



ANNO QUADRAGESIMO OCTAVO

GEORGI II. REGIS.

Cap. 21.

An Act for better assessing and collecting the Poor and other Rates in the Parish of *Saint Mary Newington*, in the County of *Surrey*, and regulating the Poor thereof. [14th April 1808.]

WHEREAS the Poor within the Parish of *Saint Mary Newington* in the County of *Surrey* are very numerous, and are maintained and supported at a great Expence, and by means of very heavy Rates: And whereas the Laws and Statutes now in force within this Realm, for the assessing and collecting of Monies for the Relief and Maintenance of the Poor, are found ineffectual in the said Parish, by reason that divers Houses within the said Parish are let to occasional Occupiers, and also let out in Parcels to Under-Tenants, and to Lodgers in separate Apartments, both furnished and unfurnished; and others are let at small Yearly Rents: And whereas it would tend to the Equalization and Reduction of the present Poor and other Parochial Rates within the said Parish, and to the great Alleviation of many industrious Families who now pay the same, and of the Inhabitants of the said Parish in general, if further and additional Powers were given for the assessing and collecting of such Rates, and for better maintaining and regulating the Poor thereof; 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, all and every Person or Persons who do and shall inhabit, hold, use, occupy, possess, or enjoy any Land, Ground, House, Shop, Warehouse, Storehouse, Cellar, Coach-house, Stable, Vault, Building, Tenement, Hereditaments, or Premises, the Annual Rent or Value whereof shall exceed the Sum of Fifteen Pounds,

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How Houses
are to be
rated if the
Value is above
15l. per
Annum.

shall be rated and assessed, for and towards the Rate or Assessment to be made from Time to Time by the Churchwardens and Overseers of the Poor of the said Parish of *Saint Mary Newington*, for and towards the Relief of the Poor of the said Parish, for and in respect of such Land, Ground, House, Shop, Warehouse, Storehouse, Cellar, Coach-house, Stable, Vault, Building, Tenement, Hereditaments, or Premises, at Four-fifths of the Annual Rent or Value thereof respectively, and no more.

Declaring who shall be compellable to pay the Rates.

II. And be it further enacted, That the Landlord or Landlords, Owner or Owners of all and every House, Tenement, or other Premises within the said Parish, which is, are, or shall be let in Parcels, or separate Apartments, or in Lodgings furnished or unfurnished, shall be deemed and taken to be the Occupier or Occupiers thereof, and shall be rated to and shall pay the several Rates and Assessments for the Relief and Maintenance of the Poor and all other the Parochial Rates of the said Parish.

For the better recovering Rates on House, let at small Rents.

III. And be it further enacted, That when the Yearly Rent or Value of any House, Tenement, or Hereditament within the said Parish shall not exceed Fifteen Pounds, or where any House, Tenement, or Hereditament shall be let to any Weekly or Monthly Tenants, or in separate Apartments, furnished or unfurnished, and the Rents thereof shall become payable and be collected at any shorter Period than Quarterly, then and in every such Case it shall and may be lawful to and for the Churchwardens and Overseers of the Poor, or the major Part of them, in Vestry assembled (if they shall think proper) to compound with the Landlord or Landlords, Owner or Owners of all and every or any such House or Houses, Tenement or Tenements, Hereditament or Hereditaments in the said Parish, for the Payment of the Rate or Rates, Assessment or Assessments for the Relief and Maintenance of the Poor, and all other the Parochial Rates of the said Parish, at such a reduced Yearly Rental as the said Churchwardens and Overseers of the Poor, or the major Part of them for that Purpose in Vestry assembled, shall think reasonable; so that no such House or Houses, Tenement or Tenements, Hereditament, or Hereditaments, be rated at less than One-half or more than Three-fourths of the Rack Rent at which the same respectively shall then be let, or of the Annual Value of the said Premises respectively; and the Landlord or Landlords, Owner or Owners of all such Houses, Tenements, or Hereditaments as shall not exceed the Yearly Rent of Fifteen Pounds, or as shall be let to any Weekly or Monthly Tenants, or in separate Apartments, furnished or unfurnished, and from whence the several Rents thereof shall become due and be collected at any shorter Period than Quarterly, is and are hereby required to enter into such Composition with the said Churchwardens and Overseers of the Poor, or the major Part of them so assembled: And in case such Landlord or Landlords, Owner or Owners, shall refuse to enter into such Composition, he, she, or they shall from thenceforth be deemed and taken to be the Occupier or Occupiers of such Premises, and shall thereupon be rated to, and from Time to Time shall pay or cause to be paid the Rates or Assessments charged upon their respective Premises for the Relief of the Poor, and all other the Parochial Rates of the said Parish, according to a fair and equal Assessment by the said Churchwardens and Overseers of the Poor, or the major Part of them so assembled; and upon Non-payment thereof, the said Churchwardens and Overseers, or any of them, are hereby authorized to levy the same by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner

Owner or Owners of the respective Premises aforesaid, wheresoever they may be found, or of the Person or Persons inhabiting the same respectively: Provided always, that no such Landlord or Owner shall be charged with or liable to pay for any increased Rent reserved or 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; and provided also, that the Goods and Chattels of all and every Person or Persons renting or occupying any such House, Tenement or Hereditament, or any Part or Parts thereof, the Rate or Rates, Assessment or Assessments whereof the Landlord or Landlords, Owner or Owners is and are hereby made liable and subject to as aforesaid, shall be liable at all Times to be distrained and sold, for Payment of so much of the said Rates or Assessments, and of all Arrears thereof, as became due upon the said Premises during the Time of his, her, or their Occupancy only; but no such Occupier or Occupiers shall at any Time be required to pay or be subject or liable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, and Arrears thereof, than the Amount of the Rent actually due and payable by such Occupier or Occupiers to the Landlord or Landlords, Owner or Owners of the Premises so occupied by him, her, or them: Provided also, that each and every Occupier who shall pay any such Rate or Rates, Assessment or Assessments, or any Arrears thereof, or upon whom the same shall be levied, shall and may from Time to Time deduct the same from the Rent due and payable from him, her, or them, to the respective Landlords or Owners of the Premises (unless there shall be some Agreement to the contrary, between the Landlord or Tenant), and the Receipt for such Payment shall be a sufficient Discharge to such Occupier or Occupiers, and to his, her, or their Landlord or Landlords, for so much Money as he, she, or they shall pay in the Manner directed by this Act: Provided also, that no such Tenant or Occupier, by Payment of any such Rate or Rates, Assessment or Assessments in Manner aforesaid, or which shall have been compounded for as aforesaid, shall be deemed to acquire any Settlement in the said Parish, but in every such Case the Landlord or Owner of the Premises shall be deemed and construed to have paid the same; any Law, Statute, or Usage to the contrary thereof in anywise notwithstanding.

Landlords not
to be rated for
reserved Rent.

Tenant or
Occupier not
to gain a
Settlement by
the Payment
of the Rates.

IV. And be it further enacted, That in case any Person or Persons shall remove out of or from, or quit the Possession of any House, Shop, Building, Tenement, or other Premises, before the Rate or Rates, Assessment or Assessments, charged thereon respectively by virtue of this Act shall be paid and discharged; or if any Person or Persons shall enter into the Occupation of any House, Shop, Building, Tenement, or other Premises in the said Parish, out of or from which any other Person or Persons shall have so removed, before such Rate or Rates, Assessment or Assessments shall have been paid and discharged; then and in every such Case the Person or Persons so removing out of or from, or quitting the Possession of, and the Person or Persons entering into the Occupation of any such House, Shop, Building, Tenement or other Premises, shall be respectively subject and liable to the Payment of all such Rates and Assessments, in proportion to the Time that such Person or Persons respectively possessed or occupied the same, in the same Manner as if the Person or Persons so removing or quitting as aforesaid had remained in the Possession or Occupation of such House, Shop, Building, Tenement or other Premises, or the Person or Persons so entering

How Rates
may be col-
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Parties re-
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ing into the Possession or Occupation thereof respectively, had been originally rated and assessed to such Rates or Assessments, or any of them; and such Proportion shall be ascertained by the Churchwardens and Overseers of the Poor of the said Parish; and in case of any Dispute respecting the Amount or Proportion thereof, the same shall be settled by any Two or more of His Majesty's Justices of the Peace in and for the County of Surrey.

Paupers to be removed by Beadles instead of Overseers.

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

For the more effectually assessing the Poor and other Parochial Rates within the said Parish.

VI. And be it further enacted, That it shall and may be lawful to and for the Churchwardens, Overseers of the Poor, and Inhabitants of the said Parish assembled in Vestry, or the major Part of them so assembled, from Time to Time, as often as they shall find necessary, to employ any Surveyor or Surveyors, or other competent Person or Persons, to assist in making and ascertaining the Annual Value of all or any House or Houses, or Hereditaments liable to be assessed to any Rate for the Relief and Maintenance of the Poor, and to pay such Sum or Sums of Money to every such Surveyor or Surveyors, or other competent Person or Persons, for his or their Trouble therein, as to the said Churchwardens and Overseers shall appear just and reasonable, out of any Money arising by such Rates: Provided always, that no Person shall be capable of acting as a Surveyor as aforesaid, until he shall have taken and subscribed the Oath following, before the said Churchwardens and Overseers, (which Oath any Two or more of them are hereby empowered to administer);

‘ I *A. B.* do swear [or affirm, as the Case may be] That I will truly, impartially, and honestly execute the Trust reposed in me as a Surveyor, by virtue of an Act made in the Forty-eighth Year of the Reign of His present Majesty, intituled, *An Act for better assessing and collecting the Poor and other Rates in the Parish of Saint Mary Newington, in the County of Surrey, and regulating the Poor thereof, without Favour or Affection, Prejudice or Malice, to any Person whomsoever. So help me GOD.*

Manner of appointing Overseers in future.

VII. And be it further enacted, That on the Easter *Tuesday* next after the passing of this Act, and so in like Manner on the Easter *Tuesday* in each and every succeeding Year, the Inhabitants of the said Parish of *Saint Mary Newington*, in Vestry assembled, or the major Part of them then

then present, shall nominate Four substantial Housekeepers to serve the Office of Overseer of the Poor of the said Parish, and shall cause a List of the Names of the said Four Persons to be delivered to the Justices of the Peace acting in and for the Eastern Half Hundred of *Brixton* and Borough of *Southwark* in the said County of *Surrey*, at the next ensuing Petty Session; and the said Justices at their said Petty Session shall and they are hereby authorized and required to nominate and appoint, by Writing under their Hands and Seals, Two of the said Four Persons, named in such List, to be Overseers of the Poor of the said Parish; and such Two Persons so nominated and appointed shall continue in their said Office of Overseer until the Easter *Tuesday* following, and until the Petty Session then next following, when Two other Persons shall be appointed in Manner aforesaid to act in their Steads: Provided nevertheless, that Two of the present Overseers of the said Parish; *videlicet*, *William Evitt* and *John Jones* shall continue in their said Office of Overseer until Two other Overseers are appointed, at the Time and in Manner hereinafter mentioned and no longer; and that on the Twenty-ninth Day of *September* next after the passing of this Act, and so in like Manner in each and every succeeding Year, the Inhabitants of the said Parish, in Vestry assembled, or the major Part of them then present, shall nominate Four substantial Householdors of the said Parish to serve the Office of Overseer of the Poor of the said Parish for the Year ensuing, and shall cause a List of such Four Persons to be delivered to the said Justices at their next Petty Session; and the said Justices at such Petty Session shall and they are hereby authorized and required to nominate and appoint by Writing under their Hands and Seals, Two of the Four Persons named in such List, to be Overseers in the Room of the said *William Evitt* and *John Jones*: Provided always, that Notice shall be given in the said Parish Church, on the *Sunday* next before Easter *Tuesday* in each and every Year, for the Inhabitants to meet in Vestry on Easter *Tuesday*, for the Purpose of choosing Overseers of the Poor of the said Parish; and a similar Notice shall also be given on the *Sunday* next before the Twenty-ninth Day of *September* in each and every Year, for the Inhabitants to meet in Vestry on the Twenty-ninth Day of *September*, for the Purpose of choosing Overseers of the Poor of the said Parish; and for ever hereafter the Overseers of the Poor of the said Parish shall continue to be nominated and appointed at the Times and in Manner as is herein-before directed, and not otherwise: Provided always, That if in any Year the Twenty-ninth Day of *September* shall happen to be on a *Sunday*, then and in such Case such Nomination of such Four Persons to serve the Office of Overseer of the Poor of the said Parish, by the Inhabitants of the said Parish in Vestry assembled, or the major Part of them then present, shall be made on the following Day; and if no Petty Session shall be held within One Month after Easter *Tuesday*, or within One Month after the Twenty-ninth Day of *September* respectively in any Year or Years, then and in every such Case it shall and may be lawful for any Two Justices of the Peace acting in and for the said Eastern Half Hundred of *Brixton* and Borough of *Southwark*, in the said County of *Surrey*, and they are hereby authorized and required, upon Application made to them for that Purpose, to nominate and appoint, by Writing under their Hands and Seals, Two Persons out of such List or Lists as aforesaid to be delivered to them,

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to be Overseers of the Poor of the said Parish for the Year then next ensuing, and until new ones shall in like Manner be nominated and appointed to succeed them; and all such Persons when so nominated and appointed and having Notice thereof, shall from thenceforth, together with the Churchwardens for the Time being of the said Parish, be and be deemed Overseers of the Poor of the said Parish of *Saint Mary Newington*; and they and each of them the said Overseers, so nominated and appointed as aforesaid, shall and they are hereby severally required to do, perform, and execute their respective Duty and Duties, Office and Offices of Overseer and Overseers of the Poor of the said Parish accordingly; and they and each of them shall be subject and liable to the like Rules, Regulations, Restrictions, Penalties, and Forfeitures, and shall have and enjoy the like Privileges, Exemptions, and Immunities, as, by the Laws and Statutes of this Realm, Overseers of the Poor are subject and liable to, and have and enjoy.

Appointment
of Collectors.

VIII. And, in order the better to enable the Churchwardens and Overseers of the Poor of the said Parish of *Saint Mary Newington* to collect and levy the said Rates; be it further enacted, That it shall be lawful for the said Churchwardens and Overseers of the Poor, or the major Part of them, at a public Vestry Meeting to be held for that Purpose, to elect and appoint One or more Person or Persons to be a Collector or Collectors of the Rates authorized to be made, collected, and levied by virtue of this Act (every such Collector being a resident Householder in the said Parish), and to take such Security from such Collector or Collectors as they the said Churchwardens and Overseers of the Poor, or the major Part of them, shall think proper for the due Execution of his or their Office, and to remove such Collector or Collectors at their Will and Pleasure; and out of such Rates and Assessments to be collected and received by virtue of this Act, to make such Allowances, by way of Salary or Poundage, to the said Collector or Collectors, not exceeding Sixpence in the Pound on the Monies actually collected, for their Trouble in the Collection of the Rates aforesaid; and to revoke and countermand, alter and vary such Nominations and Appointments, Allowances, or Recompence, and make others in their Stead, or not, as to them the said Churchwardens and Overseers of the Poor, or the major Part of them, shall seem meet and proper; and the said Collectors shall and they are hereby required to produce to the said Churchwardens and Overseers of the Poor, whenever thereto required, their respective Rate Books, in order that the said Churchwardens and Overseers of the Poor may be satisfied as to the Sum and Sums of Money rated and assessed and not received, and may give such Directions, respecting the collecting and levying the same, as they shall think proper.

Collectors to
account.

IX. Provided always, and be it further enacted, That if any such Collector or Collectors, when thereunto required by the said Churchwardens and Overseers, or within Ten Days thereof, shall refuse or neglect to deliver up such Rate Book or Books, and all and every the Account and Accounts of all Monies by him or them received for or on Account of the

the said Rates or Assessments, and all Papers thereunto belonging, and to make Payment of the Balance which shall appear to remain in his or their Hands, by virtue of his or their respective Office or Offices, then and in every such Case, upon Complaint made by the said Churchwardens and Overseers, or the major Part of them, of any such Refusal or Neglect as aforesaid, to any Justice of the Peace for the said County of *Surrey*, such Justice may and he is hereby authorized and required to issue a Warrant under his Hand and Seal, for the Collector or Collectors so refusing or neglecting to account as aforesaid, to appear before him, and upon his or their appearing, or having been summoned and not appearing, or not being to be found, to hear and determine the Matter in a summary Way; and if upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer) it shall appear to such Justice that any of the Monies that shall have been collected or received by virtue of this Act, shall remain due from such Collector or Collectors, such Justice may and he is hereby authorized and required upon Non-payment 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 if it shall appear to such Justice that such Collector or Collectors shall have refused or neglected to render and give such Account, or to produce the Books, Papers or Writings relating to the Collection of the Rates authorized by this Act, which shall be in the Custody or Power of such Collector or Collectors, and he or they shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case, such Justice shall commit such Offender or Offenders to the Common Gaol or House of Correction for the County 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, and deliver up such Books, Papers and Writings, or give Satisfaction in respect thereof to the said Churchwardens and Overseers; provided that no such Collector or Collectors so committed, shall be confined or detained in Prison by virtue of such Warrant, for any longer Space of Time than Six Calendar Months.

X. And be it further enacted, That the Person or Persons to be appointed in Manner aforesaid, Collector or Collectors of the said Rates or Assessments, is and are hereby authorized and empowered to receive, collect, and levy the same; and that the several Sums of Money arising from such Rates or Assessments, together with all Arrears due upon former Rates allowed as aforesaid, shall and may be collected quarterly, or otherwise; and for the better enabling such Collector or Collectors so to do, it shall and may be lawful to and for him or them to execute all such Warrants of Distress as shall be granted from Time to Time by any Justice or Justices of the Peace, in the Manner hereinafter directed, against any Person or Persons neglecting or refusing to pay the said Rate or Assessment, in the same Manner, and as fully and effectually to all Intents and Purposes, as Overseers of the Poor, by any Law or Laws now in being can or may execute the same.

Collectors
empowered
to levy Rates,

XI. And,

How Rates
are to be levied
on Refusal.

XI. And, for the better and more effectual raising and levying the Rates and Assessments directed to be made by this Act, be it further enacted, That in case any of the Landlords or Occupiers, or any Owner or Owners, Proprietor or Proprietors, Lessee or Lessees, of any Land, Ground, Dwelling-house, Shop, Warehouse, Coach-house, Stable, Cellar, Vaults, Building, Tenement, or Hereditament, within the said Parish, herein-before made liable to pay any Rate or Assessment made, laid and assessed by virtue of this Act, shall refuse or neglect to pay the Money rated and assessed upon him, her, or them respectively, and all Arrears due thereon, or upon any former Rate or Rates, it shall be lawful to and for any One or more of His Majesty's Justices of the Peace acting for the Eastern Half Hundred of *Brixton* and Borough of *Southwark* in the County of *Surrey*, and he and they is and are hereby authorized and required to summon, by Writing under his or their Hand or Hands, all and every Person and Persons who shall have refused or neglected as aforesaid (upon Oath being made before him or them by the Collector or Collectors appointed by the said Churchwardens and Overseers, or the major Part of them as aforesaid, for the Time being, of his or their having attended upon or at the Dwelling-house or last Place of Abode of all and every Person and Persons then intended to be summoned, and having demanded the Rate or Rates, and of such Person or Persons having refused or neglected to pay the said Rate or Rates) to appear before such Justice or Justices at a Time and Place to be mentioned in such Summons, or before such other Justice or Justices acting in and for the said Eastern Half Hundred of *Brixton* and Borough of *Southwark*, as shall be sitting upon the Return of such Summons or Summonses; and it shall and may be lawful to and for the Collector and Collectors appointed or to be appointed by the said Churchwardens and Overseers of the Poor, or the major Part of them as aforesaid, or for any of the Constables, Headboroughs, or Beadles of the said Parish, to serve all and every such Summons and Summonses upon all and every Person and Persons so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or leaving the same at his, her, or their last or usual Place or Places of Abode, or at the Premises for which the Rates mentioned in such Summons, shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he, she, or they shall attend, and shall not shew good and sufficient Cause to such Justice or Justices, that they are not chargeable with such Rate or Rates, then and in every such Case all and every such Person and Persons who shall have been so summoned shall pay the reasonable Costs and Charges of such Summons; and in all Cases where the said Rate or Rates, or any of them, shall not be paid upon the Return of such Summons, it shall and may be lawful to and for such Justice or Justices who shall have issued such Summons or Summonses as aforesaid, or some other Justice or Justices of the Peace acting for the said Eastern Half Hundred of *Brixton* and Borough of *Southwark*, and he or they is and are hereby authorized and required, upon Oath made before him or them of the due Service of such Summons or Summonses by the Party who shall have served the same, to grant a Warrant or Warrants under his or their Hand or Hands, Seal or Seals, authorising or directing the said

Persons re-
fusing to at-
tend when
summoned.

said Collector or Collectors, or any Constable, Headborough, or Beadle of the said Parish, to collect or levy all and every such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and the Expence of the Summons (if the same shall not have been before paid) and Warrant, by Distress of the Goods and Chattels of the Party so neglecting or refusing, which shall be found either 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, with all Arrears due thereon, shall not be paid, together with the reasonable Charges of the said Summons (if such Summons shall not have been before paid for) and Warrant, and of making such Distress, and keeping such Goods and Chattels, the said Collector or Collectors, Constable or Constables, Headborough or Headboroughs, Beadle or Beadles, shall cause the said Goods to be appraised by One or more Appraiser or Appraisers, and to be sold, or such Part or Parts thereof as shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the reasonable Charges aforesaid, and the Charges of appraising and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them.

XII. And be it further enacted, That every Warrant of Distress for Non-payment of any Rate or Assessment to be made by virtue of this Act, shall be in the Words or to the Effect following :

Form of
Warrant of
Distress.

Surrey. } To the Churchwardens, Overseers, and Collectors of the
to wit. } Poor Rates of the Parish of *Saint Mary Newington*, in
the County of *Surrey*, and to all Constables and other
Peace Officers for the same Parish.

WHEREAS the under-mentioned Persons, now or late Inhabitants, Holders, Landlords, Tenants, Occupiers, or Enjoyers of Lands, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, or other Buildings, Tenements, or Hereditaments, or Part of some Building or Tenement within the said Parish of *Saint Mary Newington*, were and are truly rated and assessed or liable to pay the Rate and Rates duly made for the Purpose of an Act made in the Forty-eighth Year of the Reign of King George the Third, intituled, 'An Act [*set forth the Title of the Act*].' And whereas the said Persons have refused or neglected to pay the several Sums of Money at and against their Names hereunder respectively set down for Money due from them, for or towards the Purposes in the said Act mentioned; and the said several Sum and Sums are still remaining due in Arrear and unpaid, as appeareth upon Oath to
of His Majesty's Justices of the Peace for the said County;
and the said several Persons having been summoned to appear before
to answer the Premises, as also
appeareth to the said Justice, upon Oath, and
nor either of them having shewn any sufficient Cause
why such Sum or Sums of Money should not be paid, These are there-
fore in His Majesty's Name, to will and require you, or either of you,
[*Loc. & Per.*] 4 F forthwith

Sums due:

L. S. d.

' *A. B.* - - - - -
 ' *C. D.* - - - - -
 ' *E. F.* the Landlord for divided - - -
 ' *G. H.* - - - - -

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

XIV. And

XIV. And be it further enacted, That in order to avoid the Loss which frequently happens, by Tenants or Occupiers of Houses, Tenements, or Hereditaments quitting and removing from the same before the Day on which the Rates or Assessments charged by virtue of this Act on the said Houses, Tenements, or Hereditaments, shall become due and payable, it shall and may be lawful to and for the Collector or Collectors to be appointed as aforesaid, to demand and receive, Twenty-one Days before every such Day, or at any other subsequent Time, the respective Rates and Assessments which would be due and payable on such Day; and in case of Non-payment thereof, to enforce the Payment of such Rates and Assessments in the same Manner and with the same Powers as in case of the Non-payment of such Rates and Assessments upon or after the Day on which the same would be due and payable.

Rates payable
21 Days be-
fore Quarter
Day.

XV. And be it further enacted, That when and as often as any Distress shall be made for Non-payment of any such Rate or Rates, Assessment or Assessments; or any Part thereof, it shall and may be lawful to and for the Person or Persons making such Distress, to raise and levy the reasonable Charges of making such Distress, and selling and disposing of the same, upon the Goods and Chattels, over and above the Sum of Money due upon the Rate or Rates, Assessment or Assessments for which such Distress shall be taken.

Expence of
making Dis-
tress to be
paid with the
Rates.

XVI. And be it further enacted, That where any such 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 Default or Want of Form in any Proceedings relating thereto; nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards 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: Provided always, that no Plaintiff or Plaintiffs shall recover in any Action for any such Irregularity, Trespass, or other Proceeding, unless Notice in Writing shall have been given to the Defendant or Defendants, or to his, her, or their Attorney or Attornies, 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 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 every or any such Irregularity, Trespass, or wrongful Proceeding before such Action brought; and in case no such Tender shall have been made, it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, to pay into the Court such Sum of Money as he or they shall think fit, whereupon such Proceedings or Order and Judgement shall be had, made, or given in and by such

Parties
making
Distress not to
be deemed
Trespassers
ab initio.

Parties not
to recover
unless Notice
of Action shall
have been
given.

such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Proceedings
not to be
quashed for
Want of
Form.

XVII. And be it further enacted, That no Order, Judgement, Conviction, or other Proceeding, touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, or any Order made, or any other Matter or Thing to be done or transacted, in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form only; or be removed or removeable by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary in anywise notwithstanding.

If dissatisfied
may appeal to
the Quarter
Sessions.

XVIII. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any such Rate or Rates, Assessment or Assessments, or by reason of any Order, Judgement, or Determination of any Justice or Justices of the Peace acting in execution of this Act, or by any Matter or Thing done in pursuance thereof, then and in every such Case he, she, or they may appeal to the next General or Quarter Sessions of the Peace to be holden for the County of *Surrey*, which shall happen next after the Expiration of Fourteen Days after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Ten Days Notice at least of such Appeal, and of the Matter thereof, to the Party or Parties appealed against, and within Two Days next after such Notice entering into a Recognizance in the Sum of Twenty Pounds, before some Justice of the Peace for the said County, conditioned for prosecuting such Appeal, and to abide the Order thereon, and to pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices assembled at such General or Quarter Sessions, upon due Proof of such Notice being given, and of entering into such Recognizance, shall hear and determine the Matter of such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as they the said Justices shall think proper, and also to order and award such Satisfaction to be made to the Party injured, as they shall think reasonable.

Justices may
relieve on
Appeal
against Rates
without
quashing the
whole Assess-
ment.

XIX. Provided always, and be it enacted, That on Appeal from such Rates or Assessments, or any of them, the Justices at such General or 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 set aside the same, then and in such Case the said Justices shall and may order a new Rate or Assessment to be made.

Inhabitants
may be Wit-
nesses,

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

cerning the Execution of this Act, no Inhabitant of the said Parish shall be deemed an incompetent Witness, on Account of his, her, or their being charged with and liable to pay any such Rate or Assessment.

XXI. And be it further enacted, That in all Cases where any Person, or Persons shall be convicted of any Offence committed against this Act, or any Matter in pursuance thereof, the Conviction shall be in the Words or to the Effect following;

Surrey }
to wit } : **BE** it remembered, That on the _____ Day of _____
in the _____ Year of the Reign of _____
is convicted before _____ of His Majesty's
Justices of the Peace for the County of Surrey, by virtue of
an Act made in the Forty-eighth Year of the Reign of King
George the Third, intituled [*set forth the Title of this Act*]
[*specifying the Offence.*]
Given under our Hands and Seals, [*or, my Hand and*
Seal] the Day and Year aforesaid.

XXII. And be it further enacted, That no Action or Suit shall be brought or commenced against any Person or Persons, for any Thing done in pursuance of this Act, after Three Months after the Fact committed, or the Cause of such Action shall have arisen; and every such Action shall be laid and brought in the County of Surrey, and not elsewhere; and the Defendant or Defendants in such Action or Actions to be brought may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by 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 or tendered 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 such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer Judgement shall be given against the Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

XXIII. And be it further enacted, That all Costs, Charges and Expences of passing this Act, and all other Charges incident to the obtaining thereof, or incurred in relation thereto, shall be borne, paid, and defrayed out of the first Monies which shall arise or be collected out of any Rate or Assessment made or to be made for the Relief and Maintenance of the Poor of the said Parish.

[*Loc. & Per.*]

4 G

XXIV. And

Publick Act.

XXIV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and others, without being specially pleaded.

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