



ANNO OCTAVO & NONO

# VICTORIÆ REGINÆ.

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## *Cap. cciv.*

An Act for removing Doubts relating to the Collection of certain Portions of the Borough Rates of the City and County of *Bristol*.

[9th *August* 1845.]

**W**HEREAS an Act was passed in the First Year of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act for the better assessing and collecting certain parochial and other Rates within the City and County of Bristol*, in which it is recited, that it was expedient and just that the Shares of a Borough Rate already made or ordered for the said City and County, and of all future Borough Rates apportioned to those Parts of the Parishes of *Bedminster* and *Westbury-upon-Trym* added to and then forming Part of the said City and County of *Bristol*, should be assessed and levied only upon the said Parts of those Parishes; and it was enacted, that a Warrant of the said Borough Rate already made or ordered, and of all Borough Rates thereafter to be made or ordered, and the Apportionment of the Shares thereof respectively, by the Council of the said City and County to the said Parishes of *Bedminster* and *Westbury-upon-Trym*, signed by the Mayor and sealed with the Seal of the said City and County, should from Time to Time be transmitted to the Overseers of the Poor of the said

[*Local.*] 54 K several

7 W. 4. &  
1 Vict. c.86.

several Parishes for the Time being, and the Amount of the several Shares of such Borough Rate or Rates apportioned to the said several Parishes should, by the respective Overseers of the Poor of those Parishes, be raised, rated, and levied upon the Parts of those Parishes respectively added to and then forming Part of the said City and County in such Manner as Money for the Relief of the Poor was by Law to be raised, rated, or levied, and as if the Part of each of the said Parishes added to and then forming a Part of the said City and County was a Parish separate and distinct from the Residue thereof; and the said Overseers should, at the Expiration of each Calendar Month next after any such Warrant as aforesaid should have been transmitted, render to the Treasurer of the said City and County a Statement in Writing of the Amount by them collected, and pay over such Amount to such Treasurer on account of the Sum included in every such Warrant; and in case, at the Expiration of Six Calendar Months next after the Transmission of every such Warrant, any Part of the Amount therein comprised should remain uncollected and unpaid to the said Treasurer, such Amount so remaining unpaid should be added to the apportioned Share of the next Borough Rate chargeable on the said Parts of the said Parishes respectively, and should be levied, raised, and assessed by the Ways and Means aforesaid, and be accounted for and paid over to the said Treasurer at the same Periods and in manner aforesaid, and so from Time to Time as often as occasion should require; and it was provided, that the Addition of any such Sum so remaining uncollected and paid over as aforesaid to any subsequent Share of any Borough Rate should not be deemed to operate the Discharge of any Liability to the Payment of any preceding Rate, but that all Arrears of any such preceding Rate should be collected, accounted for, and paid over at the Periods and in manner aforesaid on account of such Borough Rate; and in the event of any Excess of Payment by the said Overseers to the said Treasurer, such Excess should be credited in the next Share of such Borough Rate in reduction of the same: And whereas another Act was passed in the said First Year of the Reign of Her said present Majesty, intituled *An Act to amend an Act for the Regulation of Municipal Corporations in England and Wales*, whereby, after reciting that the Limits of Boroughs in some Cases extended over Parts of Parishes, Townships, and Places, parochial or otherwise, leaving the Remainder of such Parishes, Townships, and Places without the Limits of such Boroughs, and Doubts had arisen whether the Act therein recited contained Provisions under which the Share, which ought to be paid by the Parts included within the Limits of any Borough, of any Borough Rate to be levied in pursuance of the same Act, could be assessed and levied upon such Parts exclusively of the Remainder not within the Limits of the Borough, it was enacted, that the Overseer or Overseers of the Poor within any Parish, Township, or Place whereof Part lay within the Limits of a Borough as aforesaid, or any Person or Persons who, in pursuance of the Powers contained by reference in the said Act, should be appointed to act as Overseer or Overseers, should and might and was and were thereby empowered to levy and raise in manner directed by the said Act upon such Part, exclusively of any Parish,

7 W. 4. &  
1 Vict. c. 78.

Parish, Township, or Place, as was situate within the Limits of such Borough, such Sum or Sums of Money as should be required to pay every Borough Rate (including Rates already paid by such Overseer or Overseers or other Person or Persons) assessed and to be thereafter assessed, under the Authority in the said Act, upon such Part of any such Parish, Township, or Place as lay within the Limits of such Borough: And whereas another Act was passed in the said First Year of the Reign of Her said present Majesty, intituled *An Act to provide for the levying of Rates in Boroughs and Towns having Municipal Corporations in England and Wales*, whereby, after reciting that by an Act passed in the Sixth Year of the Reign of His late Majesty, intituled *An Act to provide for the Regulation of Municipal Corporations in England and Wales*, Authority was given to the Council of any Borough in certain Cases to levy a Borough Rate, and in certain other Cases to levy a Watch Rate, and the same Powers and Authorities were thereby given to them for that Purpose as by Law are given to Justices of the Peace at Sessions with respect to a County Rate, and that no Authority was thereby given to the Churchwardens or Overseers of the Poor of any Parish or Place, or other Persons who might thereby be legally ordered to pay or levy such Rate, to pay the same out of the Poor Rate of such respective Parishes or Places, or otherwise to levy the same upon the Inhabitants thereof, it was provided and enacted, that in every Case in which any Parish or Place liable to support its own Poor should be partly within and partly without any such Borough, and in the Case of every extra-parochial Place wholly or partly within any such Borough, the Council of the Borough should appoint One or more proper Person or Persons to act as Overseer or Overseers within that Part of such Parish or any such Place which was within the Borough for making, levying, and collecting any such Borough Rate or Watch Rate therein; and in every such Case of a divided Parish or Place, if the Borough was not liable to the County Rate, the Justices of the Peace having Jurisdiction over that Part of such Parish or Place which was not within the Borough should appoint One or more proper Person or Persons to act as Overseer or Overseers within that Part of such Parish or Place which was not within the Borough for making, levying, and collecting the County Rate therein; and the Person or Persons so respectively to be appointed should have the like Powers vested in him or them, and should be subject to the same Regulations and Penalties for levying and collecting any such Borough Rate, Watch Rate, or County Rate within that Part of such Parish or Place for which he or they was or were appointed, as if he or they was or were appointed Overseer or Overseers of the Poor under any Law or Laws then or thereafter to be in force: And whereas several Borough Rates have been ordered by the Council of the said City of *Bristol* for the Purposes of the said City and County, and the same have been apportioned between the Parishes, Precincts, and Places within the said City and County, but some of such Borough Rates apportioned to the said Parts of the said Parishes of *Bedminster* and *Westbury-upon-Trym* have been signed by only Two Overseers, not being the major Part of the Overseers of the said Parishes: And whereas the said Council on the Seventh Day of *August* One thousand eight hundred and forty

7 W. 4. &  
1 Vict. c. 81.5 & 6 W. 4.  
c. 76.

forty-four ordered a Borough Rate for the said City and County, and Warrants for the Assessment thereof upon the said Parts of the said Parishes, signed by the Mayor, and sealed with the Seal of the said City and County, were transmitted to the respective Overseers of the Poor of the said Parishes, to be raised, rated, and levied in manner aforesaid, the Warrant for the said last-mentioned Rate, so far as the same relates to the said Part of the Parish of *Bedminster*, being for the Sum of Two thousand six hundred and twenty-eight Pounds Six Shillings and Seven-pence, whereof the Sum of Nine hundred and seventy-five Pounds Six Shillings and Sixpence was the Share apportioned to the said Part of the said Parish of the said Rate ordered on the Seventh Day of *August* One thousand eight hundred and forty-four, the Sum of Seven hundred and ninety-five Pounds Six Shillings and Four-pence was the Arrear uncollected of a Borough Rate ordered by the said Council on the Seventh Day of *July* One thousand eight hundred and forty-three for the said Part of the said Parish, and the Sum of Eight hundred and fifty-seven Pounds Thirteen Shillings and Nine-pence was the Arrear uncollected of a Borough Rate ordered by the said Council on the First Day of *January* One thousand eight hundred and forty-four for the said Part of the said Parish; and the said Warrant for the said Rate of the Seventh Day of *August* One thousand eight hundred and forty-four, so far as the same relates to the said Part of the Parish of *Westbury-upon-Trym*, being for the Sum of Five hundred and sixty-one Pounds Eight Shillings and Seven-pence, whereof the Sum of Three hundred and sixty-four Pounds Three Shillings and Seven-pence was the apportioned Share of the said Part of the said last-mentioned Parish of the said Rate ordered on the Seventh Day of *August* One thousand eight hundred and forty-four, the Sum of Seventy-three Pounds Two Shillings and Nine-pence was the Arrear uncollected of a Borough Rate ordered by the said Council on the said Seventh Day of *July* One thousand eight hundred and forty-three for the said Part of the said last-mentioned Parish, and the Sum of One hundred and twenty-four Pounds Two Shillings and Three-pence was the Arrear uncollected of a Borough Rate ordered by the said Council on the said First Day of *January* One thousand eight hundred and forty-four in respect of the said Part of the said last-mentioned Parish, and a considerable Part of the Amount ordered to be raised by such Warrants is still uncollected and unpaid: And whereas, in consequence of the before-recited Provisions contained in the said secondly and thirdly recited Acts, Doubts have been entertained whether the herein-before recited Provision contained in the said first-recited Act has not been repealed or altered so as to invalidate the Proceedings which have taken place under the said first-recited Act with reference to the Parts of the aforesaid Parishes of *Bedminster* and *Westbury-upon-Trym*, and whether the Collection of any Share of any Borough Rate apportioned to such Parts of the said Parishes can be enforced; and it is expedient that such Doubt should be removed; but the same 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 Queen'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

That the several Borough Rates herein-before ordered as aforesaid, and the Apportionments thereof, and the Proceedings which have taken place in respect of the said Rates or any of them, and the Assessment and Collection thereof, and the future levying and collecting of the Amount remaining unpaid on the several Sums of Two thousand six hundred and twenty-eight Pounds Six Shillings and Seven-pence, and Five hundred and sixty-one Pounds Eight Shillings and Seven-pence respectively, ordered by the said Council on the Seventh Day of *August* One thousand eight hundred and forty-four to be rated and assessed as aforesaid, with reference to the said Parts of the said Parishes of *Bedminster* and *Westbury-upon-Trym* within the said City and County, shall be as valid as if the same were made according to the Provisions of the last-recited Act; and the said last-recited Amount shall be levied and collected by the Person or Persons to be appointed by the said Council to act as Overseer or Overseers under the Provisions of that Act: Provided nevertheless, that no Person assessed in the said Rates shall be disqualified by reason of the Nonpayment of any such Rates from having his Name inserted on the Burgess List for the said respective Parishes.

Borough Rates, &c. before recited to be valid.

II. And be it enacted, That any Person who shall have paid the Amount assessed upon him by the said Rates ordered on the Seventh Day of *July* One thousand eight hundred and forty-three, and the First Day of *January* One thousand eight hundred and forty-four, or either of them, in respect of the said Parts of the said respective Parishes, shall be entitled to Credit as against the Sums for which he may have been assessed in respect of the said respective Sums of Two thousand six hundred and twenty-eight Pounds Six Shillings and Seven-pence, and Five hundred and sixty-one Pounds Eight Shillings and Seven-pence, as follows; that is to say, as to any Person assessed in respect of the said Part of the said Parish of *Bedminster*, such Person shall be entitled to Credit in respect of the Amount paid by him of the said Rate ordered on the Seventh Day of *July* One thousand eight hundred and forty-three in the Proportion of Six Shillings in the Pound on the Amount of the Assessment on him in respect of the said Sum of Two thousand six hundred and twenty-eight Pounds Six Shillings and Seven-pence; and in respect of the Amount paid by such Person of the said Rate ordered on the First Day of *January* One thousand eight hundred and forty-four, in the Proportion of Six Shillings and Sixpence in the Pound on such Assessment; and as to Persons assessed in respect of the said Part of the said Parish of *Westbury-upon-Trym*, any such Person shall be entitled to Credit on the Amount paid by him of the said Rate ordered on the Seventh Day of *July* One thousand eight hundred and forty-three in the Proportion of Two Shillings and Seven-pence in the Pound on the Amount of the Assessment on him in respect of the said Sum of Five hundred and sixty-one Pounds Eight Shillings and Seven-pence; and as to the Amount paid by such Person of the said Rate ordered on the First Day of *January* One thousand eight hundred and forty-four, in the Proportion of Four Shillings and Five-pence in the Pound on such Assessment: Provided nevertheless, that no Person shall be relieved from any such Payment unless he shall produce and deliver to the Collector appointed to collect such Assessment a Receipt for

Persons who have paid Assessments to have Credit given for same.

the Payment of the Rate which he may so have paid as aforesaid, or verify such Payment to the Satisfaction of such Collector; or if such Receipt shall not be produced, or such Payment verified as aforesaid, the Sum (if any) to be allowed to such Person in respect of any such Payment shall be settled and adjusted by the Justices of the Peace for the said City and County at some Petty Sessions or Adjournment thereof.

Expences of  
this Act.

III. And be it enacted, That all the Costs, Charges, and Expences of obtaining this Act, and all other Charges incident thereto, shall be paid and defrayed out of the Borough Fund of the said City and County.

Public Act.

IV. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

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