuch Order and Deciſion in the Premiſes as to them ſhall ſeem meet; which Order and Deciſion ſhall be final and concluſive on all Parties.

First Court yearly on Second Wedneſday in May.

IV. And whereas the Superior Officers of the ſaid Corporation, that is to ſay, the Governor, Deputy Governor, Treaſurer, Receiver, and Ten Aſſiſtants thereof, are by the ſaid recited Act of the Sixth Year of Her Majeſty Queen *Anne*, directed to be elected and conſtituted on the Second *Tueſday* in *May* in every Year, and it would be attended with great Advantage to the Affairs and Buſineſs of the ſaid Corporation, if the Court or Aſſembly of the ſaid Corporation, conſiſting of Seven of the ſaid Guardians at the leaſt, directed by the ſame Act to be holden on the Third *Wedneſday* in *May* in every Year, were to be holden annually on the Second *Wedneſday* in *May*; be it further enacted, That from and after the paſſing of this Act, it ſhall and may be lawful for the Governor of the ſaid Corporation, or in his Default, the Deputy Governor, or, in both their Defaults, for the ſaid Aſſiſtants, or the major Part of them, and they are hereby authorized and required, inſtead of holding ſuch Court or Aſſembly on the Third *Wedneſday* in *May* in every Year, to hold ſuch Court or Aſſembly on the Second *Wedneſday* in *May* in every Year, between the Hours of Six and Eight of the Clock in the Afternoon, at the Council Chamber of the ſaid Workhouſe, or ſome other convenient Place within the ſame.

Twenty Guardians ſufficient to conſtitute a Court for all Purpoſes, inſtead of the Majority.

V. And be it further enacted, That any Court or Aſſembly, lawfully aſſembled, conſiſting of Twenty of the ſaid Guardians at the leaſt, to be holden before the ſaid Governor, Deputy Governor, or Three Aſſiſtants, ſhall have the ſame Power and Authority, from Time to Time from henceforth hereafter, by the Votes of the major Number preſent, to make, do, perform, and execute all Elections, Appointments, Orders, Bye Laws, Rules, Ordinances, Buſineſſes, Matters and Things whatſoever, authorized and directed by the ſaid Three recited Acts and this preſent Act, or either of them, in the ſame Manner as is now directed by the ſaid recited Act of Her Majeſty Queen *Anne*, to be done at any Court or Aſſembly conſiſting of the Majority of the ſaid Guardians by the Votes of the major Number preſent; any Thing in the ſaid Three recited Acts contained to the contrary notwithſtanding.

For the more effectually aſſeſſing the Poor Rates.

VI. And, in order the better to enable the ſaid Guardians of the Poor to aſcertain the annual Value of all Houſes, Lands, Tenements, Hereditaments, and other Property within the ſaid Town and Borough; be it further enacted, That it ſhall and may be lawful to and for the ſaid Corporation, at any Court or Aſſembly conſiſting of Twenty of the ſaid Guardians at the leaſt, to be holden as aforeſaid, by the Votes of the major Number of ſuch of them as ſhall then be preſent, from Time to Time, as often as they ſhall find neceſſary, to employ any Surveyor or Surveyors, or other Perſon or Perſons whom they ſhall deem competent, to aſſiſt them in eſtimating and aſcertaining the annual Value of all or any Houſe or Houſes, Lands, Tenements, Hereditaments, and all other Property whatſoever, liable

Power to appoint Surveyor or other competent Perſons to value Premiſes.

to be aſſeſſed to any Rate or Rates for the Relief and Maintenance of the Poor within the ſaid Town and Borough of *Plymouth*, and to pay out of any Money received or receivable from or under ſuch Rate or Rates, ſuch Sum or Sums of Money to every ſuch Surveyor or Surveyors or other competent Perſon or Perſons ſo to be employed by them as aforeſaid, for his or their Trouble therein, as to the ſaid Guardians of the Poor preſent at ſuch Court or Aſſembly ſhall appear juſt and reaſonable: Provided always, that no Perſon ſhall be capable of acting as a Surveyor or Valuer as aforeſaid, until he ſhall have taken and ſubſcribed the Oath following before the Governor, Deputy Governor, Treaſurer, Receiver, and Ten Aſſiſtants, or any Two or more of them, whereof the Governor, or Deputy Governor to be One, which Oath any ſuch Two or more of them are hereby empowered to adminiſter.

'I *A. B.* do ſwear, [or affirm, *as the Caſe may be*], That I will truly, impartially, and honeſtly, execute the Truſt in me repoſed as a Surveyor and Valuer, under and by virtue of an Act made in the Fifty-third Year of the Reign of His preſent Majeſty, intituled [*here inſert the Title of this Act*]. So help me GOD.'

Guardians to appoint Collectors.

VII. And whereas it would tend to the better and more effectual collecting and levying the ſaid Rates and Aſſeſſments, if the ſaid Guardians of the Poor were empowered at their Diſcretion, if they ſhall deem it expedient, to appoint One or more Perſon or Perſons to be a Collector or Collectors, to collect and levy the ſaid Rates and Aſſeſſments, inſtead of or in Conjunction with the ſaid Churchwardens and Overſeers of the ſaid Pariſhes reſpectively; be it therefore further enacted, That it ſhall and may be lawful for the ſaid Corporation, at any ſuch Court or Aſſembly conſiſting of Twenty of the ſaid Guardians, at the leaſt, by ſuch Votes as aforeſaid, from Time to Time, as often as they ſhall deem it neceſſary or expedient, to appoint One or more Perſon or Perſons to be a Collector or Collectors of the Rates and Aſſeſſments to be made, collected, and levied by virtue of this Act and the ſaid recited Acts (every ſuch Collector being a reſident and ſubſtantial Houſeholder or Inhabitant within the ſaid Borough of *Plymouth*), in the Room and Stead of or in Conjunction with the Churchwardens and Overſeers of the Poor of the ſaid Pariſhes reſpectively, and out of ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, to make ſuch Allowance by way of Salary or Poundage to the ſaid Collector or Collectors, not exceeding Sixpence in the Pound on the Monies actually collected, and to revoke, countermand, alter, and vary ſuch Allowances, and make others in their Stead, or not, as to them the ſaid Guardians of the Poor, at any ſuch Court as laſt aforeſaid, ſhall ſeem meet and proper.

Security to be taken from the Collectors.

VIII. And be it further enacted, That the ſaid Guardians of the Poor ſhall and may take ſuch Security from ſuch Collector or Collectors reſpectively, as they the ſaid Guardians at any ſuch Court as laſt aforeſaid ſhall think proper, for the due and faithful Execution of his or their Office of Collector in all and every Part thereof, and, among other Things, for the duly accounting for all Monies which, as ſuch Collector or Collectors, he or they ſhall or may receive, and for the Payment of the ſame, within the Space of Fourteen Days from the Receipt thereof,

to

to the Treaſurer or Receiver of the ſaid Corporation for the Time being.

Collectors to be removed.

IX. And be it further enacted, That the ſaid Guardians of the Poor, at any ſuch Court as laſt aforeſaid, ſhall and may at all Times, at their Will or Pleaſure, wholly diſplace and remove ſuch Collector or Collectors, or any of them; and the ſaid Collector or Collectors, each and every of them, ſhall, and he and they is and are hereby reſpectively required, at all Times whatever, either upon being ſo diſplaced or otherwiſe, to produce and deliver up to the ſaid Guardians at any ſuch Court, or to their Treaſurer for the Time being, or to their Clerk or other Perſon for that Purpoſe appointed, whenever the ſaid Collector or Collectors ſhall be thereto required, all and every the Rate Book or Books, and all other Books, Papers, Documents, Matters, and Things reſpecting his and their ſaid Office or Employment, in order that the ſaid Guardians of the Poor may take Poſſeſſion of and retain the ſame, either for the Purpoſe of Inſpection, ſafe Cuſtody, or any other Account, which to them ſhall ſeem meet and expedient.

Collectors to account.

X. Provided always, and be it further enacted, That if any ſuch Collector or Collectors, when thereunto required by the ſaid Guardians, at any Court or Aſſembly, or by the Governor or Deputy Governor for the Time being, ſhall refuſe, or ſhall not, within Three Days after ſuch Requeſt has been ſo made to him or them, deliver up ſuch Rate Book or Books, and all and every the Account or Accounts of all Monies by him or them received for or on account of the ſaid Rates or Aſſeſſments, and all Books, Papers, Matters, or Things reſpecting his or their ſame Office or Employment, or ſuch or ſo many thereof as ſhall have been of him or them demanded in Manner aforeſaid, or ſhall not, upon being thereto required, pay the Balance of Monies received which ſhall appear to remain in his or their Hands by virtue of his or their reſpective Office or Offices, to the Treaſurer or Receiver of the ſaid Corporation for the Time being, then and in every ſuch Caſe, upon Complaint made by the ſaid Guardians, or by the Governor, Deputy Governor, Treaſurer or Receiver for the Time being, of any ſuch Refuſal or Neglect as aforeſaid, to the Mayor or any Juſtice of the Peace for the ſaid Borough of *Plymouth*, ſuch Mayor or Juſtice may, and he is hereby authorized and required to iſſue a Warrant under his Hand and Seal, for the Perſon or Perſons ſo refuſing or neglecting as aforeſaid, to appear before him, and upon his or their appearing, or if he or they ſhall not appear, then, upon due Proof that the Perſon or Perſons ſo neglecting to appear had been ſummoned, or could not be found for the Purpoſe of being ſummoned, to hear and determine the Matter in a ſummary Way; and if, upon the Confeſſion of the Party, or by the Teſtimony of any credible Witneſs or Witneſſes, upon Oath, (which Oath ſuch Mayor or Juſtice is hereby required and empowered to adminiſter), it ſhall appear to ſuch Mayor or Juſtice that any of the Monies that ſhall have been collected or received by virtue of this Act ſhall remain due from ſuch Collector or Collectors, ſuch Mayor or Juſtice may, and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Collector or Collectors, each and

every of them; and if it ſhall appear to ſuch Mayor or Juſtice that ſuch Collector or Collectors ſhall have refuſed or neglected to render and give ſuch Account, or to produce the Rate or Rates, Book or Books, Papers or Writings, or other Matters or Things relating to the Collection of the Rates, or in anywiſe reſpecting or appertaining to the ſaid Office or Employment, which ſhall be in his or their Cuſtody or Power, and required from him or them as aforeſaid, or ſhall not have paid the Balance remaining in his or their Hands in Manner aforeſaid, and no ſufficient Diſtreſs can be found within the ſaid Borough, whereof to levy the ſame, then and in each and every ſuch Caſe, ſuch Mayor or Juſtice ſhall commit ſuch Offender or Offenders to the Common Gaol of the ſaid Borough, there to remain, without Bail or Mainprize, until he or they ſhall give and make a true and perfect Account, and deliver up ſuch Books, Papers, and Writings, and pay ſuch Balance to the ſaid Guardians of the Poor, or their Treaſurer or Receiver; provided that no ſuch Collector or Collectors ſo committed ſhall be confined or detained in Priſon, by virtue of ſuch Warrant, for any longer Space of Time than Six Calendar Months; provided nevertheleſs, that no ſuch Commitment of any Collector or other Officer to ſuch Common Gaol as aforeſaid, ſhall acquit or diſcharge any Surety or Security that ſhall or may have been taken by or given to the ſaid Guardians of the Poor for the due and faithful Execution of the Office of Collector, or other Office, in Manner herein-before expreſſed and provided, nor any Action, Suit, or Proceſs commenced or to be brought for the Recovery of any Money ſo received, or of any ſuch Books, Papers or Writings, or the Value thereof.

For better Recovery of Rates on Houſes let at ſmall Rents.

XI. And be it further enacted, That when the yearly Rent or Value of any Houſes, Tenements, or Hereditaments, within the ſaid Town and Borough of *Plymouth* ſhall not amount to Twenty Pounds; or where any Houſes, Tenements, or Hereditaments (whatever the yearly Rent or Value may be) ſhall be let to any Weekly or Monthly Tenants, the Rent whereof ſhall become payable at any ſhorter Period than Quarterly, or ſhall be let out, either in the Whole or in Part, in Lodgings or in ſeparate Apartments, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Guardians of the Poor, in and by any ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſo to be made as aforeſaid, at their Diſcretion, to rate and aſſeſs the Landlord or Landlords, Owner or Owners of all and every or any ſuch Houſe or Houſes, Tenement or Tenements, Hereditament or Hereditaments in the ſaid Town and Borough of *Plymouth*, for the Payment of the Rate or Rates, Aſſeſſment or Aſſeſſments, for the Relief and Maintenance of the Poor, and in all and every ſuch Caſes, the Landlord or Landlords, Owner or Owners of all and every ſuch Houſes, Tenements, or Hereditaments ſhall, from thenceforth and until the Expiration of the current Year for which ſuch Rates or Aſſeſſments ſhall be made, be deemed and taken to be the Occupier or Occupiers of ſuch Premiſes, and ſhall thereupon be rated to, and from Time to Time ſhall pay or cauſe to be paid the Rates or Aſſeſſments charged upon the ſame reſpective Premiſes, for the Relief and Maintenance of the Poor, according to a fair and equal Aſſeſſment, by the ſaid Guardians to be made upon and in reſpect of the ſame; and upon Non-payment thereof, the ſaid Churchwardens and Overſeers, or the Collector or Collectors, or any of them, is and are hereby authorized to levy the ſame by Diſtreſs and Sale

of

of the Goods and Chattels of such Landlord or Landlords, Owner or Owners, wheresoever the same may be found respectively: Provided always, that the Goods and Chattels of all and every Person or Persons renting or occupying any such House, Tenement, or Hereditament, or any Part or Parts thereof, the Rate or Rates, Assessment or Assessments whereof the Landlord or Landlords, Owner or Owners is and are hereby made liable and subject to as aforesaid, shall be liable at all Times to be distrained and sold for Payment of so much of the said Rates or Assessments, and of all Arrears thereof as became due upon the said Premises during the Time of his, her, or their Occupancy only; but no such Occupier or Occupiers shall at any Time be required to pay, or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them and Arrears thereof, than the Amount of the Rent actually due by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners of the Premises so occupied by him, her, or them: Provided also, that each and every such Occupier who shall pay any such Rate or Rates, Assessment or Assessments, or any Arrear thereof, or upon whom the same shall be levied, shall and may from Time to Time deduct the same from the Rent then or at any Time thereafter due from him, her, or them to the respective Landlords or Owners of the Premises; and the Receipt for such Payment shall be a good and sufficient Discharge to such Occupier or Occupiers to his, her, or their Landlord or Landlords, for so much Money as he, she, or they shall pay in the Manner directed by this Act.

Occupiers Goods liable to be distrained for Payment of Rates.

XII. And, for the better and more effectually raising and levying the Rates and Assessments which are mentioned in or authorized and directed to be made by this Act, be it further enacted, That in case any of the Landlords, Inhabitants or Occupiers, or any Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, of any Lands, Houses, Buildings, Tenements, or Hereditaments, within the said Town and Borough of *Plymouth*, or the Liberty and Precincts of the same, and Parishes aforesaid, shall refuse or neglect to pay any Rate or Assessment which shall be made, laid, or assessed upon him, her, or them, under and by virtue of this and the said Three several recited Acts, or any or either of them, and all Arrears due thereon, or upon any former Rate or Rates, it shall be lawful to and for the Mayor, Recorder, and Justices of the said Borough, or any One or more of them, and he and they is and are hereby authorized and required to summon, by Writing under his or their Hand or Hands, all and every Person and Persons, who shall have refused or neglected as aforesaid, upon Oath being made before him or them, by any One of the Churchwardens or Overseers of the said Parishes, or by the Collector or Collectors to be appointed by the said Guardians as aforesaid for the Time being, in Manner herein-before mentioned, of his or their having attended upon or at the Dwelling House or last or usual Place of Abode within the said Borough, of the Person and Persons then intended to be summoned, and having demanded the Rate or Rates, and of such Person or Persons having neglected or refused to pay the same, to appear before such Mayor, Recorder, and Justices, or any One or more of them, at a Time and Place to be mentioned in such Summons; and it shall and may be lawful to and for the said Churchwardens and Overseers, or such Collector or Collectors, as aforesaid, or for any of the Constables of the said Borough, or any One

For Recovery of Rates on Refusal.

or more of them, to ſerve all and every ſuch Summons and Summonſes upon all and every Perſon and Perſons refuſing or neglecting to pay as aforeſaid, either by delivering the ſame to the Perſon or Perſons thereby intended to be ſummoned, or leaving the ſame at his, her, or their laſt or uſual Place or Places of Abode, or at the Premiſes for which the Rates mentioned in ſuch Summons ſhall remain due and owing; and if any Perſon or Perſons ſo ſummoned ſhall refuſe or neglect to attend at the Time and Place mentioned in ſuch Summons, or if he, ſhe, or they ſhall attend, and ſhall not ſhew good and ſufficient Cauſe to ſuch Mayor, Recorder, and Juſtices, or any One or more of them, that he, ſhe, or they, is or are not chargeable with ſuch Rate or Rates, then and in every ſuch Caſe, all and every ſuch Perſon and Perſons who ſhall have been ſo ſummoned, ſhall pay the Rate or Rates, in reſpect of which ſuch Summons was iſſued, and the reaſonable Coſts and Charges of ſuch Summons; and in all Caſes where the ſaid Rate or Rates, or any of them, ſhall not be paid upon the Return of ſuch Summons, it ſhall and may be lawful to and for ſuch Mayor, Recorder, and Juſtices, or any One or more of them, and he and they is and are hereby authorized and required, upon Oath made before him or them of the due Service of ſuch Summons or Summonſes by the Party who ſhall have ſerved the ſame, to grant a Warrant or Warrants under his or their Hand or Hands, Seal or Seals, authorizing and directing the ſaid Churchwardens or Overſeers, Collector or Collectors, or any Conſtables of the ſaid Borough, or any One or more of them, to collect or levy all and every ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, and all Arrears thereof, and the Expence of the Summons (if the ſame ſhall not have been before paid) and Warrant, by the Diſtreſs of the Goods and Chattels of the Party ſo neglecting or refuſing, which ſhall be found either within the ſaid Borough, or elſewhere if removed therefrom, and if, within Five Days next after any ſuch Diſtreſs ſhall be made, the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, with all Arrears due thereon, ſhall not be paid, together with the reaſonable Charges of the ſaid Summons (if ſuch Summons ſhall not have been before paid for) and Warrant, and of making ſuch Diſtreſs, and keeping ſuch Goods and Chattels, the ſaid Churchwardens or Overſeers, Collector or Collectors, Conſtable or Conſtables, or any One or more of them, ſhall cauſe the ſaid Goods to be appraiſed by One or more Appraiſer or Appraiſers, and to be ſold, or ſuch Part or Parts thereof, by Auction or otherwiſe, as ſhall be ſufficient to pay the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, together with all Arrears due thereon, and the reaſonable Charges aforeſaid, and the Charges of appraiſing and ſelling the ſame, returning the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels reſpectively, upon Demand thereof made by him, her, or them; and if no ſufficient Diſtreſs can be found, then it ſhall and may be lawful to and for the ſaid Mayor, Recorder, and Juſtices, or any One or more of them, to commit ſuch Perſon ſo offending or neglecting to pay ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, to the Common Gaol of the ſaid Borough, there to remain, without Bail or Mainprize, until ſuch Time as ſuch Perſon or Perſons ſo committed ſhall have paid the Sum or Sums ſo rated or aſſeſſed upon him, her, or them, and ſuch Charges as aforeſaid, or during ſo long Time as the Perſons making ſuch Commitment ſhall reaſonably think fit: Provided, that no ſuch Perſon or Perſons ſhall be confined or detained in Priſon on account thereof, for any longer Space of Time than Three Calendar Months.

XIII. And

XIII. And be it further enacted, That every Warrant of Diſtreſs for the Non-payment of any Rate or Aſſeſſment, or Rates or Aſſeſſments, to be made by virtue of this Act, or of any or either of the ſaid Three ſeveral recited Acts, may include One or more Perſons, and ſhall be in Words or to the Effect following: Form of Warrant of Diſtreſs.

Borough of *Plymouth.*

'TO the Churchwardens, Overſeers, and Collectors of the Poor Rates of the Pariſh of in the Borough of *Plymouth*, in the County of *Devon*, and to all Conſtables and other Peace Officers of the ſame Borough:

'WHEREAS the under-mentioned Perſons, now or late Inhabitants, Holders, Landlords, Tenants, Occupiers or Enjoyers of Lands, Houſes, Buildings, Tenements or Hereditaments, or Parts of Lands, Houſes, Buildings, Tenements or Hereditaments, in the ſaid Pariſh of within the ſaid Borough of *Plymouth*, were and are truly rated and aſſeſſed, and liable to pay the Rate and Rates duly made by virtue of an Act paſſed in the Fifty-third Year of the Reign of His Majeſty King *George* the Third, intituled *An Act* [*here ſet forth the Title of this Act*] or of the Acts therein mentioned or referred to ſome or one of them: And whereas the ſaid Perſons have refuſed or neglected to pay the ſeveral Sums of Money at and againſt their Names hereunto reſpectively ſet down, due from them reſpectively, for or toward the Purpoſes mentioned in the ſaid Acts, or ſome or one of them; and the ſaid ſeveral Sum and Sums are ſtill remaining due, in Arrear, and unpaid, as appeareth upon Oath to of His Majeſty's Juſtices of the Peace for the ſaid Borough; and the ſaid ſeveral Perſons having been ſummoned to appear before to anſwer the Premiſes, as alſo appeareth to me [*or*, us] the ſaid Juſtice [*or*, Juſtices] upon Oath [*or*, Affirmation, if a Quaker], and the ſaid ſeveral Perſons not having, nor having either of them ſhewn any ſufficient Cauſe why ſuch Sum or Sums of Money ſhould not be paid: Theſe are therefore, in His Majeſty's Name, to will and require you, any or either of you, forthwith to levy the ſaid ſeveral Sums due from the ſaid Perſons, and hereunder joined to or ſet againſt their Names reſpectively, by Diſtreſs and Sale of their reſpective Goods and Chattels (ſuch Goods and Chattels being kept for the Space of Five Days before the ſame are ſold), rendering to them reſpectively the Overplus (if any be), the reaſonable Charges of ſuch Summons, Warrants, Diſtreſs, Sale, and Keeping being firſt deducted; and if no ſufficient Diſtreſs can be had or taken, that then you certify the ſame to me [*or*, us] to the End that ſuch further Proceedings may be had therein as to the Law doth appertain: And I [*or*, We] do hereby ſtrictly charge and command all and ſingular the Conſtables, and others His Majeſty's Peace Officers for the ſaid Borough of *Plymouth*, to be aiding and aſſiſting in all Things relating to the Premiſes. Given under my Hand and Seal, [*or*, under our Hands and Seals] this Day of in the Year of our Lord

	Sums due. £	s.	d.
A. B. Inhabitant or Occupier of Premiſes			
C. D. Ditto.			
E. F. The Landlord for divided Premiſes			
G. H. Landlord [*or* Receiver &c. *as the Caſe may be*]			
I. K. Tenant			

Perſons receiving Rents to be deemed the Owners.

XIV. And to prevent Diſputes touching the Deſignation of the Landlord or Owner, Leſſee or Leſſees, intended to be made liable by this Act, be it enacted, That the Perſon or Perſons receiving as, or claiming to be, entitled to the Rents of every ſuch Houſe or Houſes, Tenement or Tenements, Hereditaments or Premiſes, payable by the Tenants or Occupiers in the actual Poſſeſſion thereof reſpectively, ſhall be deemed and taken to be the Landlord or Owner, Leſſee or Leſſees of the ſame, for the Purpoſes of this Act and the ſaid recited Acts, and ſhall continue to be rated to and liable to the Payment of all and every ſuch Rates as aforeſaid, until ſome other Perſon or Perſons ſhall be rated to or pay the ſame.

In caſe of Tenants removing before Quarter Day;

Collector may demand Rates and enforce Payment of ſuch Tenants.

XV. And be it further enacted, That in order to avoid the Loſs which frequently happens by Tenants or Occupiers of Houſes, Tenements, and Hereditaments, quitting and removing from the ſame before the Quarter Day on which the ſaid Rates or Aſſeſſments to be charged by virtue of this Act or of the ſaid Three recited Acts, on the ſaid Houſes, Tenements, or Hereditaments, ſhall become due and payable, it ſhall and may be lawful to and for the Churchwardens and Overſeers, Collector or Collectors to be appointed as herein directed, to demand and receive, Fourteen Days before every ſuch Quarter Day, or at any other ſubſequent Time, the reſpective Rates or Aſſeſſments which would be due and payable on ſuch Quarter Day, or for the Time ſuch Houſe or Houſes, Tenements or Hereditaments have been occupied, together with all the Arrears due; and in caſe of Non-payment thereof, to enforce the Payment of ſuch Rates or Aſſeſſments in the ſame Manner, and with the ſame Power, as in the Caſe of Non-payment of ſuch Rates or Aſſeſſments upon or after the Quarter Day upon which the ſame would have become due and payable.

When Perſons remove, the Perſon going out and the Perſon coming in, each liable in Proportion.

XVI. And whereas Perſons frequently remove out of the Houſes or Tenements in which they live, without paying the Rates aſſeſſed on ſuch Houſes or Tenements, and other Perſons do enter and occupy the ſame for Part of the Year, by reaſon whereof great Sums of Money are annually loſt to the ſaid Guardians; be it therefore further enacted, That in caſe any Perſon or Perſons ſhall remove out of, or from, or quit the Poſſeſſion of any Land, Houſe, Building, Tenement or Hereditament, within the Town and Borough aforeſaid, before the Rate or Rates, Aſſeſſment or Aſſeſſments charged thereon by virtue of this or the ſaid recited Acts, or any or either of them reſpectively, ſhall be paid and diſcharged; or if any Perſon ſhall enter into the Occupation of any Land, Houſe, Building, Tenement, or Hereditament in the ſaid Borough, out of or from which any other Perſon or Perſons ſhall have ſo removed before Payment of the ſaid Rate or Aſſeſſment, or which, at the Time of rating or aſſeſſing the ſame as aforeſaid, ſhall be empty or unoccupied; then the Perſon or Perſons ſo removing out of, or from, or quitting the Poſſeſſion of, and the Perſon or Perſons entering into the Occupation of any ſuch Land, Houſe, Building, Tenement, or Hereditament, ſhall be reſpectively liable to the Payment of all ſuch Rates and Aſſeſſments, in Proportion to the Time ſuch Perſon or Perſons reſpectively poſſeſſed or occupied the ſame, in like Manner as if the Perſon or Perſons ſo removing or quitting as aforeſaid had remained in the Poſſeſſion or Occupation of ſuch Land, Houſe, Building, Tenement, or Hereditament,

or

or the Perſon or Perſons ſo entering into the Poſſeſſion or Occupation thereof had been originally rated or aſſeſſed to ſuch Rates or Aſſeſſments, or any of them; which Proportion, in caſe of Diſpute, ſhall be aſcertained by any one or more of His Majeſty's Juſtices of the Peace for the ſaid Borough of *Plymouth*; and in caſe any Perſon or Perſons ſhall come into the Occupation of any ſuch Land, Houſe, Building, Tenement, or Hereditament, by renting or taking the ſame from the laſt immediate Occupier, then and in ſuch Caſe the Perſon or Perſons ſo coming into the Occupation thereof ſhall be ſubject and liable to the Rates and Aſſeſſments in arrear, for any Period not exceeding the Quarter of the Year laſt preceding, by virtue of this and the ſaid Three recited Acts, or any or either of them, as if he, ſhe, or they had been originally rated or aſſeſſed.

Recovery of Rates from Perſons removing out of the Town.

XVII. And whereas it may happen that many Perſons liable to, and who may be rated and aſſeſſed for the Relief of the Poor of the ſaid Town and Borough of *Plymouth*, may, before the Payment of the Sum or Sums which may be rated on them reſpectively, quit and leave their Lands, Houſes, Buildings, Tenements, or Hereditaments, and remove out of the ſaid Borough; be it therefore enacted, That when any Perſon or Perſons who ſhall have been ſo rated and aſſeſſed ſhall quit or be about to quit his, her, or their Lands, Houſes, Buildings, Tenements, or Hereditaments, before he, ſhe, or they ſhall have paid ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, and ſhall refuſe to pay the ſame, or any Part thereof, when due and demanded by the Churchwardens and Overſeers of the Poor of the ſaid Pariſhes, or any of them, or any Collector or Collectors authorized and appointed to receive the ſame, then and in every ſuch Caſe it ſhall be lawful for the ſaid Churchwardens and Overſeers, or ſuch Collector or Collectors as aforeſaid, or any One of them (Oath being made by him or them, that he or they hath or have Cauſe to ſuſpect that ſuch Perſon or Perſons hath or have removed or is or are removing, or about to remove his or their Goods and Chattels), by Warrant under the Hand and Seal or Hands and Seals of any One or more of His Majeſty's Juſtices of the Peace for the ſaid Borough (which Warrant ſuch Juſtice or Juſtices is and are hereby authorized and required to grant), and in caſe ſuch Perſon or Perſons ſhall have removed, ſuch Warrant being firſt backed or counterſigned by ſome Magiſtrate of the County, City, Borough, or Liberty, to which ſuch Perſon ſhall have removed (which Warrant ſuch Magiſtrate is hereby required to back or counterſign), to diſtrain the Goods and Chattels of ſuch Perſon or Perſons ſo refuſing or neglecting to pay the ſaid Rates or Aſſeſſments, or any Part thereof, and to ſell the ſame, rendering the Overplus (if any) after having deducted the reaſonable Coſts, Charges, and Expences attending ſuch Diſtreſs and Sale, upon Demand, to the Owner or Owners of ſuch Goods and Chattels reſpectively.

Arrears upon former Rates how recoverable.

XVIII. And be it further enacted, That each and every Rate and Aſſeſſment, and the Arrears of each and every Rate and Aſſeſſment already rated and aſſeſſed, or ordered and directed to be levied, aſſeſſed, and collected by and under the Authority of the ſaid Three recited Acts, or any of them, ſhall and may be levied, aſſeſſed, and collected by ſuch Perſon or Perſons, in ſuch and the ſame Ways, by ſuch Means, and under

under such and the same Powers, Restrictions, and Regulations as any Rate or Assessment, or Arrears of any Rate or Assessment, ordered and directed to be levied, assessed, and collected by virtue of this Act, can or may be raised, levied, and collected, and shall and may be paid and applied by the Person or Persons hereby authorized and appointed to collect and receive the same, in the like Manner and for the like Purposes as any other Rate or Rates is hereby directed to be paid and applied.

Charges of Distress may be levied.

XIX. And be it further enacted, That when and as often as any Distress shall be made for Non-payment of any Rate or Rates, Assessment or Assessments made by the said Guardians, under or by virtue of this Act, it shall and may be lawful to and for the Person and Persons making such Distress to raise and levy the reasonable Charges of making and keeping such Distress, and selling and disposing of the same, upon the Goods and Chattels, over and above the Sum of Money due upon the Rate or Rates, Assessment or Assessments, for which such Distress shall be taken.

Collectors to produce List of Defaulters.

XX. And be it further enacted, That the said Churchwardens and Overseers of the Poor, or the Collector or Collectors for the Time being to be appointed by virtue of this Act, shall, if required by the said Guardians, or any Committee thereof, produce Monthly or oftener to the said Guardians or Committee, a true List, in Writing, of the Names and Places of Abode of such Persons as shall have been rated for the Relief of the Poor of the said Town and Borough of *Plymouth*, or the Parishes of the same, and shall not have paid such Rate or Rates, together with an Account of the Sum or Sums of Money which shall remain unpaid by each Person respectively; and such List and Account last mentioned such Churchwardens and Overseers, or Collector or Collectors, shall, if required, verify on Oath before the Mayor or some other Justice of the Peace for the said Borough of *Plymouth*, who is hereby empowered to administer the same.

Guardians may rectify Omissions in Rates.

XXI. And be it further enacted, That if it shall appear to the said Guardians at any Court or Assembly, or to any Committee of the said Guardians as aforesaid, at any Time after the making of any Rate or Assessment to be made under the Authority of this Act, or any of the said Three recited Acts, that the Name of any Person or Persons liable to be included in such Rate or Assessment hath been omitted therein, it shall be lawful for the said Guardians to add or cause to be added to such Rate or Assessment the Name or Names of the Person or Persons so omitted, together with the Sum for which he, she, or they ought to be so rated, and the Amount of such Rate or Assessment in respect thereof; and every such Addition made to any of the said Rates shall be as valid and effectual in Law, to all Intents and Purposes, as if the same had been inserted in the Rate at the Time the same was first made out.

Justices may remit Rates overcharged or for Poverty.

XXII. And be it further enacted, That it shall be lawful for the Mayor or any one or more Justice or Justices of the Peace in and for the said Borough, on the Application and at the Request of any Person or Persons who,

who ſhall be rated or liable to the Payment of any ſuch Rate or Rates, Aſſeſſment or Aſſeſſments as aforeſaid, who ſhall think himſelf, herſelf, or themſelves aggrieved thereby, to ſummon the ſaid Guardians, to ſhew cauſe why ſuch Rate or Rates, Aſſeſſment or Aſſeſſments ſhould not be leſſened or reduced, or why they ſhould not be wholly diſcharged from the Payment thereof, and, on hearing the Party or Parties ſo applying, and the Governor, Deputy Governor, Treaſurer, Receiver, Collector, or other Perſon who ſhall appear on the Behalf of the ſaid Guardians, or on the Non-attendance of any Perſon on their Behalf, on Proof of a Summons having been ſerved on the Governor, Deputy Governor, or Clerk of the ſaid Corporation, at leaſt Three Days preceding, to leſſen or reduce ſuch Rate or Aſſeſſment, as far as ſhall reſpect ſuch Party or Parties, as the ſaid Mayor or Juſtice or Juſtices in his or their Diſcretion ſhall think juſt and reaſonable, or wholly to diſcharge ſuch Party or Parties therefrom, in caſe ſuch Juſtice or Juſtices ſhall think that he or they ought not to have been rated or aſſeſſed thereby, and alſo to remit or reduce the Payment thereof, on account of the Poverty of any Perſon or Perſons liable to pay the ſame, and ſo complaining or requeſting the Remiſſion or Reduction of the ſaid Rates or Aſſeſſments or any Part thereof: Provided always, that in caſe the Perſon, ſo applying for Relief as aforeſaid, or the ſaid Guardians, at any Court or Aſſembly, ſhall be diſſatisfied with ſuch Determination, that then it ſhall and may be lawful, either for the Perſon ſo applying, or for the ſaid Guardians, to appeal to the General Quarter Seſſions of the Peace to be holden for the ſaid Borough, in the Manner herein mentioned.

Arrears of Rates to remain a Charge upon the Premiſes.

XXIII. And be it further enacted, That in Default or Failure of Payment of the Rate or Rates, Aſſeſſment or Aſſeſſments, or any Part thereof as aforeſaid, for any Period not exceeding the Two Quarters of the Year laſt preceding, the ſame ſhall be and remain a Charge upon the Premiſes in reſpect whereof the ſame ſhall be ſo rated and aſſeſſed, and ſhall and may, after Ten Days Notice left upon the Premiſes, not only be levied by Diſtreſs and Sale of the Goods and Chattels of any ſuch Owner or Owners, Landlord or Landlords, or of any Perſon or Perſons inhabiting or occupying the ſame, or any Part thereof, but alſo ſhall and may be ſued for and recovered of and from ſuch Owner or Owners, Landlord or Landlords reſpectively, by Action of Debt, Bill, Plaint, or Information in any of His Majeſty's Courts of Record at *Weſtminſter*, to be commenced and proſecuted in the Name of the Guardians of the Poor of the Town of *Plymouth*, in the County of *Devon*, in which Action no Protection, Eſſoign, or Wager of Law, nor more than One Imparlance, ſhall be allowed; and if the Plaintiff ſhall recover in any ſuch Action of Debt, Bill, Plaint, or Information, he ſhall have full Coſts, to be levied and recovered as other Monies upon Judgments are now by Law levied and recovered.

Overſeers to collect Rates until Collector appointed.

XXIV. And be it further enacted, That until and unleſs a Collector or Collectors ſhall be appointed by virtue of this Act, and during ſuch Time and when and as often as there ſhall be no Collector appointed under this Act, the Rates for the Relief of the Poor ſhall be collected and received by the Churchwardens and Overſeers of the Poor of the ſaid Pariſhes reſpectively for the Time being, in the Manner the Rates made or to be

be made for the Relief of the Poor within the ſaid Town of *Plymouth* are by the ſaid recited Acts or by this Act directed to be collected or received.

Power to bind Apprentices.

XXV. And whereas by the ſaid recited Act of the Sixth Year of the Reign of Her Majeſty Queen *Anne*, it is enacted, That it ſhould be lawful, among other Things, for the ſaid Guardians, in Manner therein mentioned, to detain and keep in the Service of the ſaid Corporation, or to ſet to work until the Age of Fifteen Years, any poor Child or Children of the ſaid Town, who ſhould be, or whoſe Father or Mother or other Relation or Perſon with whom they ſhould dwell, were or ſhould be maintained by the ſaid Town, or by begging Relief, or the Child or Children of any other Perſon or Perſons within the ſaid Town, that were or ſhould be willing to have their Child or Children put to work, or to place their Child or Children in the Hoſpital or Hoſpitals, Workhouſe or Workhouſes mentioned in the ſaid Acts, until the Age of Fifteen Years; and after any ſuch Child or Children ſhould have attained their Age of Fifteen Years or ſooner, the ſaid Corporation, by Indenture under their Common Seal, ſhould have Power to bind and put forth ſuch Child or Children Apprentices to any honeſt Perſon or Perſons within the Kingdom of *England*, who were willing to take ſuch Child or Children for any Number of Years not exceeding Seven Years, in the Manner and for the Purpoſes therein mentioned: And whereas it is found by Experience, that a great Number of Perſons would be willing to take ſuch Children Apprentices at an earlier Age than Fifteen Years, if the ſaid Guardians in ſuch Caſes had Power at their Diſcretion to extend the Period of Service for a longer Period than Seven Years, namely, till ſuch Child or Children ſhould come to the Age of Twenty-one Years; and it frequently happens that Opportunities offer of binding out ſuch Children advantageouſly, which are loſt by waiting till a Court of the ſaid Guardians can be aſſembled; be it therefore enacted, That the ſaid Corporation, by Indenture under their Common Seal, or the ſaid Governor or Deputy Governor and Three of the Aſſiſtants, for the Time being, under their Hands and Seals, ſhall have Power hereafter to bind and put forth ſuch Child or Children, at any Time after attaining their reſpective Ages of Ten Years, Apprentices to any honeſt Perſon or Perſons within the Kingdom of *England*, who ſhall be willing to take ſuch Child or Children for any Number of Years that may be agreed on, either to learn ſome Trade, Handicraft, or Occupation on Land, or elſe to go to Sea and learn the Art of Navigation, or to be trained up to ſome Employment, or otherwiſe to be put into ſome Service, ſuch as the ſaid Governor, Deputy Governor, Aſſiſtants, or the major Part of them preſent at any of their Courts ſhall judge expedient, having regard to the Diſpoſition or Inclination of ſuch Children, in their ſo placing them out; which Indentures ſhall be binding to ſuch Children: Provided nevertheleſs, that, if a Man Child, ſuch binding ſhall be for no longer Term than until he ſhall come to the Age of Twenty-one Years, and if a Woman Child, until ſhe ſhall come to the Age of Twenty-one Years, or Day of Marriage; and in all Caſes of ſuch Apprentices, upon whoſe binding out no larger a Sum than Ten Pounds ſhall be paid, the Juſtices of the Peace, Mayors, Bailiffs and other Head Officers for the County, City, Borough, Town, or Place, where the Maſters or Miſtreſſes of ſuch Apprentices reſpectively ſhall live,

ſhall have the like Authority over them, as by any Law now in force they have over other Apprentices, upon whoſe binding out no larger Sum than Five Pounds was paid; and alſo ſhall have Power to diſcharge ſuch Apprentices from their Maſters and Miſtreſſes, in caſe of any cruel Uſage of them, or any groſs Neglect or Default of Care of ſuch Apprentices by their Maſters and Miſtreſſes, ſuch as in the Diſcretion of ſuch Juſtices, Mayors, Bailiffs, or Head Officers reſpectively ſhall be judged good Cauſes for ſuch Diſcharges, and to order any ſuch Part of the Money, which ſhall have been paid on the binding out of ſuch Apprentices, to be repaid by ſuch Maſters and Miſtreſſes to the ſaid Guardians, as ſuch Juſtices, Mayors, Bailiffs, or Head Officers reſpectively ſhall judge meet and reaſonable; and in caſe of Non-payment thereof to the ſaid Guardians, their Treaſurer, Receiver, Clerk, or other Perſon appointed by them to receive the ſame, on Demand, to levy the ſame by Diſtreſs and Sale of the Goods of ſuch Maſters and Miſtreſſes reſpectively, rendering the Overplus (if any) after deducting the reaſonable Coſts and Charges attending ſuch Diſtreſs and Sale, upon Demand, to the Owner or Owners thereof.

Juſtices of Plymouth to commit Vagrants to the Houſe of Correction within the Workhouſe.

XXVI. And whereas by the ſaid recited Act of the Sixth Year of the Reign of Her Majeſty Queen *Anne*, Power was given to the ſaid Corporation of Guardians to erect, and they have accordingly ever ſince maintained a Houſe or Houſes of Correction within and for the ſaid Workhouſe: And whereas by the ſaid recited Act of the Thirty-ſecond Year of the Reign of His late Majeſty King *George* the Second, it is amongſt other Things enacted, that it ſhould be lawful to and for the Mayor, Recorder, and Juſtices of the Peace of the ſaid Town and Borough of *Plymouth*, or any One of them, from Time to Time, to make ſuch Orders, and to give ſuch Rules and Directions for the paſſing, conveying, or maintaining of Rogues, Vagrants, and Vagabonds, or incorrigible Rogues, from the ſaid Town and Pariſhes of *Plymouth*, and the Liberties and Precincts thereof, in the ſame Manner and as fully and effectually as any of the Juſtices of the Peace of the ſaid County of *Devon* are empowered to give or make for the paſſing of Rogues, Vagrants, Vagabonds, or incorrigible Rogues, from or through any other Part or Parts of the ſaid County of *Devon*, in and by a certain Act of Parliament paſſed in the Seventeenth Year of the Reign of His ſaid Majeſty King *George* the Second, intituled *An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and to Houſes of Correction*: And whereas by a ſubſequent Act, paſſed in the Thirty-ſecond Year of His preſent Majeſty's Reign, intituled *An Act to explain and amend an Act made in the Seventeenth Year of the Reign of His late Majeſty King* George *the Second, intituled* '*An Act to amend and make more effectual the Laws* '*relating to Rogues, Vagabonds, and other idle and diſorderly Perſons, and to* '*Houſes of Correction*,' it is enacted, that when any Juſtice of the Peace ſhall order to be conveyed by a Paſs under his Hand and Seal any Rogue or Vagabond, according to the Proviſions of the ſaid Act of the Seventeenth Year of the Reign of His Majeſty King *George* the Second, ſuch Rogue or Vagabond ſhall be either publicly whipped, or be ſent to the Houſe of Correction, there to remain until the next General or Quarter Seſſions, or for any ſuch leſs Time as ſuch Juſtice of the Peace ſhall think proper, provided that ſuch leſs Time ſhall be at the leaſt for the

Space

Space of Seven Days: And whereas it is apprehended that the ſaid Houſe or Houſes of Correction now exiſting or hereafter to be erected within the ſaid Workhouſe, being ſettled and veſted in the ſaid Corporation of the Guardians of the Poor for ſpecial Purpoſes, the ſame cannot be deemed, taken, and uſed as a Houſe or Houſes of Correction for Public Purpoſes, under the Management, Power, or Authority of any Juſtice or Juſtices of the Peace: And whereas there is not any other Houſe of Correction within the ſaid Borough: And whereas for want of ſuch Houſe of Correction, to which any Rogue or Vagabond could be ſent or committed, the Power intended to be given by the ſaid recited Act of the Seventeenth Year of the Reign of His late Majeſty King *George* the Second to the Mayor, Recorder, and Juſtices of the Peace of the ſaid Town and Borough of *Plymouth*, to make Orders for paſſing Rogues, Vagrants, Vagabonds, or incorrigible Rogues, as aforeſaid, is abridged, and cannot be available to the Extent intended, without the Proviſion herein-after contained: And whereas it has been deemed expedient, the better to effectuate the Intention of the ſaid laſt recited Act, that the ſaid Houſe or Houſes of Correction now or hereafter to be erected in the ſaid Hoſpital or Workhouſe ſhould be deemed ſuch, not only for the Purpoſes ſpecified in the ſaid Act of the Sixth Year of Her late Majeſty Queen *Anne*, and not hereby repealed or altered; but alſo for the Purpoſe of receiving, keeping, and confining any ſuch Rogues, Vagrants, Vagabonds, or incorrigible Rogues, apprehended, examined, convicted, and ordered to be conveyed by Paſs as aforeſaid, for ſuch Time and until ſuch Period as ſuch Juſtice or Juſtices ſhould think proper; be it therefore enacted, That it ſhall be lawful, for the Mayor, Recorder, and Juſtices of the Peace of the ſaid Town and Borough of *Plymouth*, or any One or more of them, when and ſo often as he or they ſhall convict or order to be conveyed by a Paſs, any ſuch Rogues, Vagrants, Vagabonds, or incorrigible Rogues, according to the Proviſions of the ſaid Acts paſſed in the Seventeenth Year of the Reign of His ſaid Majeſty King *George* the Second, and the Thirty-ſecond Year of the Reign of His preſent Majeſty, or either of them, by Warrant under his or their Hand and Seal, or Hands and Seals, to order ſuch Rogue, Vagrant, Vagabond, or incorrigible Rogue to be firſt ſent to the Houſe of Correction within the ſaid Hoſpital or Workhouſe of the ſaid Town and Borough of *Plymouth*, there to remain until the next General or Quarter Seſſions of the ſaid Borough, or for any ſuch leſs Time as ſuch Juſtice of the Peace ſhall think proper, provided that ſuch leſs Time ſhall be at the leaſt for the Space of Seven Days; ſuch Rogue, Vagrant, Vagabond, or incorrigible Rogue being firſt convicted, as directed by the ſaid recited Act of the Thirty-ſecond Year of the Reign of His preſent Majeſty, or any other Law relating to Rogues, Vagabonds, or other idle and diſorderly Perſons: Provided that nothing herein contained ſhall be conſtrued to alter, abridge, or leſſen the Power now veſted by Law in the Juſtices of the Peace of the ſaid Town and Borough of *Plymouth*, to commit Offenders (liable by Law to be committed to the Houſe of Correction) to the Houſe of Correction of the County of *Devon*, by reaſon that the Mayor and Commonalty of the ſaid Borough of *Plymouth* contribute to the County Rates of the ſaid County of *Devon*, and are admitted to all the Advantages which other Towns and Pariſhes in the ſaid County are entitled unto, who ſo contribute to the ſaid County Rates.

XXVII. And

Guardians to appoint and remove Keeper of Houſe of Correction.

XXVII. And be it further enacted, That, for the better governing and regulating of the ſaid Houſe or Houſes of Correction, within the ſaid Hoſpital or Workhouſe, and for employing, relieving, and puniſhing the Perſons therein, or for ſending them to or from thence, it ſhall be lawful for the ſaid Guardians, at any Court or Aſſembly conſiſting of Twenty of the ſaid Guardians at the leaſt, by Votes as aforeſaid, from Time to Time to appoint and remove any Perſon to be Maſter or Keeper of the ſaid Houſe or Houſes of Correction, who ſhall have the Care of all Perſons confined therein, and to whom all Warrants or Orders authorizing the Confinement or Detention of any Perſon or Perſons, by virtue of this or any of the ſaid Three recited Acts, ſhall be directed.

Lunatics to be confined by Warrants of Juſtices.

XXVIII. And whereas there are ſometimes Perſons, who, by Lunacy or otherwiſe, are furiouſly mad, or are ſo far diſordered in their Senſes that they may be dangerous to be permitted to go abroad; be it therefore enacted, That it ſhall and may be lawful for any Two or more Juſtices of the Peace of the ſaid Borough, when ſuch Lunatic or other mad Perſon ſhall be found therein, by Warrant under their Hands and Seals, directed to the Conſtables of the ſaid Borough, and alſo to the ſaid Maſter or Keeper of the ſaid Houſe or Houſes of Correction, to cauſe ſuch Perſon ſo to be apprehended and kept ſafely locked up in ſome ſecure Place within the ſaid Hoſpital or Workhouſe, Houſe or Houſes of Correction, as ſuch Juſtices ſhall, under their Hands and Seals, direct and appoint; and (if ſuch Juſtices find it neceſſary) to be there chained, if the laſt legal Settlement of ſuch Perſon ſhall be in the ſaid Town and Borough of *Plymouth*; and, if ſuch Settlement ſhall not be there, then ſuch Perſon ſhall be ſent to the Place of his or her laſt legal Settlement, by a Paſs, in the Manner and Form, or to the Effect (*mutatis mutandis*) directed by the ſaid recited Act paſſed in the Seventeenth Year of His Majeſty King *George* the Second, and ſhall be locked up or chained by Warrant of Two Juſtices of the County or Precinct to which ſuch Perſon is ſo ſent in Manner aforeſaid; and the reaſonable Charges of keeping, maintaining, and curing ſuch Perſon within the ſaid Workhouſe, or Houſe or Houſes of Correction, during ſuch Reſtraint, (which ſhall be for and during ſuch Time only as ſuch Lunacy or Madneſs ſhall continue), and of removing ſuch Perſon, if ſo removed, ſhall be ſatisfied and paid (ſuch Charges being firſt proved upon Oath) by Order of Two or more Juſtices of the Peace, directing the Churchwardens or Overſeers where any Goods, Chattels, Lands, or Tenements of ſuch Perſon ſhall be, to ſeize and ſell ſo much of the Goods and Chattels, or receive ſo much of the Annual Rents of the Lands and Tenements, as ſhall be neceſſary to pay the ſame, and to account for what ſhall be ſo ſeized, ſold, or received, to the ſaid Guardians; but if ſuch Perſon hath not an Eſtate to pay and ſatisfy the ſame, over and above what ſhall be ſufficient to maintain his or her Family, then ſuch Charges ſhall be ſatisfied and paid to the ſaid Guardians by the Pariſh, Town, or Place, to which ſuch Perſon belongs, by Order of Two Juſtices, directed to the Churchwardens or Overſeers for the Purpoſe.

Repeal of Clauſe in Act 6 Anne,

XXIX. And be it further enacted, That ſo much of the ſaid recited Act of the Sixth Year of the Reign of Her Majeſty Queen *Anne*, as enacts, "That

giving the Guardians Power to correct for Diſorders.

"That any Court or Aſſembly of the ſaid Corporation, conſiſting of Nine Guardians or more, ſhould have Power to inflict ſuch Correction or Puniſhment on any poor Perſon or Perſons, within the ſaid Hoſpital or Hoſpitals, Workhouſe or Workhouſes, Houſe or Houſes of Correction, or that ſhould be ſet to work, as ſhould not conform to ſuch Rules, Orders, and Ordinances made and to be made, as in the ſaid Act is mentioned, or ſhould miſbehave themſelves in the ſame, as to them, or the major Part of them ſhould ſeem reaſonable; and that ſuch Court or Aſſembly ſhould from Time to Time have Power to appoint a Committee to conſiſt of Seven of the Guardians at leaſt, who or any Three of them ſhould, from Time to Time, or at any Time, till the then next Court or Aſſembly, have Power to inflict ſuch Correction and Puniſhment, as to them ſhould ſeem reaſonable, on ſuch poor Perſon or Perſons offending as aforeſaid; and in caſe any Rogue, Vagrant, idle or diſorderly Man, who ſhould be in the ſaid Workhouſe, ſhould prove diſobedient, and refuſe to conform himſelf to the Rules and Orders of the ſaid Houſe, and ſhould perſevere obſtinately in his Incorrigibleneſs, that then it ſhould and might be lawful to and for the ſaid Guardians, or the major Part of them agreeing thereunto, to deliver over all and every ſuch incorrigible Perſon and Perſons, to be liſted in the Land or Sea Service of Her then preſent Majeſty, or of Her Heirs or Succeſſors, as ſuch Guardians ſhould think fit; and that it ſhould and might be lawful to and for the ſaid Governor, Deputy Governor, and Aſſiſtants, or any Three of them (whereof the ſaid Governor or Deputy Governor, to be one) by Warrant or Warrants under their Hands and Seals, to be directed to the Conſtables of the ſaid Borough or Town, or to any or either of them, to apprehend or cauſe to be apprehended any Rogues, Vagabonds, Vagrants, Beggars, or idle or diſorderly Perſons, and all and every other Perſon and Perſons coming into or being in the ſaid Town, not legally ſettled therein, that had no viſible Means of living honeſtly, and to cauſe them to be carried to the ſaid Workhouſe, and there to be kept and ſet to work, for any Time not exceeding Twelve Months; and in caſe any Conſtable ſhould refuſe or neglect duly to ſerve or faithfully to execute ſuch Warrant, he ſhould forfeit the Sum of Forty Shillings for every ſuch Offence;" ſhall be and the ſame is hereby repealed and declared to be null and void to all Intents and Purpoſes whatſoever.

Poor Perſons refuſing to do reaſonable Work, or embezzling Goods, or miſbehaving by Swearing, Drunkenneſs, &c. may be puniſhed.

XXX And be it further enacted, That, in lieu and inſtead thereof, if any poor Perſon or Perſons, maintained within the ſaid Hoſpital or Hoſpitals, Workhouſe or Workhouſes, Houſe or Houſes of Correction, who ſhall be ſet to work, ſhall refuſe to perform the Work or Service which he, ſhe, or they ſhall be required to do (ſuch Work or Service being ſuited to his, her, or their Age, Strength, and Ability), or ſhall embezzle or purloin any Part of the Apparel, Materials, or Things provided for or belonging to or in the ſaid Workhouſe or Workhouſes, or ſhall be guilty of profane Curſing or Swearing, or Drunkenneſs, or of any lewd, immoral, indecent, or diſorderly Behaviour, or ſhall not conform to ſuch Rules, Orders, and Ordinances made and to be made by virtue of the ſaid laſt recited Act; that then, in all or any of the Caſes aforeſaid, it ſhall and may be lawful to and for the ſaid Governor and Deputy Governor, for the Time being, or either of them, upon Proof of ſuch Offence or Offences by one or more Witneſs or Witneſſes upon Oath, (which Oath

the

the ſaid Governor and Deputy Governor, or either of them, is and are hereby authorized and required to adminiſter), to cauſe ſuch Perſon or Perſons ſo offending to be puniſhed, either by Diſtinction of Diet or Dreſs, or by committing ſuch Offender or Offenders to the Houſe of Correction within the ſaid Workhouſe for any Time not exceeding Seven Days, or in lieu thereof to cauſe ſuch Offender or Offenders to be taken before the Mayor or ſome other Juſtice of the Peace for the ſaid Borough of *Plymouth*; which Mayor or Juſtice is hereby authorized and required, upon Proof of ſuch Offence or Offences upon Oath as aforeſaid, to cauſe ſuch Perſon or Perſons ſo offending to be puniſhed as aforeſaid, or by committing ſuch Offender or Offenders to the ſaid Houſe of Correction within the ſaid Workhouſe for any Time not exceeding One Calendar Month.

XXXI. And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act and the ſaid Three recited Acts, be it further enacted, That every Juſtice of the Peace before whom any Perſon ſhall be convicted of any Offence againſt this Act or the ſaid Three recited Acts, or any or either of them, may cauſe the Conviction to be drawn up according to the following Form, or in any other Form to the like Effect, as the Caſe may require; that is to ſay,

Form of Conviction.

'{ BE it remembered, That on [*Time of Conviction*] at [*Place of Conviction*] *A. B.* [*Name of Offender,*] of [*late Place of Abode and Addition of Offender,*] was duly convicted before me [*or* us,] [*Name and Stile of convicting Juſtice or Juſtices,*] for that the ſaid *A. B.* [*Name of Offender*] on [*Time of committing Offence,*] at [*Place of committing Offence*] did [*Here ſtate the Offence againſt the Act, according to the Fact,*] contrary to the Form of the Statute in that Caſe made and provided; and I [*or* we,] do therefore declare and adjudge, that the ſaid *A. B.* [*Name of Offender*] ſhall be [*Here ſet forth the Puniſhment adjudged*]. Given under my Hand and Seal [*or* our Hands and Seals] the Day and Year firſt above written.'

o wit.)'

Proceedings not to be quaſhed for want of Form, nor removed by Certiorari.

XXXII. And be it further enacted, That no Order, Judgment, Conviction, or other Proceeding, touching or concerning any of the Matters aforeſaid or touching or concerning any Offence againſt this Act or the ſaid Three recited Acts, or any or either of them, ſhall be quaſhed or vacated for Want of Form only, or be removed or removable by *Certiorari* or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*, any Law or Statute to the contrary thereof in anywiſe notwithſtanding.

Juſtices to viſit Houſe of Correction.

XXXIII. And be it further enacted, That the ſaid Mayor, Recorder, and Juſtices of the Peace for the ſaid Borough of *Plymouth*, or any One or more of them, ſhall have Power, and they are hereby authorized, Twice or oftener if need be, in every Year, to viſit ſuch Part or Parts of the ſaid Houſe or Houſes of Correction within the ſaid Workhouſe, as ſhall for the Time being be ordered and directed by the ſaid Guardians to be uſed or appropriated for the Reception or keeping of any ſuch Rogues, Vagrants, Vagabonds, or Incorrigible Rogues or Lunatics or

Mad Perſons as ſhall be ſent to or confined in the ſame by his or their Warrant or Warrants as aforeſaid; or for the Reception or keeping of any ſuch Offenders as ſhall by virtue of this Act be directed or cauſed to be taken by the ſaid Governor or Deputy Governor before the ſaid Mayor, Recorder, and Juſtices, or any One or more of them, and ſhall be by him or them committed to ſuch Houſe of Correction for any Time not exceeding One Calendar Month, as aforeſaid; and to examine into the State and Management thereof; and to report the ſame to the next General or Quarter Seſſions of the ſaid Borough, to the Intent that if any Thing be amiſs therein, the ſame may by Order of ſuch General or Quarter Seſſions be reformed and amended: Provided always, that nothing herein contained ſhall be conſtrued to give the ſaid Mayor, Recorder, and Juſtices, or any of them, any general Power or Authority over the ſaid Hoſpital or Hoſpitals, Workhouſe or Workhouſes, Houſe or Houſes of Correction, or any Perſon or Perſons therein, or of committing any Perſon or Perſons to the ſame, other than or beyond what is expreſſed to be given them by this preſent Act; but the ſame ſhall in all other reſpects continue veſted in, and be and remain under the ſole and excluſive Care, Management, Orders, and Regulations of the ſaid Guardians by virtue of the ſaid Three firſt recited Acts as heretofore, except where expreſsly altered or varied by this preſent Act.

Paupers may be removed by Conſtables inſtead of Overſeers.

XXXIV. And be it further enacted, That whenever any poor Perſon or Perſons ſhall be ordered to be removed from the ſaid Town of *Plymouth* to the Place or Pariſh of his, her, or their legal Settlement, it ſhall be lawful for the ſaid Governor, Deputy Governor, and Aſſiſtants for the Time being, or any Three of them (whereof the ſaid Governor or Deputy Governor to be One) if they ſhall think fit, to cauſe ſuch poor Perſon or Perſons to be reſpectively removed, in the uſual Manner of removing Paupers, by a Conſtable or ſome other Perſon or Perſons to be appointed by the ſaid Governor, Deputy Governor, and Aſſiſtants, or any Three or more of them as aforeſaid, for that Purpoſe, by Writing under their Hands; and every Overſeer and other proper Officer of the Pariſh or Place to which ſuch poor Perſon or Perſons ſhall be ordered to be removed as aforeſaid, is hereby required to receive every ſuch poor Perſon or Perſons, in like Manner as he or they would have been bound to do if ſuch poor Perſon or Perſons had been delivered to him, her, or them, by One of the Overſeers of the Poor of the ſaid Town of *Plymouth*; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

Juſtices to proceed on Complaint of Governor or Clerk.

XXXV. And be it further enacted, That in all Caſes not herein otherwiſe provided for, where One or more Juſtice or Juſtices of the Peace is or are empowered by the Laws now in being to proceed on the Complaint of the Churchwardens and Overſeers of the Poor, or any of them, it ſhall and may be lawful for ſuch Juſtice or Juſtices, and he or they is and are hereby required to proceed on the Complaint of the ſaid Governor, or the Clerk of the ſaid Guardians for the Time being, in ſuch and the like Manner, to all Intents and Purpoſes, as if ſuch Complaint had been made by any ſuch Churchwardens and Overſeers, or any of them.

XXXVI. And

Guardians may take Bonds to indemnify againſt Expences of Baſtard Children.

XXXVI. And be it further enacted, That it ſhall and may be lawful for the ſaid Guardians of the Poor to take, accept, and receive any Bond or Security from any Perſon or Perſons for indemnifying the ſaid Guardians againſt any of the Coſts, Charges, and Expences of the Maintenance, previous to and during the lying-in of any pregnant ſingle Woman in the ſaid Town and Borough of *Plymouth*, and the Maintenance and Support of any Baſtard Child or Children reſpectively born or to be born therein.

Application of Money amounting to or exceeding 200l.

XXXVII. And be it further enacted, That if any Money ſhall be agreed to be paid for the Purchaſe of any Lands or Grounds to be purchaſed, taken, or uſed by virtue of the ſaid recited Acts and of this Act, or any of them, for the Purpoſes thereof, which ſhall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Truſt, Executor, Adminiſtrator, Huſband, Guardian, Committee, or other Truſtee for or on Behalf of any Infant, Lunatic, Ideot, Feme Covert, or other *Ceſtuique* Truſts, or to any Perſon whoſe Lands, Tenements, or other Hereditaments, are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever, ſuch Money ſhall, in caſe the ſame ſhall be equal 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 the High Court of Chancery, to be placed to his Account there, *ex parte* the Guardians of the Poor of the Town of *Plymouth*, to the Intent that ſuch Money ſhall be applied under the Direction and with the Approbation of the ſaid Court of Chancery, 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 and Grounds, in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrance or Part thereof, as the ſaid Court of Chancery ſhall authorize to be paid, affecting the ſame Lands or Grounds, or affecting other Lands, Tenements, or Hereditaments, ſtanding ſettled to the ſame or the like Uſes, Intents, and Purpoſes; or, where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted under the like Direction and Approbation of the ſaid Court of Chancery, in the Purchaſe of other Lands, Tenements, and Hereditaments, which ſhall be conveyed and ſettled to, for, or upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner as the Lands or Grounds which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined, and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court of Chancery, 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; and in the mean Time, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court of Chancery to be ſold, for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court of Chancery, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands and Grounds ſo

hereby directed to be purchaſed, in caſe ſuch Purchaſe or Settlement were made.

Leſs than 200l. and exceeding 20l.

XXXVIII. Provided always, and be it enacted, That if any Money ſo agreed to be paid for any Lands or Grounds to be purchaſed, taken, or uſed for the Purpoſes aforeſaid, 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 amount to or 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 or Grounds ſo purchaſed, taken, or uſed, or of his, her, or their Guardian or Guardians, Committee or Committees, in caſe of Infancy, Idiotcy, or Lunacy, 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 High Court of Chancery, to be placed to his Account as aforeſaid, in order to be applied in Manner herein-before directed; or otherwiſe the ſame ſhall 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 Guardians of the Poor, ſuch Nomination and Approbation to be ſignified in Writing under the Hands of the nominating and approving Parties, in order that ſuch Principal Money and the Dividends ariſing thereon, may be applied in Manner herein-before directed, ſo far as the Caſe be applicable, without obtaining or being required to obtain the Direction or Approbation of the Court of Chancery.

Leſs than 20l.

XXXIX. Provided alſo, and be it further enacted, That where ſuch Money ſo agreed to be paid as laſt before mentioned ſhall be leſs than 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 or Grounds ſo purchaſed, taken, or uſed for the Purpoſes of the ſaid recited Acts and of this Act, or any of them, in ſuch Manner as the ſaid Guardians of the Poor ſhall think fit; or in caſe of Infancy, Idiotcy, or Lunacy, then ſuch Money ſhall be paid to his or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

Court of Chancery to order Payment of Expences.

XL. Provided alſo, and be it further enacted, That when, by reaſon of any Diſability or Incapacity of the Perſon or Perſons, or Corporation entitled to any Lands or Grounds to be purchaſed under the Authority of the ſaid recited Acts and of this Act, or any of them, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands and Grounds, to be ſettled to the like Uſes, in purſuance of this Act, it ſhall and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes to be from Time to Time made in purſuance of this Act, or ſo much of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Guardians of the Poor.

Inhabitants deemed competent Witneſſes.

XLI. And be it further enacted, That in all Actions, Proſecutions, Informations, Cauſes, and Proceedings whatſoever, relating to or concerning

cerning the Execution of this Act, or any of the ſaid Three recited Acts, no Inhabitant of the ſaid Borough ſhall be deemed incompetent to give Evidence, by reaſon of his or her being rated or aſſeſſed by virtue of this Act, or the ſaid Three recited Acts; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

Parties making Diſtreſs not to be deemed Treſpaſſers ab initio.

XLII. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, or of the ſaid Three recited Acts or any of them, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in any Proceedings relating thereto; nor ſhall the Party or Parties be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards committed or done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity, may recover full Satisfaction for the ſpecial Damage, in an Action upon the Caſe, but ſubject to ſuch Regulations and Reſtrictions as are by this Act herein-after provided touching any Action to be brought for or in reſpect of any Matter or Thing done by colour or in performance of this Act, or of the ſaid Three recited Acts, or any of them.

Perſons aggrieved may appeal, &c.

XLIII. And be it further enacted, That in all Caſes where any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or Aſſeſſment, or by any Order, Conviction, or other Matter or Thing which ſhall be made, had, or done in purſuance of this Act, or of the ſaid Three recited Acts, or any or either of them, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal to the Juſtices of the Peace of and for the City, Borough, or Town Corporate in which the ſame ſhall be made, had, or done, if the ſame ſhall be made, had, or done in a City, Borough, or Town Corporate, in which General Quarter Seſſions of the Peace are uſually held; otherwiſe to the Juſtices of the Peace for the County, Riding, or Diviſion in which the ſame ſhall be made, had, or done, at the General Quarter Seſſions of the Peace which ſhall be holden in and for ſuch City, Borough, Town Corporate, County, Riding, or Diviſion, next after Demand made of any ſuch Rate or Aſſeſſment, or next after any ſuch Order, Conviction, Matter, or Thing being made, had, done, or committed, as the Caſe may be; ſuch Appellant or Appellants firſt giving or cauſing to be given Fourteen Days Notice at the leaſt in Writing, of his, her, or their Intention to bring ſuch Appeal; and of the Matter thereof, as well to the ſaid Guardians or their Clerk, and to ſuch other Perſon or Perſons as ſhall be intended to be affected by ſuch Appeal, as alſo in the Caſe of every Appeal againſt any Conviction or other Proceeding had, made, or done by or before any Juſtice or Juſtices of the Peace, Mayor, or other Head Officer or Officers, to the Juſtice or Juſtices of the Peace, Mayor, or other Head Officer or Officers, by or before whom ſuch Conviction or other Proceeding ſhall have been had, made, or done; and further, within Four Days next after giving or cauſing to be given ſuch Notice as aforeſaid, entering into a Recognizance before ſuch Juſtice or Juſtices, Mayor, or other Head Officer or Officers, or before ſome Juſtice of the Peace of and for the ſaid Borough of *Plymouth*, with Two ſufficient Sureties, in ſuch reaſonable Sum or Sums of Money as ſuch Juſtice or Juſtices, Mayor, or

other

other Head Officer or Officers ſhall direct, conditioned to try ſuch Appeal and to abide ſuch Order as ſhall thereupon be made, and to pay ſuch Coſts as ſhall be awarded by ſuch Juſtices, at ſuch Quarter Seſſions as aforeſaid; and it ſhall be lawful for the ſaid Juſtices, and they are hereby authorized to ſummon before them, at ſuch Quarter Seſſions, or at ſome Adjournment thereof, the Witneſſes on the Parts both of the Appellant or Appellants, and of the Reſpondent or Reſpondents; and upon due Proof of ſuch Notice as before directed having been given or cauſed to have been given, and of the entering into ſuch Recognizance as herein-before is mentioned, at ſuch Quarter Seſſions or Adjournment thereof, to hear and finally determine the Cauſes and Matters of every ſuch Appeal in a ſummary Way; and to award ſuch Reſtitution, Damages, and Coſts to the Appellant or Appellants, or Reſpondent or Reſpondents, not exceeding the Amount of the Rate or Rates, Sum and Sums of Money, Charges and Expences, which ſhall have been actually recovered and received by any Perſon or Perſons in purſuance of this Act, or of the ſaid Three recited Acts or any or either of them, together with ſuch reaſonable Coſts, Charges, and Expences of proſecuting or defending ſuch Appeal, as the ſaid Juſtices ſhall think proper; which Determination of the ſaid Juſtices at ſuch Quarter Seſſions or Adjournment thereof as aforeſaid, ſhall be final, binding, and concluſive to all Intents and Purpoſes whatſoever.

If Notice cannot be given, the Appeal may be heard at the next Seſſions.

XLIV. Provided always, and be it further enacted, That in caſe there ſhall not be Time to give the ſaid Fourteen Days Notice before the holding of ſuch next General Quarter Seſſions of the Peace as aforeſaid, then ſuch Appeal ſhall and may be made to and heard and determined at the next General Quarter Seſſions following the ſaid Fourteen Days Notice of ſuch Appeal; and ſuch Recognizance having been previouſly given and entered into as aforeſaid.

Juſtices, in caſe of Appeal againſt Rate, may correct without quaſhing the whole Rate.

XLV. And be it further enacted, That in Caſes of Appeal to the Juſtices of the Peace at any Quarter Seſſions to be holden for the ſaid Borough of *Plymouth*, relating to any Rate or Aſſeſſment made under or by virtue of this Act, or of the ſaid Three recited Acts, or any or either of them, the ſaid Juſtices, upon hearing ſuch Appeal, where they ſhall ſee juſt Cauſe of Relief, ſhall and are hereby empowered to correct, alter, and amend ſuch Rate or Aſſeſſment, in ſuch Manner only as ſhall be neceſſary for giving Relief to the Perſon or Perſons ſo appealing, without altering ſuch Rate or Aſſeſſment with reſpect to any other Perſon or Perſons therein-mentioned, and without quaſhing, or wholly ſetting aſide the ſame Rate; any Law, Statute, or Uſage to the contrary thereof notwithſtanding.

Limitation of Actions.

XLVI. And be it further enacted, That no Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Thing done under colour of or in purſuance of this Act, or of the ſaid Three recited Acts, or any of them, but within Three Calendar Months after the Fact ſhall have been committed, out of which the Cauſe of ſuch Action ſhall have ariſen: Provided alſo, that no Plaintiff or Plaintiffs ſhall recover in any Action for any Irregularity, Treſpaſs, or other Proceeding, unleſs Notice in Writing ſhall have been given to the Perſon or Perſons againſt whom the ſame is intended to be brought, or left

left at his, her, or their last or usual Place of Abode, Twenty-one Days before such Action shall be commenced, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in such Action, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed, or caused to be committed the said Fact, before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, to pay into Court such Sum of Money as he, she, or they shall think fit; whereupon such Proceedings or Order and Judgment shall be had, made, or given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court: Provided also, that the Defendant or Defendants in all and every such Action or Actions 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 and by Authority of this Act, or of the said Three recited Acts, or some or one of them; and if upon the Trial of such Action or Suit it shall appear to be so done, or that such Action or Suit shall have been brought before the Expiration of Twenty-one Days next after such Notice shall have been given as aforesaid, or after a sufficient Satisfaction made, tendered, or paid into Court as aforesaid, or after the Time limited for bringing the same as aforesaid, then and in such Case the Jury shall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Actions, or if a Verdict shall be found against the Plaintiff or Plaintiffs, or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, then and in every such Case 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 for Costs of Suit in other Cases by Law.

Plaintiff not to recover if Tender of Amends made.

General Issue.

Treble Costs.

XLVII. And be it further enacted, That the said recited Act passed in the Sixth Year of the Reign of Her Majesty Queen *Anne*, and the said recited Act passed in the Thirty-second Year of the Reign of His late Majesty King *George* the Second, and the said recited Act passed in the Twenty-sixth Year of the Reign of His present Majesty King *George* the Third, and all and every the Clauses, Powers, Provisoes, Penalties, Forfeitures, Articles, Matters and Things therein contained, (save and except such Part and Parts thereof as are hereby altered, varied, or repealed), shall be in full Force and Effect, and shall be as good, valid, and effectual to all Intents and Purposes whatsoever, for carrying this Act into Execution, as if the same had been repeated and re-enacted in the Body of this Act.

Powers of former Acts extended to this Act.

XLVIII. And be it further enacted, That all Costs, Charges, and Expences of passing this Act, and all other Charges incident to the obtaining thereof, or incurred in relation thereto, shall be borne, paid, and defrayed out of the first Monies which shall arise or be collected out of any Rate or Assessment made or to be made for the Relief and Maintenance of the Poor of the said Town and Borough of *Plymouth*, or out of the Monies now in, or which may hereafter come into the Hands of the said

Costs of Act how to be defrayed.

said Guardians of the Poor, or their Treasurer or Receiver, or any or either of them.

Public Act. XLIX. 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.

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