



ANNO SEXTO

GEORGII IV. REGIS.

Cap. lxxvi.

An Act for better assessing and collecting the Poor and other Parochial Rates in the Parish of *Croydon* in the County of *Surrey*.

[20th *May* 1825.]

WHEREAS the Parish of *Croydon* in the County of *Surrey* is large and populous; and the Poor belonging thereto are numerous, and supported at a great Expense: And whereas the Laws now in force for assessing and collecting Monies for the Relief of the Poor, and other Parochial Purposes of the said Parish, are found inconvenient and ineffectual, and the Rates and Assessments made in the said Parish are in many Cases evaded and rendered unproductive: And whereas it would tend to the Equalization and Reduction of the present Poor and other Parochial Rates and Assessments within the said Parish if further and additional Powers were given for assessing and collecting such Rates and Assessments: 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 the several Lessors, Landlords, or Owners of all such Houses, Buildings, Tenements, and other Hereditaments within the said Parish, the yearly Rent or Value whereof respectively shall not exceed Twelve Pounds, or which (whatever the yearly Rent or Value

[*Local.*]

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Rates of small Houses, or Houses let to weekly or monthly Tenants, or in separate Apartments, or ready furnished, to be paid by the Landlord.

may be) shall be let or offered to be let to weekly or monthly Tenants, or which shall be let or offered to be let Furnished, or in Lodgings, or in separate Apartments, or at Rents which shall become payable and be collected at any shorter Periods than quarterly, shall and may from Time to Time and at all Times hereafter (if the Churchwardens and Overseers of the Poor of the said Parish shall so think fit) be rated and assessed to the Rates for the Relief of the Poor, and all other the Parochial Rates of the said Parish, for or in respect of all such Houses, Buildings, Tenements, and Hereditaments respectively, instead of the actual Occupiers thereof, save and except for Ecclesiastical or Church Rates so far as respects the People called *Quakers*; and the Person or Persons so rated, whether the Lessor or Lessors, Landlord or Landlords, Owner or Owners, or the Occupier or Occupiers, shall from Time to Time pay or cause to be paid all and every such Rates and Assessments in respect of such Houses, Buildings, Tenements, and Hereditaments respectively: Provided always, that if the Lessor or Lessors, Landlord or Landlords, Owner or Owners of any House, Building, Tenement, or Hereditament, the yearly Rent or Value whereof shall not exceed Twelve Pounds, and which shall be let to One Tenant only, at a Rent which shall become or be made payable quarterly only, shall be rated and assessed as the Occupier or Occupiers of any such House, Building, Tenement, or Hereditament, then it shall and may be lawful to and for the Churchwardens and Overseers of the Poor of the said Parish, or the major Part of them, and they are hereby required, on the Application and Request of every or any such Lessor or Lessors, Landlord or Landlords, Owner or Owners, to compound with him, her, or them for the Payment of all and every or any of the Rates and Assessments for the Relief and Maintenance of the Poor, and all other the Parochial Rates of the said Parish (save and except Ecclesiastical or Church Rates so far as respects the People called *Quakers*), at such reduced yearly Rentals as the said Churchwardens and Overseers of the Poor, or the major Part of them, (or the said Churchwardens only, in case of Church Rates,) shall think reasonable, not being more than Three Fourths nor less than Two Thirds of the Rack-rent or annual Value of such Houses, Buildings, Tenements, or Hereditaments respectively; and also that it shall and may be lawful to and for the said Churchwardens and Overseers of the Poor of the said Parish (or for the Churchwardens only in case of Church Rates, but not with the People called *Quakers* for such last-mentioned Rates), and they are hereby required, on such Application and Request as aforesaid, to compound with any Lessor or Lessors, Landlord or Landlords, Owner or Owners of any Houses, Buildings, Tenements, or other Hereditaments in the said Parish, which shall be let or offered to be let to weekly or monthly Tenants, or which shall be let or offered to be let Furnished or in Lodgings, or in separate Apartments, or at Rents which shall become payable or to be collected at any shorter Period than quarterly, for the Payment of all and every the said Rates and Assessments, for or in respect of such Houses, Buildings, Tenements, or Hereditaments, at such reduced yearly Rentals as the said Churchwardens and Overseers of the Poor, or the major Part of them, (or the said Churchwardens only in case of Church Rates,) shall think reasonable, not being

Landlords,
&c. of such
Houses may
compound
for the Rates.

being less than Two Thirds of the Rackrent or annual Value of such Houses, Buildings, Tenements, or Hereditaments respectively; and that the said Churchwardens and Overseers of the Poor respectively may vary, discontinue, alter, or renew any or either of such Compositions as they shall from Time to Time deem expedient: Provided always, that no such Landlord or Owner shall be charged with or liable to pay for any increased Rent, reserved and made payable to him for or on account of such Landlord or Owner having agreed to pay the Rates heretofore chargeable upon the several Occupiers of such Premises respectively.

Landlords not to be charged for any increased Rent.

II. And be it further enacted, That in case any Lessor or Lessors, Landlord or Landlords, Owner or Owners, Occupier or Occupiers, of any Houses, Buildings, Tenements, or Hereditaments within the said Parish, for or in respect whereof he, she, or they shall be rated or assessed in or to any Rate or Assessment made or to be made by virtue of this Act, shall neglect or refuse to pay any Rate or Assessment upon him, her, or them made, laid, and assessed under and by virtue of this Act, or by any other Means, and all Arrears due thereon, or upon any former Rate or Rates, or the Amount of any Composition or Compositions, it shall and may be lawful to and for any One or more of His Majesty's Justices of the Peace for the said County of *Surrey*, and he and they is and are hereby authorized and required (on Proof made before him or them by any One of the Churchwardens or Overseers of the Poor of the said Parish, or by a Collector of the said Rate or Rates for the Time being, of his having demanded the Rate or Rates, Composition or Compositions aforesaid, of the Person or Persons intended to be summoned, or of the Occupier of the Premises for or in respect of which such Rate or Rates, Composition or Compositions, shall be due and owing, and of his or her having neglected or refused to pay the same), 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, to appear at the Time and Place to be mentioned in such Summons before such Justice or Justices, or before such other Justice or Justices of the said County as shall be sitting upon the Return of such Summons; and it shall be lawful for any Person appointed to collect and receive such Rates or Assessments, or for any Constable, Headborough, or Beadle of the said Parish, or for any other Person, 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 intending to be summoned, or leaving the same at his, her, or their last Place or Places of Abode, or at the Premises for or in respect whereof the Rate or Rates, Assessment or Assessments, 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 show good and sufficient Cause to such Justice or Justices as may be then and there present, that he, she, or they is or are not chargeable with such Rate or Rates, Assessment or Assessments, then and in every such Case all and every such Person and Persons who shall have been so summoned shall

Manner of levying Rates.

shall pay the Rate or Rates, Assessment or Assessments, in respect of which such Summons or Summonses was or were issued, and also the Costs and Charges of such Summons or Summonses, and the Service thereof; and in all Cases where any Rate or Assessment, Rates or Assessments, or any of them, or any Arrears thereof, shall not be paid upon the Return of such Summons, it shall be lawful for such Justice or Justices who shall have signed and issued such Summons or Summonses as aforesaid, or for any other Justice or Justices of the Peace for the said County who shall be sitting at the Return of such Summons, 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, to grant a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, authorizing and directing the Person appointed to collect such Rate or Rates, Assessment or Assessments as aforesaid, or any Constable, Headborough, or Beadle of the said Parish, or any other Constable, Headborough, or other Person, to levy such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and the Costs and Expenses of the Summons and Service thereof (if the same shall not have been paid before), and the Costs and Charges of every such Warrant, and also the reasonable Costs, Charges, and Expenses of executing the same, by Distress of the Goods and Chattels of the Person or Persons so neglecting or refusing, which shall be found within the said Parish or elsewhere; and if within Five Days next after any such Distress shall be made, the said Rate or Rates, Assessment or Assessments, and all Arrears due thereon, together with the said before-mentioned Costs, Charges, and Expenses, and the Charges and Expenses of making such Distress and of keeping such Goods and Chattels, shall not be paid, then the said Person appointed to collect as aforesaid, or the Constable, Headborough, or Beadle, or other Person or Persons authorized by the said Warrant, shall cause the said Goods and Chattels to be appraised by One or more Appraiser or Appraisers, and to be sold, either on the Premises where the same shall be distrained or elsewhere, or such Part or Parts thereof as in his or their Judgment shall be sufficient to pay and satisfy the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the said Costs, Charges, and Expenses, and the Costs and Charges of appraising, removing, keeping Possession of, and selling the same, (the Amount of all such Costs, Charges, and Expenses relating to the Recovery of the said Rate or Rates, Assessment or Assessments, being in case of Dispute settled by any One Justice of the Peace for the said County,) and shall return the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them for that Purpose.

If sufficient Goods cannot be found, or if the same shall be fraudulently removed, &c. Persons may

III. And be it further enacted, That in case no Goods or Chattels of any Person or Persons so neglecting or refusing can or may be anywhere found to be distrained by virtue of any such Warrant, or in case any such Goods and Chattels shall be locked up, secured, or removed with a fraudulent Intention to elude or evade the Payment or Recovery of any such Rates or Assessments, so that the Amount thereof cannot be distrained for and recovered, then and in every such

such Case, upon Information thereof given to any Two Justices of the Peace for the said County of *Surrey*, it shall be lawful for such Justices to issue a Warrant under their Hands and Seals for the Apprehension of any such Person or Persons, and to commit such Person or Persons to the Common Gaol for the said County, there to be kept and confined in the same Manner as Persons confined for Debt, without Bail or Mainprize, for any Term not exceeding the Space of Three Calendar Months, unless such Rates or Assessments, and all Arrears thereof, and all such Costs, Charges, and Expenses, or so much thereof as shall remain unsatisfied by any such Distress or Distresses, or otherwise, shall be sooner paid.

be committed
to the Com-
mon Gaol.

IV. Provided always, and be it further enacted, That the Goods and Chattels of all and every Person and Persons renting or occupying any House, Building, Tenement, or other Hereditament within the said Parish, or any Part or Parts thereof, to the Payment of the Rate or Rates, Assessment or Assessments, whereon the Landlord or Landlords, Owner or Owners thereof, is or are hereby made liable and subject as aforesaid (although the Person or Persons occupying any such House, Building, Tenement, or Hereditament, or any Part or Parts thereof, be not rated or assessed under or by virtue of this Act) shall be at all Times liable to be distrained and sold by virtue of any Warrant under the Hand and Seal of One of His Majesty's Justices of the Peace for the said County (which he is by this Act authorized and required to grant), for any Rates or Assessments which have accrued or become due during the Term of the Occupancy, by any such Person or Persons, of any such House, Tenement, or Hereditament, or separate Part or Apartment thereof; and for the Costs, Charges, and Expenses of such Warrant, and of any Appraisalment, Possession, Removal, and Sale of such Goods and Chattels, or attendant thereon; but no such Person or Persons shall be required or compellable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments and Expenses, or any of them, than the Amount of the Rent actually due and payable by such Person or Persons to the Lessor or Lessors, Landlord or Landlords, Owner or Owners of such House, Tenement, or Hereditament, or other Person or Persons rated or assessed as the Occupier or Occupiers of the same respectively; and each and every Person or Persons who shall pay any such Rates or Assessments as ought to have been paid by the Lessor or Lessors, Landlord or Landlords, Owner or Owners of any such House, Tenement, or Hereditament, or upon whose Goods or Chattels the same shall or may be levied in pursuance of this Act, shall and may deduct such Rates or Assessments, and Costs and Charges, and Expenses of such Distress and Levy, from and out of the Rent due and payable to his, her, or their Lessor or Lessors, Landlord or Landlords so letting out the same House, Tenement, or Hereditament, or separate Part or Apartment thereof, to him, her, or them (unless there shall be some Agreement to the contrary between the Landlord and Tenant), and the Receipt and Receipts for such Payment or Payments shall be a sufficient Discharge to every such Person and Persons for so much as he, she, or they shall have so paid, or which shall have been levied on his, her, or their Goods and Chattels in pursuance of this Act, and shall

Goods of
Occupiers
liable to be
distrained to
a certain
Extent.

Rates re-
covered of
Tenants to
be repaid by
Landlords.

be repaid by such Lessor or Lessors, Landlord or Landlords, Owner or Owners, or be allowed by him, her, or them in part or full Payment (as the Case may be), for the Rent due or to become due to him, her, or them respectively, from such Person or Persons as aforesaid, for or in respect of such Houses, Buildings, Tenements, or Hereditaments, or separate Part or Apartments thereof respectively.

Persons receiving Rents to be deemed Owners.

V. And be it further enacted, That to prevent Disputes touching the Designation of the Lessors, or Landlords, or Owners of any Houses, Buildings, Tenements, or Hereditaments intended to be made liable to be rated or assessed by any Rates or Assessments to be made by virtue of this Act, the Person or Persons legally authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect the Rents of any Houses, Buildings, Tenements, or Hereditaments, from the Tenants or Occupiers thereof respectively, may be deemed and taken to be the Lessor or Lessors, Landlord or Landlords, Owner or Owners of such Houses, Buildings, Tenements, and Hereditaments respectively, and shall be liable to be rated and assessed, and shall be compellable to pay the Rates and Assessments in respect of such Houses, Buildings, Tenements, or Hereditaments, in all Cases in which either Lessors, Landlords, or Owners are made liable to be rated or assessed, and to the Payment of the Rates and Assessments by virtue of this Act, unless the real Lessor or Lessors, Landlord or Landlords, Owner or Owners thereof shall be declared by himself, herself, or themselves, to the said Churchwardens and Overseers of the Poor respectively, to be the real Lessor or Lessors, Landlord or Landlords, Owner or Owners of any such House, Building, Tenement, or Hereditament respectively, and shall voluntarily compound for such Rates as aforesaid, or shall be distinctly or certainly known by them to be such.

Agreement between Landlord and Tenant not to be impeached.

VI. Provided always, and be it further enacted, That nothing in this Act contained shall be construed, deemed, or taken to impeach, alter, or make void any Covenant or other Agreement made between any Landlord and Tenant in any Lease now granted, or hereafter to be granted, pursuant to any Contract or Agreement now existing; anything in this Act contained to the contrary thereof notwithstanding.

VII. And be it further enacted, That every Warrant of Distress for Nonpayment of any Rates or Assessments, authorized and directed to be granted and issued by virtue of this Act, may include One or more Person or Persons, and shall or may be to the Effect following:

Form of Warrant of Distress.

‘ *Surrey* } To the Collector of the Rates of the Parish of
 ‘ to wit. } *Croydon* in the County of *Surrey*, and to all
 ‘ Constables, Headboroughs, and Beadles of the said Parish.
 ‘ **WHEREAS** the under-mentioned Person or Persons [*if more*
 ‘ *than One*], now or late a Lessor, Landlord, Owner,
 ‘ or Occupier, or Lessors, Landlords, Owners, or Occupiers [*if*
 ‘ *more*

more than One] of the Tenement or Tenements [if more than One Person be included in the Warrant] or other Hereditaments within the said Parish, was and is, or were and are [as the Case may be], rated and assessed, or is or are [as the Case may be] liable to the Payment of the Sum or Sums of Money set opposite to his, her, or their respective Name or Names [as the Case may be] hereunder written, by virtue of a Rate or Rates duly made under and by virtue of an Act passed in the Sixth Year of the Reign of His Majesty King George the Fourth, intituled [here set forth the Title of the Act]: And whereas it duly appears upon Oath unto me, One of His Majesty's Justices of the Peace for the said County, that the said Person or Persons [as the Case may be] has or have refused or neglected to pay the Sum or several Sums of Money set opposite to his, her, or their Name or Names [as the Case may be] hereunder written, due from him, her, or them by virtue of such Rate or Rates [as the Case may be], and that the said Sum or Sums of Money [as the Case is] still remain due and unpaid: And whereas it also duly appeareth unto me the said Justice, upon Oath, that the said Person or Persons [as the Case may be] hath or have been duly summoned to appear to answer the Premises, and they nor either of them [as the Case may be] having shown any sufficient Cause why such Sum or Sums of Money should not be paid by them respectively [or as the Case is]: These are therefore, in His Majesty's Name, to will and require you, or either of you, forthwith to levy the said Sum or several Sums of Money [as the Case may be] due from the said Person or Persons, and hereunder set opposite to his, her, or their Name or Names respectively [as the Case may be], and also such further Sum or Sums for Costs as is or are also set opposite to his, her, or their Name or Names respectively [as the Case is], by Distress and Sale of his, her, or their respective Goods and Chattels [as the Case may be], such Goods and Chattels being kept for the Space of _____ Days before the same are sold, rendering to him, her, or them respectively [as the Case may be] the Overplus [if any] on Demand, the reasonable Charges of such Distress, and of any Removal, or keeping Possession, Appraisalment, and Sale being first deducted; and if no sufficient Distress can be had or taken, then that you certify the same to me, to the End that such Proceedings may be had therein as to Law doth appertain: And I do hereby strictly charge and command all and singular the Constables, Headboroughs, and other His Majesty's Peace Officers for the said County, to be aiding and assisting in all Things relating to the Premises. Given under my Hand and Seal, this _____ Day of _____ in the Year of our Lord

	Sums due.	Costs.	Total.
A.B. Occupier - - - -			
C.D. Landlord or Owner - - -			
E.F. for a House let or offered to be let in separate Tenements - -			
G.H. for a House let or offered to be let ready-furnished - - -			
J.K. - - - - -			

VIII. And

Justices may
rectify Omiss-
ions, and
correct
Errors in
Rates.

VIII. And be it further enacted, That if it shall appear at any Time or Times, after any Rate or Assessment for the Relief of the Poor shall have been made and signed by the Churchwardens and Overseers of the Poor of the said Parish, or any Church Rate shall have been made and signed by the said Churchwardens and Inhabitants of the said Parish, as is usual in the Case of Church Rates, that the Name or Names of any Person or Persons, who ought to have been inserted, in such Rate or Assessments, hath or have been omitted therein, or that the Name or Names of any Person or Persons hath or have been inserted in such Rate or Assessment as Inhabitants, Holders, or Occupiers of any House, Building, Tenement, Land, or Hereditament, for or in respect of which some other Person or Persons ought to have been rated or assessed, or in case any House, Building, Land, or Hereditament, which at the Time of making such Rate or Assessment was or were empty and unoccupied, shall have become occupied by any Person or Persons within the Meaning of this Act, or that any other Alteration or Amendment of such Rate or Assessment may, in the Opinion of the said Churchwardens and Overseers of the Poor of the said Parish, in case of Poor Rates, or in the Opinion of the said Churchwardens only, in case of Church Rates, be necessary, then and in any or either of the said Cases it shall and may be lawful to and for the said Churchwardens and Overseers of the Poor, or the major Part of them, in case of any Rate or Assessment made for the Relief of the Poor, and for the said Churchwardens in case of any Church Rate, to add or insert, or cause to be added and inserted, to or in such Rate or Assessment the Name or Names of the Person or Persons so omitted, and the Name or Names of the Person or Persons who shall have become the Occupier or Occupiers of such Houses, Buildings, Tenements, Lands, or Hereditaments which were at the Time of making any such Rate or Assessment empty and unoccupied as aforesaid, together with the Sum or Sums for which he, she, or they ought to be rated and assessed, and the Amount of such Rate or Assessment in respect thereof; and also to insert and substitute, or cause to be inserted and substituted, the Name or Names of such Person or Persons, as may be the Inhabitants, Holders, Owners, or Occupiers of any Houses, Buildings, Tenements, Lands, or Hereditaments, instead of and for the Name or Names of the Person or Persons incorrectly inserted in any such Rate or Assessment as the Inhabitants, Holders, Owners, or Occupiers of any Houses, Buildings, Tenements, Lands, or Hereditaments at the Time of making such Rate or Assessment, or otherwise from Time to Time to alter and amend any Rate or Assessment as they may from Time to Time deem necessary, provided every such Alteration and Amendment be made with the Consent and Approbation of Two of His Majesty's Justices of the Peace for the said County of *Surrey*, to be signified and expressed in Writing under their Hands on the Face of such Rate or Assessment; and that every such Addition, Insertion, Alteration, and Amendment to or in any and every such Rate or Assessment shall be valid and effectual in the Law to all Intents and Purposes, and the Monies charged and assessed to and upon any Person or Persons in consequence thereof shall and may be demanded, received, and recovered in the same Manner as if the
Name

Name or Names of such Person or Persons, or other Alterations and Amendments, had been inserted and made in such Rate or Assessment previous to the original making, signing, and allowing thereof.

IX. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Assessment made for the Relief of the Poor of the said Parish of *Croydon*, for or by reason of being over-rated or unfairly charged therein, and shall give Notice in Writing of the Cause of such Complaint to the Churchwardens and Overseers of the Poor of the said Parish, or any Two or more of them, within One Calendar Month next after the making and publishing of any such Rate or Assessment, and of his, her, or their Intention of appealing to His Majesty's Justices of the Peace at their Petty Session to be holden in and for the Hundred of *Wallington* in the said County of *Surrey*, it shall and may be lawful to and for any Two or more Justices of the Peace acting in and for the said Hundred, who shall be present at any such Petty Session, to hear and determine the said Complaint, and to make any Alteration in any such Rate or Assessment, by reducing the Amount of the Rental or Charge made therein on any such Appellant or Appellants, as to them shall seem right and just, and such Alteration shall be valid and effectual; but if the Person or Persons so appealing, or the said Churchwardens and Overseers of the Poor, shall be dissatisfied with the Determination of the said Justices at such Petty Session, it shall be lawful for such Person or Persons, or the said Churchwardens and Overseers of the Poor, to appeal to the next General or Quarter Session of the Peace to be holden for the said County, against such Order and Determination, in the Manner hereinafter directed.

Appeal from Rates.

Collector may be appointed.

X. And in order the better to enable the Churchwardens and Overseers of the Poor of the said Parish of *Croydon* to collect and levy the Rates and Assessments to be made by virtue of this Act, be it further enacted, That it shall be lawful for the Inhabitants of the said Parish at a public Vestry, to be convened and held for that Purpose, and they are hereby required to nominate and elect One or more Person or Persons to be a Collector or Collectors of the Poor's Rate and other Parochial Rates to be made, collected, and levied in the said Parish by virtue of this Act (every such Person being a resident Householder in the said Parish), and to make such Allowance by way of Salary or Poundage to such Collector or Collectors (not exceeding Sixpence in the Pound on the Monies actually collected) as to the said Vestry shall seem proper and expedient; and it shall be lawful for any Two of His Majesty's Justices of the Peace for the said County, and they are hereby empowered, by Warrant under their Hands and Seals, to appoint any Person or Persons who shall be so nominated and elected to be such Collector or Collectors as aforesaid, and to order and direct such Allowance to be paid to him or them out of the said Rates or Assessments so by him or them to be collected, as shall be made and agreed to by the said Vestry; and such Appointment shall remain and continue in force until the Death or Resignation of such Collector or Col-

lectors, or until the same shall be revoked by any subsequent Vestry of the Inhabitants of the said Parish; and every Collector and Collectors so to be appointed as aforesaid shall have full Power and Authority to demand, collect, and receive all Rates and Assessments to be made by virtue of this Act.

Vestry may require Security to be taken of Collector.

XI. And be it further enacted, That it shall be lawful for the Inhabitants of the said Parish in Vestry assembled, upon the Nomination and Election of such Collector or Collectors, to require and take Security for the due and faithful Execution of his or their Office, and for duly accounting for all Monies which as such Collector or Collectors he or they shall or may receive, and for the punctual Payment thereof to the said Churchwardens and Overseers within Seven Days from the Receipt thereof, or to whom they shall direct; and which Security shall be by Bond, with sufficient Sureties, and in such Penalty as the said Inhabitants in Vestry assembled shall think fit and direct; and every such Bond shall be made to the Churchwardens and Overseers of the Poor of the said Parish, and may, on any Breach of the Condition thereof, be put in Suit by and in the Names of the Churchwardens and Overseers of the Poor for the Time being, by the Direction of the Vestry or Select Vestry of the said Parish, for the Benefit of the said Parish; and no such Action or other Proceedings on the said Bond shall cease, abate, or be discontinued, defeated, or impeded by the Death of the Churchwardens and Overseers named in such Action or Proceeding, or by the Deaths or Death of any or either of them, or by their Removal, or the Removal of any of them, or the Expiration of their respective Offices.

Collector to account and pay over Balances.

XII. And be it further enacted, That all and every such Collector and Collectors so to be appointed shall, under his or their Hand or Hands, and at such Time or Times and in such Manner as the said Churchwardens and Overseers of the Poor, or the major Part of them, or the Select Vestry of the said Parish, shall direct, deliver to the said Churchwardens and Overseers or Select Vestry, or to such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to his or their Charge by virtue of this Act; and also of all Monies which shall have been from Time to Time collected and received by him or them for or on account of any Rate or Assessment, Rates or Assessments, made in pursuance and by virtue of this Act or otherwise, and of all Payments and Disbursements made thereout, or on account thereof, and to whom made, together with proper Vouchers for such Payments; and shall pay all such Monies as shall remain due from him or them to the said Churchwardens and Overseers, or to such Person or Persons as they shall appoint to receive the same; and if any such Collector or Collectors shall refuse or neglect to make and render any such Account, or to produce and deliver up the Vouchers relating to the same, or to pay over the Money remaining in his or their Hand or Hands as aforesaid, or shall refuse or wilfully neglect to deliver to the said Churchwardens and Overseers, or Select Vestry, within Seven Days after being thereunto required in Writing, under the Hands of the said Churchwardens and Overseers, or the major
Part

Part of them, or under the Hands of any Five of the said Select Vestrymen, given to or left at the last or usual Place of Abode of such Collector or Collectors, all Rates, Books, Papers, and Writings in his or their Custody or Power relating to his or their Office of Collector, or to give Satisfaction to the said Churchwardens and Overseers or Select Vestry respecting the same, then and in every such Case, upon Complaint made by the said Churchwardens and Overseers, or the major Part of them, or by any Five of the said Select Vestrymen, or by such Person or Persons as they shall appoint, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace for the said County, such Justice may and he is hereby authorized and required to summon the Person or Persons so neglecting or refusing to appear before him at a Time and Place to be appointed by such Summons, and upon his or their appearing, or having been so summoned and not appearing, without some sufficient or reasonable Excuse, or not being found, it shall and may be lawful for the said Justice to hear and determine the Matter in a summary Way; and if upon Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any Monies which have been collected or received by such Collector or Collectors under or by virtue of this Act shall remain due from him or them, such 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, and each and every of them; and if no Goods or Chattels of such Collector or Collectors shall be found sufficient to answer and satisfy the said Money, and the Charges and Expenses of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Collector or Collectors shall have refused or neglected to render and give such Accounts, or to produce the Vouchers relating thereto, or that any Rates, Books, Papers, or Writings relating to the Collection of the said Rates and Assessments, or in anywise respecting or appertaining to the said Office of Collector, remain in his or their Hands, Custody, or Power, and that he or they has or have refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case such Justice shall and he is hereby required to commit such Offender or Offenders to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he or they shall give and make a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or compounded with the said Churchwardens and Overseers for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Churchwardens and Overseers are hereby empowered to make and receive, with the Consent and Approbation of the Select Vestry of the said Parish), and until he or they shall deliver up all such Rates, Books, Papers, and Writings, or give full Satisfaction in respect thereof to the said Churchwardens and Overseers; but no such Collector shall be detained or kept in Prison for Want of sufficient Distress, by virtue of this Act, for any longer Space of
Time

Time than Three Calendar Months: Provided nevertheless, that no such Commitment of any Collector or Collectors as aforesaid shall acquit, release, or discharge any Surety or Sureties, or vacate, impeach, or make void any Bond or Security that shall or may have been taken by or given to the said Churchwardens and Overseers of the Poor for the due and faithful Execution of the Office of any such Collector or Collectors in manner herein-before mentioned; nor prevent, abate, or defeat any Action, Suit, or Process commenced or to be brought for the Recovery of any Money so received by such Collector or Collectors, and not accounted for as aforesaid.

Distress not
unlawful for
Want of
Form.

XIII. 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, 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 afterwards be 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 on 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.

Inhabitants
deemed not
incompetent
Witnesses.

XIV. And be it further enacted, That no Inhabitant of the said Parish of *Croydon* shall be deemed an incompetent Witness in any Suit, Action, Information, Complaint, Appeal, Prosecution, or Proceeding to be had, made, prosecuted, or carried on under the Authority of this Act, by reason of such Person being rated or assessed, or liable to be rated or assessed under and by virtue of this Act, or by reason of such Person being liable to perform Statute Duty, or to the Payment of any Composition in lieu thereof towards the Repairs of the Highways of the said Parish.

Appeal.

XV. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, which shall be made in pursuance of this Act, or by reason of any Order, Judgment, or Determination of any Justice or Justices of the Peace acting in the Execution of this Act, or by any Matter or Thing done or directed to be done in pursuance of this Act, such Person or Persons may appeal to the next General or Quarter Sessions of the Peace to be holden for the County of *Surrey*, within Fourteen Days next after the Cause of Complaint or Grievance shall have arisen, first giving or causing to be given Ten Days Notice at the least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Person or Persons appealed against, or leaving such Notice for him or them at his or their last or usual Place or Places of Abode, and within Two Days next after such Notice entering into a Recognizance before One of His Majesty's Justices of the Peace for the said County, with Two sufficient Sureties, in the Sum of Forty Pounds,

Pounds, conditioned to try such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by the Justice at such General or Quarter Sessions; and the said Justices at such Sessions, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the said Justices may then and there, if they see Cause, mitigate any Forfeiture or Fine, and award such further Satisfaction to be made to the Party injured as they shall judge proper; and the Determination of such Justices at their General or Quarter Sessions shall be final, binding, and conclusive.

XVI. Provided always, and be it further enacted, That upon an Appeal from such Rates or Assessments, or any of them, the Justices at such General Quarter Sessions shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to other Persons mentioned in the same; but if upon Appeal from the whole Rate or Assessment it shall be found necessary to quash and set aside the same, then and in such Case the said Justices shall and may order a new Rate or Assessment to be made.

Sessions may amend Rates.

XVII. And be it further enacted, That no Rate or Rates, Assessment or Assessments, nor any Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or any Rate, Warrant, Conviction, or Order to be made, or any other Matter or Thing to be done, or transacted in or relating to the Execution of this Act, or in pursuance or by virtue thereof, shall be vacated or quashed for Want of Form, or be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law, Statute, or Usage to the contrary notwithstanding.

Proceedings not to be removed by Certiorari.

XVIII. And be it further enacted, That no Action or Suit shall be brought or commenced against any Person or Persons for anything done under colour of or in pursuance of this Act, but within Three Calendar Months after the Fact shall have been committed out of which the Cause of such Action shall have arisen; and every such Action shall be laid and brought in the County where the Cause of Action shall have arisen, and not elsewhere: 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 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 any 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

Limitation of Actions.

General
Issue to be
pleaded.

Leave of the Court where such Action shall be depending, to pay into Court such Sums 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; 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, or shall be brought or laid in any other County than 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 in Law.

Costs of Act
how to be
defrayed.

XIX. And be it further enacted, That all Costs, Charges, and Expenses 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 Parish of *Croydon*.

Public Act.

XX. 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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