



ANNO QUINTO

GEORGIIV. REGIS.

Cap. lxxiv.

An Act to amend and enlarge the Powers of several Acts, so far as the same relate to the Right of voting at Vestries of the Parish of *Saint John Southwark* in the County of *Surrey*, and to establish a Select Vestry within the said Parish.

[28th May 1824.]

WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty King George the Second, intituled *An Act for providing a Maintenance for the Minister of the New Church of Horselydown in the Borough of Southwark in the County of Surrey, and for making the District assigned to the same a distinct Parish, and for other Purposes therein mentioned*; it is among other things enacted, that the Minister or Rector of the said new Church for the Time being, and all other Parishioners renting, occupying, and inhabiting Houses, Tenements, or Hereditaments of the yearly Value of Ten Pounds, as the same should be rated or assessed to the Land Tax within the said Parish, and no others, should be Vestrymen for the Time being of the said new intended Parish; and that the Rector, and all Persons within the said Parish so qualified, shall meet within Ten Days after the said Church is consecrated, and elect Churchwardens, Overseers of the Poor, and all other Officers for the said Parish, and afterwards, from Time to Time, upon Public Notice to be openly read and published in the said Church, by the Order of

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the Minister or Rector, Churchwardens, and Overseers of the Poor, or either of them; on the Lord's Day next preceding, immediately after Divine Service; and the said Vestrymen, or the major Part of such of them as shall be assembled at such Meetings, shall and may from Time to Time elect Churchwardens, and all other Officers for the said Parish, and also from Time to Time shall and may elect and nominate, amove and put out, the Sexton, Grave Diggers, and all other Officers and Servants to be employed in or about opening the Pews, making the Graves, or otherwise, in or about the said Church, and shall and may also have and exercise all other the same Powers and Authorities as they might or could have done in case they had been named to have been Vestrymen of the said new Parish by the said Commissioners, according to the said Act of the Tenth Year of the Reign of Her said late Majesty Queen *Anne*: And whereas by an Act passed in the Twenty-sixth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for ascertaining and collecting the Poores Rates, and for better governing, regulating, maintaining, and employing the Poor in the Parish of Saint John Southwark in the County of Surrey*, it is enacted, that within Twenty Days next from and after the passing of this Act the Churchwardens and Overseers of the Poor and the Vestrymen of the said Parish of *Saint John Southwark* aforesaid, or any Eleven or more of them, according to the ancient Usage and Custom of the said Parish, shall assemble and meet together in the Vestry Hall of the said Parish, Notice of which Meeting shall be first publicly given in the Church of the said Parish on the *Sunday* next preceding the said Meeting, and from and after such first Meeting shall assemble and meet together in the said Vestry Hall from Time to Time as Occasion shall require, for the Purpose of transacting the necessary Business of the said Parish, and of carrying the Purposes of this Act into Execution, which future Meetings shall be convened by the Churchwardens and Overseers, Governors and Directors of the Poor, to be appointed as herein-after mentioned; and they or any Three or more of them are hereby empowered to cause public Notice to be given from Time to Time in the Parish Church aforesaid, of each intended Meeting, the *Sunday* before such Meeting, immediately after Morning Service; and that at such first Meeting to be held within Twenty Days next after the passing this Act, and after such first Meeting at an annual Meeting to be held in the said Vestry Hall on *Thursday* in *Whitsun* Week in each succeeding Year, or within Fourteen Days after (Notice having been first given in the Parish Church as aforesaid), the said Churchwardens and Overseers and Vestrymen, or any Eleven or more of them, shall nominate and appoint Ten substantial and discreet Persons residing in the said Parish, who shall not during such their Appointment be Treasurer or Collector of the said Parish, one Half Part of which Number shall be resident in the Land Side Division of the said Parish, and the other Half Part in the Water Side Division thereof, who, together with the Churchwardens and Overseers of the Poor for the Time being, shall be called "Governors and Directors of the Poor of the said Parish;" and it is further enacted, that the Churchwardens, Overseers of the Poor, and Vestrymen of the said Parish, or any Eleven or more of them, at a Public Meeting to be held pursuant to the Directions of this Act, shall annually, or oftener if they

think fit, appoint One or more Treasurer or Treasurers for the Receipt of the Monies to be collected by the said Rates or Assessments, and all other Monies whatsoever applicable to the Relief of the Poor within the said Parish, or to any other Purposes of this Act, and also for the issuing and paying, out of the Money which shall by him or them be so received, all such Sum and Sums of Money as he or they shall be directed from Time to Time to pay in pursuance of this Act; and shall and may from Time to Time remove such Treasurer or Treasurers, and appoint any other Person or Persons to be Treasurer or Treasurers in his or their Room and Stead; and such Treasurer or Treasurers is and are hereby directed, annually or oftener, if thereunto required by the Auditors of the Parish Accounts, to be appointed as herein-after mentioned, or by the major Part of them, in such Manner as is herein-after directed and appointed for that Purpose, to account to such Auditors, and to pay such Balance, as upon the said Account shall appear to be remaining in his or their Hands, to such Person or Persons as the Governors and Directors of the Poor, or any Seven or more of them, shall authorize and appoint to receive the same, to be paid and applied to and for the several Uses and Purposes for which the same was levied and raised; and it is further enacted, that the Churchwardens, Overseers of the Poor, and Vestrymen of the said Parish, or any Eleven or more of them, at a Public Meeting to be held pursuant to this Act, shall and may annually, or oftener if they think fit, choose and appoint One or more fit Person or Persons to be Collector or Collectors of the said Rates or Assessments to be raised and levied by virtue of this Act; and it is further enacted, that it shall be lawful for the Vestrymen of the said Parish, and they are hereby required at their Annual Meeting on *Thursday* in *Whitsun* Week, or so soon after as might be, in every Year, to choose and nominate Eight Persons, each of whom shall be a Vestryman of the said Parish, Four of whom shall be resident in the Water Side Division of the said Parish, and the other Four shall be resident in the Land Side Division of the said Parish, who shall be called Auditors of the Parish Accounts: And whereas at the Time of the passing of the said first-recited Act a large Proportion of the said Parish consisted of open and vacant Ground, since which Period a considerable Number of small Houses of trifling yearly Value have been erected thereon, or on Parts thereof, which, from the increased Value of Property, are rated in the Land Tax Books of the said Parish at Ten Pounds *per Annum* or upwards; and many other Houses, which at the Time of the passing of the said first-recited Act of the Sixth Year of the Reign of King *George* the Second were not rated at Ten Pounds a Year in the Land Tax Books, have been raised, and are now rated to the Land Tax at or above that Sum, and the Occupiers of such Houses and Hereditaments claim to be entitled to vote and do vote in the Vestry Meetings of the Parish, although many of such Occupiers do not pay the Land Tax in their own Right, their Landlords being rated for the same, and although many other of such Occupiers, by reason of their Poverty or otherwise, do not pay or contribute towards the Poor Rates of the said Parish: And whereas it is expedient that the Provisions of the said recited Act of the Sixth Year of the Reign of King *George* the Second, so far as regards the Qualification of Vestrymen, and the Election of Churchwardens, Overseers of the Poor, and all other Officers
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of the said Parish, and that the said Act of the Twenty-sixth Year of the Reign of King *George* the Third, so far as regards the Election of Governors and Directors of the Poor, Treasurer of the Parish Monies, Collectors of the Poor Rates, and Auditors of the Parish Accounts, should be repealed; and that other the Powers and Provisions of the said recited Acts should be altered, amended, and enlarged, and more effectual Powers and Provisions granted and made: 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, so much and such Parts of the said Acts as are above recited or referred to shall be and the same is and are hereby declared to be repealed.

Such Parts of former Acts as are above recited repealed.

Qualification of Electors of Select Vestrymen.

II. And be it further enacted, That from and after the passing of this Act, all Persons resident or not resident within the said Parish, who shall for the Space of Six Calendar Months have been assessed and rated in the Poor Rate Books of the said Parish to the Relief of the Poor thereof, to the Amount or Value of Ten Pounds *per Annum*, and shall have actually paid the Rates therein charged or imposed for or in respect of any Land, Ground, Messuage, House, Shop, Wharf, Warehouse, Tenement, Hereditament, or Premises within the same, and no other Persons, shall be Electors of Select Vestrymen of the said Parish; any thing contained in the said recited Acts, or either of them, to the contrary thereof notwithstanding.

Select Vestrymen how to be elected, and Mode of future Appointment.

III. And be it further enacted, That within Twenty Days next after the passing of this Act, a General Meeting of the Vestrymen of the said Parish shall be convened, Three Days Notice at the least of such Meeting having been first given by the Parish Clerk of the said Parish in the Church of the said Parish, immediately after Divine Service, on the *Sunday* next preceding such Day of Meeting; and all and every Persons and Person present at such Meeting, and who shall respectively be rated to the Relief of the Poor of the said Parish, in and by the last Poor Rate Assessment, upon a Rental of Seventy-five Pounds a Year or upwards, for Premises in his own Occupation, and shall have actually paid the Rates therein charged or imposed, (the same having been demanded), shall then and there choose, nominate, elect, and appoint Fifteen Persons (each of whom shall be rated to the Relief of the Poor in Sixteen Pounds *per Annum* or upwards, in One Rental) to be Select Vestrymen for the said Parish; and the other Inhabitants present at such Vestry, and who in and by the last Poor Rate Assessment shall have been rated upon a Rental not amounting to Seventy-five Pounds a Year, and shall have actually paid the Rates therein charged or imposed, (the same having been demanded), shall in like Manner then and there choose, nominate, elect, and appoint Fifteen other Persons, each of whom shall be rated as aforesaid to the Relief of the Poor at not less than Sixteen Pounds *per Annum*, to be Select Vestrymen for the said Parish in conjunction with the other Fifteen Persons to be chosen, nominated, elected, and appointed as first herein-before mentioned; and such Thirty Persons shall be and be called "Select Vestrymen," and shall constitute the

the Select Vestry of the said Parish, and shall continue to be such Select Vestrymen until the *Thursday* in *Whitsun* Week which will be in the Year of our Lord One thousand eight hundred and twenty-five, when Six of the said Vestrymen, *viz.* Three of the Fifteen chosen by the Persons rated at or above Seventy-five Pounds a Year, and other Three of the Persons chosen by the other Inhabitants of the said Parish (to be respectively taken in the Order of Time in which they shall have been elected), shall cease to be Select Vestrymen; and then and thereupon, or within Ten Days afterwards, the Electors of Select Vestrymen, duly qualified in manner herein-before mentioned, shall meet in the Vestry Room of the said Parish, (due Notice of such Meeting having been given in manner herein-before mentioned), and shall then and there choose, nominate, elect, and appoint Six Persons in the Place and Stead of such Persons so ceasing to be Vestrymen, in manner following, that is to say, Three of the Persons to be so elected shall be chosen by the Persons then present, rated as aforesaid at or above Seventy-five Pounds a Year, and Three other of such Persons shall be chosen by the other Vestrymen of the said Parish then present; and on *Thursday* in *Whitsun* Week in every succeeding Year, or within Ten Days afterwards, the Electors of Select Vestrymen of the said Parish shall meet in manner aforesaid, and shall elect Six Persons in the Manner herein-before mentioned, in the Place and Stead of Six other of the said Thirty Persons, who shall then cease to be Select Vestrymen of the said Parish; and the said Persons who shall so cease to be Select Vestrymen shall go out of Office yearly, or retire in regular Rotation respectively, according to the Order of Time in which they shall have been elected: And no Person who shall from Time to Time so cease to be a Select Vestryman of the said Parish shall be eligible to be re-elected a Select Vestryman for the Space of One Year from the Time of his ceasing to be such Select Vestryman as aforesaid; nor shall any Person be capable of being elected a Select Vestryman who shall hold any Office, the Profits of which shall be paid out of the Funds of the said Parish.

Vestryman going out not to be re-elected for One Year afterwards.

IV. And be it further enacted, That all Vacancies which may from Time to Time happen among the said Thirty Persons and their Successors, by Death, Resignation, or otherwise, shall be supplied by the said Electors of Select Vestrymen at the Time of their annual Meeting as aforesaid; but in case any Vacancy shall happen between the Intervals of the last annual Day of Election and the next ensuing Day of Election, among the Six Persons who according to the Provisions of this Act would cease to be Select Vestrymen at their next annual Meeting, such Vacancy shall be reckoned among and form Part of the said Number of Six, in the same Manner as it would have been had no such Vacancy or Vacancies taken place.

Supplying Vacancies.

V. Provided always, and be it further enacted, That no Person shall be entitled to vote or to be present at any Meeting or Meetings of Electors of Select Vestrymen held in and for the said Parish, who shall inhabit any House, Tenement, or Premises which are either compounded for by the Landlord or Owner thereof, or for which the Landlord or Owner thereof shall be rated to the Poor Rates of

No Persons to vote who occupy Houses compounded for, or who have been ex-cused Pay-

ment on account of Poverty.

the said Parish, or who shall, within Twelve Calendar Months next before the Occasion upon which such Person or Persons shall claim to exercise the Right of Electors of Select Vestrymen, have been excused Payment of his or their Rates on the Score of Poverty, or who shall within that Time have received parochial Relief, or who shall be in Arrear for Six Calendar Months in the Payment of any Poor Rate or Assessment after it shall have been made, provided the same shall have been duly demanded.

All Orders, &c. to be made at a Meeting, in which the Majority shall concur.

VI. And be it further enacted, That all Orders and Determinations of the said Select Vestrymen in the Execution of this Act shall be made at a Meeting or Meetings to be held in pursuance hereof, and not otherwise, and no Order or Determination shall be made unless the major Part of the Select Vestrymen present at the respective Meetings to be holden in pursuance of this Act shall concur therein; and all Acts, Orders, and Proceedings relating to the Execution of this Act, which are hereby directed to be had, made, done, or exercised by or before the Select Vestrymen of the said Parish, and all the Powers and Authorities hereby in them vested generally, shall and may be had, made, done, and exercised by the major Part of the Select Vestrymen who shall be present at the respective Meetings to be held by virtue of this Act (the whole Number of Select Vestrymen present at every such Meeting not being less than Eleven); and all Acts, Orders, and Proceedings, had, made, or done by or before such Eleven Select Vestrymen, shall have the same Force and Effect, and be binding and conclusive on all Persons, and to all Intents and Purposes whatsoever, as fully and effectually as if the same were had, made, done, or executed by or before all the said Select Vestrymen; and at every Meeting of the said Select Vestrymen the Rector of the said Parish for the Time being, or in his Absence One of the said Vestrymen present at such Meeting, shall act as Chairman; and such Chairman, in case of an equal Number of Votes, shall have the casting or decisive Vote; and no Order or Determination at any Meeting of the said Select Vestrymen, once made, agreed upon, or entered into, shall be revoked or altered at any subsequent Meeting, unless Notice of the Intention to make such Revocation, and of the specific Alterations to be made, shall have been given at a previous Meeting holden pursuant to this Act, and shall have been entered in the Book of the Minutes of the Proceedings of such Meeting.

Rector to be Chairman.

When Meetings to be held.

VII. And be it further enacted, That all Meetings of the said Select Vestrymen, and of the Electors of Select Vestrymen, to be held in pursuance of this Act, shall be held in the Vestry Hall of the said Parish between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon.

All Questions to be determined by Show of Hands, or by Poll.

VIII. And be it further enacted, That at all Meetings of Electors of Select Vestrymen to be held under or by virtue of this Act, all Questions arising at such Meetings shall be determined by a Show of Hands; and whenever a Show of Hands upon such Question shall not be satisfactory, the same shall and may be determined by an open Poll of the Electors of Select Vestrymen of the said Parish,

in case such Poll shall be demanded: Provided always, that such Poll shall not have endurance or be kept open for a longer Space of Time than Twenty-four Hours from the Time of the Commencement of such Poll.

IX. And be it further enacted, That on the Second *Thursday* after the Election of Select Vestrymen as herein-before directed, the said Select Vestrymen shall assemble and meet together in the Vestry Hall of the said Parish, and after such First Meeting shall assemble and meet together at an annual Meeting to be held in the said Vestry Hall on the Twenty-fifth Day of *March*, or within Fourteen Days next after the said Twenty-fifth Day of *March* in every Year, and shall then and there nominate Officers for the said Parish in the Manner following; that is to say, the Fifteen Select Vestrymen who shall be elected and appointed by the Electors of Select Vestrymen rated to the Poor on a Rental of Seventy-five Pounds a Year or upwards, shall and may, and they are hereby authorized and empowered to nominate, elect, and appoint Two of the Four Churchwardens of the said Parish for the Year ensuing, that is to say, the Rental Warden and One of the Junior Wardens; and the remaining Fifteen Select Vestrymen who shall be elected and appointed by the Electors of Select Vestrymen of the said Parish shall and may, and they are hereby authorized and empowered to nominate, elect, and appoint the Two other of such Four Churchwardens for the Year ensuing, that is to say, the Churchwarden and the other Junior Warden; and each of the said Two respective Classes of Select Vestrymen shall and may nominate Four Persons as Overseers of the Poor of the said Parish, and separate Lists of the Names of the Four Persons who shall be so respectively nominated Overseers by the said Select Vestrymen shall be presented to Two of His Majesty's Justices of the Peace acting for the Town and Borough of *Southwark* or County of *Surrey*, in order that Four of such Persons, *viz.* Two from each List, may be appointed Overseers of the Poor of the said Parish.

Churchwardens and Overseers of the Poor, how to be appointed.

X. And be it further enacted, That if any Person, not being duly qualified as aforesaid, shall intrude into any Vestry Meeting of the said Parish, or shall act as a Vestryman or as a Select Vestryman of the said Parish, in the Execution of this Act or of the said recited Acts; every Person so offending shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered with full Costs of Suit in any of His Majesty's Courts of Record at *Westminster*, by Bill, Action of Debt or on the Case, in the Name of the Treasurer for the Time being; and the Person so sued or prosecuted shall prove that he was, at the Time of so intruding or acting as aforesaid, qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof or Evidence on the Part of the Prosecutor than that such Person hath so intruded or acted as aforesaid.

Penalty on Persons acting as Vestrymen, not being qualified.

XI. And be it further enacted, That at the said First and at every subsequent annual Meeting of the said Select Vestrymen to be held after the passing of this Act, it shall be lawful to and for each of the said Two respective Sets of Select Vestrymen assembled at such First and every

For appointing Governors and Directors.

every subsequent annual Meeting to be held after the passing of this Act, to nominate and appoint Five substantial and discreet Persons residing in the said Parish, who shall not respectively during such their Appointment be a Treasurer or Collector of the Poor Rates of the said Parish (one Half Part of which Number shall be resident in the Land Side Division of the said Parish, and the other Half Part in the Water Side Division thereof), which Ten Persons so to be elected as aforesaid, together with the Churchwardens and Overseers of the Poor of the said Parish for the Time being shall be called "Governors and Directors of the Poor of the said Parish;" and such Governors and Directors shall and may have and exercise all the Powers and Authorities in respect to the making Rates and Assessments for the Relief of the Poor, and also for the better maintaining, governing, employing and regulating the Poor, and all other Powers and Authorities given to or vested in the Governors and Directors in and by the said recited Act of the Twenty-sixth Year of the Reign of King *George* the Third.

Appoint-
ment of
Auditors.

XII. And be it further enacted, That the said Select Vestrymen shall and may, at such first and at every subsequent annual Meeting for the Choice of Officers as aforesaid, elect and choose Eight Persons, (not being Churchwardens, Overseers, Governors, or Directors, Treasurer or Collector, nor any Officer or Servant receiving a Salary from the Parish), Four whereof shall be elected by the Fifteen Select Vestrymen appointed by the Electors, rated as aforesaid to the Amount of Seventy-five Pounds *per Annum* and upwards, and the other Four shall be elected by the other Fifteen Select Vestrymen, to be Auditors of the Parish Accounts; and shall and may at such Meeting nominate, elect, and appoint a Collector or Collectors of the Poor Rates or Assessments, Commissioners of the Court of Requests, Clerk, Organist, Beadle, Sexton, and all other Parish Officers and Servants whomsoever, save and except the Master and Mistress of the Workhouse; and also shall and may at such Meetings order, direct, and appoint such annual Salary, Allowance, or other Remuneration, to be paid, allowed, or given to each and every such Officer and Servant, as to such Select Vestrymen shall appear just and reasonable; and the Collector or Collectors of the Poor Rates or Assessments for the Time being so to be appointed as aforesaid, shall have all such or the like Powers and Authorities for the collecting and enforcing Payment of the several Rates and Assessments made or to be made for the Relief of the Poor of the said Parish, and shall be subject to such Power of Removal, and to be paid such Allowance, and to give such Security, and to do and perform such other Duties, Matters, and Things, and be liable to such Penalties in case of Refusal or Neglect, as are specified and set forth in the before-recited Act of the Twenty-sixth Year of the Reign of His late Majesty King *George* the Third.

Appoint-
ment of
Treasurer.

XIII. And be it further enacted, That the said Select Vestrymen so assembled, at their first and at every subsequent annual Meeting as aforesaid, shall and may elect and appoint some substantial and fit Person to be the Treasurer for the Receipt of the Monies to be collected by, upon, or from the said Rates or Assessments, and all other
Monies

Monies whatsoever applicable to the Relief of the Poor of the said Parish, or to any other the Purposes of this Act, and also for the issuing and paying, out of the Money which shall by him be so received, all such Sum and Sums of Money as he shall be directed from Time to Time to pay, in pursuance of this Act; and such Select Vestrymen shall and may from Time to Time remove such Treasurer, and appoint any other Person to be Treasurer in his Room and Stead; and such Treasurer is hereby directed annually or oftener, if thereunto required by the Auditors of the Parish Accounts to be appointed as herein-before mentioned, or by the major Part of them, in such Manner as is herein-after directed and appointed for that Purpose, to account to such Auditors and to pay such Balance as upon the said Account shall appear to be remaining in his Hands, to such Person or Persons as the Governors and Directors of the Poor, or any Seven or more of them, shall authorize and appoint to receive the same, to be paid and applied to and for the several Uses and Purposes for which the same was levied and raised; and in default of rendering such Account as aforesaid, or paying the Money in his or their Hands as aforesaid, such Treasurer shall be liable to such Penalties, Forfeitures, and Distress, as Overseers of the Poor in the like Cases are by Law liable unto; and the said Governors and Directors of the Poor are hereby required to take such Security of the said Treasurer so to be appointed for the faithful accounting for and paying all such Monies as he shall receive by virtue of his Office, as to them the said Select Vestrymen shall be thought a sufficient Security for the Monies which shall come to the Hands of the said Treasurer belonging to the said Parish: Provided always, that it shall not be lawful for the Treasurer so appointed to act as a Member of the Select Vestry of the said Parish.

XIV. Provided always, and be it further enacted, That it shall not be lawful for the said Vestrymen to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, the Treasurer for the Purposes of this Act, or to appoint the Person who may be appointed Treasurer, or the Partner of any such Treasurer, the Clerk to the said Vestrymen; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or other Person in the Service or Employ of any such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place of Profit or Trust under this Act other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster* or elsewhere, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Impar lance shall be allowed.

Clerk and
Treasurer
not to be
the same
Person.

Landlords may be rated where the Rent shall be reserved at any shorter Period than Quarterly.

XV. And whereas there are divers Houses, Buildings, Hereditaments, and Premises in the said Parish let out to occasional Occupiers, and also let out in Parcels to Under Tenants and to Lodgers in separate Apartments, both furnished and unfurnished, for short Periods, and there are also divers other Houses, Buildings, Hereditaments, and Premises let at pretended yearly Rents; but such Rents are by collusion between the Landlords and Tenants agreed to be paid, and are in fact paid by Weekly or Monthly Payments, and it hath been found that in many Instances the Persons letting such Houses, Buildings, Hereditaments, and Premises do actually charge and receive much higher Rents for the same than such Premises are worth, or would fairly let for by the Year, upon the Ground and Expectation that the Occupiers thereof cannot be effectually assessed to the Poor Rates, or will not, by reason of their Poverty or otherwise, be required to pay such Rates, by which means the Payment of the Poor Rates is greatly evaded, and such Landlords thereby obtain an undue Advantage, and the other Inhabitants of the said Parish are unjustly compelled to pay much more than their fair and due Proportions of the Charges of relieving and maintaining the Poor: For remedy whereof be it further enacted, That from and after the passing of this Act the Owner or Owners of each and every such Houses, Buildings, Hereditaments, and Premises, being the immediate Lessor or Lessors of, or the Person or Persons letting the same to the actual Occupier or Occupiers thereof, which shall respectively be let to such Occupier or Occupiers for any less Term than One Year on any parole Agreement, or otherwise, by which the Rent shall be reserved or made payable, or where the Rent shall be actually received or collected at any shorter Period than Three Months, shall for the Purposes of this Act be deemed and taken to be, and shall and may be rated and assessed as the Occupier or Occupiers thereof respectively, and shall be subject to the Payment of the several Rates or Assessments to be made for the Relief of the Poor of the said Parish, in the same Manner as if he, she, or they was or were the actual Occupier or Occupiers of such Premises: Provided always, that the Goods and Chattels of all and every Person and Persons renting or occupying any such House, Building, Hereditament, and Premises, or any Part or Parts thereof (the Rate or Rates, Assessment or Assessments whereof the Owner or Owners, or Person or Persons letting such Premises as aforesaid, is and are hereby made liable and subject to as aforesaid), shall and may, if the Governors and Directors of the Poor of the said Parish for the Time being shall so think fit, be liable to be distrained and sold for Payment of such of the said Rates or Assessments, and all Arrears thereof, as became or shall become due upon or in respect of the said Premises during the Time of his, her, or their Occupancy only: Provided always, that no Occupier or Occupiers, Lodger or Lodgers, of any House so let out, either entire or in separate Apartments, shall at any Time be required to pay, nor be subject or liable to have his, her, or their Goods or Chattels distrained for any greater Sum, for or towards the Discharge of any such Rate or Rates, than the Amount of the Rent actually due from such Occupier or Occupiers, Lodger or Lodgers: Provided also, that every Occupier who shall pay any such Rate or Rates, or upon whose

Lodgers not to be liable for more than the Rent actually due from them, and may deduct the Amount from such Rent.

Goods

Goods and Chattels the same or any Part thereof shall be levied, shall and may deduct the Amount of the Sum which shall be so paid or levied out of the Rent by him, her, or them payable; and such Payment shall be a sufficient Discharge to every such Occupier for so much of the Rent payable by him or her as he or she shall have paid, or as shall have been levied on his or her Goods and Chattels, for such Rate, and for the Costs of levying the same.

XVI. And be it further enacted, That no Person shall be eligible to be appointed Treasurer of the Parish Monies, or Churchwarden, Overseer of the Poor, Auditor, Governor, and Director, or Select Vestryman, unless he shall be assessed to the last Rate or Assessment then previously made for the Relief of the Poor of the said Parish, upon a Rental for Premises in his own Occupation, in the respective Sums of Money following; that is to say, the Treasurer on a Rental of One hundred Pounds or upwards, a Churchwarden Twenty-five Pounds or upwards, an Overseer, Governor, and Director, or Auditor, Eighteen Pounds or upwards, and a Select Vestryman Sixteen Pounds or upwards, in One Rental.

Qualifica-
tions of
Treasurer,
Churchwar-
dens, &c.

XVII. And be it further enacted, That if any Person who shall be duly nominated by the said Select Vestrymen to be Churchwarden of the Poor of the said Parish, shall refuse or shall neglect for the Space of Two Calendar Months after such Nomination to take on him such Office, or desire to be excused from serving the same, (unless such Person shall by Law be exempted from serving the Office of Churchwarden), such Person shall forfeit and pay the Sum of Fifty Pounds; which Sum, in case of Nonpayment thereof, shall and may be recovered, together with full Costs of Suit, by and in the Name of the Treasurer of the said Parish Monies for the Time being, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed; and in any such Action or Suit it shall be sufficient, on the Part of the Plaintiff or Prosecutor, to prove that the Defendant was duly nominated, at a Meeting of the Select Vestry held under and by virtue of this Act, to be a Churchwarden of the said Parish of *Saint John Southwark*, and hath refused or neglected to take upon him the said Office within the Time aforesaid, after due Notice, and being required so to do: Provided always, that no Person shall be liable to be nominated, or shall be required to act as Churchwarden of the said Parish, or shall be liable to any Penalty for refusing or neglecting so to act, who shall have once paid the said Penalty, or whose Age shall exceed Sixty-five Years.

Penalty for
refusing or
neglecting
to serve as
Churchwar-
den.

XVIII. And be it further enacted, That within Two Calendar Months after the making every Rate or Assessment for the Relief of the Poor, the Account of the Collection of the last preceding Rate shall be laid before and examined by the Auditors of the said Parish for the Time being; and previously to the *Thursday* in *Whitsun Week* in every Year after the passing of this Act, a correct Statement of the Accounts of the Parish for the then current Year, ending on the Fifth Day of *April* in that Year, shall be made out, and a Balance Sheet thereof

Accounts of
the Collec-
tion of Rates,
&c. to be au-
dited and
printed.

thereof be printed and distributed through the Parish, for the Information and Satisfaction of the Parishioners.

Fines and Penalties how to be applied.

XIX. And be it further enacted, That all Fines and Penalties to be recovered under or by virtue of this Act shall be paid to the Treasurer for the Time being of the Parish Monies, and be accounted for by him as Monies applicable to the Use of the Poor of the said Parish.

Former Acts to be in force, save where repealed by this Act.

XX. Provided always, and be it further enacted, That the said recited Acts of the Sixth Year of the Reign of King George the Second, and of the Twenty-sixth Year of the Reign of His late Majesty King George the Third, and all and every the Powers, Clauses, Provisions, Regulations, Directions, and Restrictions therein respectively contained, shall (except where the same are or is hereby expressly varied, altered, or repealed) extend to and be in full Force with regard to this Act.

Saving the Parliamentary Elective Franchise.

XXI. Provided always, and be it further enacted, That nothing in this Act contained shall alter or affect, or be deemed, taken, or construed to alter or affect, the Right of the Inhabitants of the said Parish of *Saint John Southwark* to vote in the Election of Members of Parliament for the Town and Borough of *Southwark*; but that such Rights shall remain and be in the said Inhabitants in like Manner, to all Intents and Purposes, as if this Act had not been passed.

Paying Expence of the Act.

XXII. And be it further enacted, That all the Costs, Charges, and Expences relative or incident to the obtaining and passing of this Act shall be paid by the Treasurer for the Time being of the said Parish, out of the Monies already in the Hands of the said Treasurer, or out of the First Monies that shall be received by him on account of the next Rate to be made for the Relief of the Poor of the said Parish, or either of them, or out of any Monies which shall come to his Hands, and be applicable to the Relief of the Poor of the said Parish.

Public Act.

XXIII. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1824.