



ANNO SECUNDO

# GULIELMI IV. REGIS.

\*\*\*\*\*

## *Cap. x.*

An Act for better assessing and collecting the Poor and other Parochial Rates, and for the better Maintenance and Employment of the Poor, of the Parish of *Saint Margaret* in the Borough and County of *Leicester*. [24th March 1832.]

**W**HEREAS the Parish of *Saint Margaret* in the Borough and County of *Leicester* is very extensive, and the Poor belonging thereunto are very numerous, and are supported at a great Expence: And whereas it is expedient that Powers and Provisions other than those which now exist should be made and granted for assessing, collecting, and recovering the Rates and Assessments to be made in the said Parish for the Relief of the Poor and other parochial Purposes, and that more effectual Provision should be made for the Relief, Maintenance, and Employment of the Poor of the said Parish; and it would also tend to promote the good of the said Parish if the Mode of electing a Select Vestry for the same were varied and altered, and certain additional Powers given to such Vestry; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament

[*Local.*]

*T t*

assem-

Rates and Monies due may be recovered by the Select Vestry for executing this Act.

59 G. 3. c. 12.

assembled, and by the Authority of the same, That all Rates and Assessments which before the Appointment of a Select Vestry in pursuance of the Provisions of this Act shall have been duly and legally made, and all Bonds, Contracts, and Agreements which shall have been given or entered into on account of or in relation to the said Parish of *Saint Margaret*, and all other Monies due to the said Parish, and which shall remain uncollected or unpaid or be in existence and unperformed at the Time of the Appointment of such Select Vestry, shall and may be collected, recovered, and enforced by the Select Vestry acting in the Execution of this Act in the same Manner and by the same Ways and Means as if such Rates and Assessments had been made, and as if such Bonds, Contracts, and Agreements had been entered into, under or by virtue of this Act; and all Treasurers, Collectors, and other Officers and Persons who at the Time of the Appointment of a Select Vestry under the Provisions of this Act shall have in their Possession or under their Controul any Money, Books, Documents, Papers, Writings, or other Effects belonging to the Select Vestry acting in the Execution of an Act passed in the Fifty-ninth Year of the Reign of His Majesty King George the Third, intituled *An Act to amend the Laws for the Relief of the Poor*, or to the Churchwardens or Overseers of the Poor, or Surveyors of the Highways of the said Parish, or otherwise belonging to the said Parish, shall be liable to account for and to deliver up all such Money, Books, Documents, Papers, Writings, and Effects to the Select Vestry for executing this Act, in the same Manner, and subject to the same Process, Pains, and Penalties for Refusal or Neglect, as if such Treasurers, Collectors, Officers, or Persons had been appointed by the Select Vestry acting in the Execution of this Act; and all other Persons who at the Time of the Appointment of a Select Vestry under the Provisions of this Act shall owe any Money to the Select Vestry or other Persons acting in the Execution of the said Act for or in respect of any Matter or Thing affecting or relating to such Act, or who shall owe any Money to the said Churchwardens, Overseers, Surveyors, or others, for or on account of any Rates or Assessments duly and legally made, or who shall owe any Money to the said Parish on any Account whatsoever, shall be liable to the Payment of such Money to the Select Vestry acting in the Execution of this Act, and, in case of Refusal or Neglect to pay the same, shall be subject to the Provisions of this Act for the Recovery thereof, as if such Money had become due under this Act.

The Rates made by virtue of this Act to be liable to all Debts justly owing by the Parish.

II. And be it further enacted, That the several Rates hereby authorized to be raised, shall be and the same are hereby made respectively liable to the Payment of all Debts which at the Time of the Appointment of a Select Vestry under the Provisions of this Act are or shall be justly and legally due and owing from or by the Select Vestry acting under the said Act of the Fifty-ninth Year of the Reign of His said Majesty King George the Third, or the Overseers of the Poor, on account of the Maintenance of the Poor, or of any other Purpose, Matter, or Thing arising out of the Execution of the said Act, or otherwise on account of the said Parish, or by the Churchwardens or Surveyors of the Highways, as such, of the said Parish,

Parish, as fully and effectually, to all Intents and Purposes, as if such Monies had become due on the Credit of this Act.

III. Provided always, and be it further enacted, That all Officers and Persons in the Employment of the Select Vestry of the said Parish acting under the said Act of the Fifty-ninth Year of the Reign of His said Majesty King *George* the Third, or of the Churchwardens, Overseers of the Poor, or Surveyors of the Highways of the said Parish, at the Time of the Appointment of a Select Vestry under the Provisions of this Act, shall hold and enjoy their respective Offices and Employments until removed therefrom by the Select Vestry for executing this Act; and all such Officers and Persons shall have the same Powers, Privileges, and Advantages in the Execution of this Act, and they and their Sureties shall be liable to the same Penalties, Obligations, Restrictions, and Regulations in every respect, as if they had been appointed or taken under or by virtue of this Act.

Present Officers to continue in Office until removed by Select Vestry.

IV. And be it further enacted, That the Inhabitants of the said Parish, qualified as herein-after mentioned, shall and they are hereby required to assemble in the Vestry Room of the said Parish on the Third *Thursday* next after the passing of this Act, between the Hours of Ten and Twelve of the Clock in the Forenoon of the same Day; and at such Meeting the Inhabitants so then and there assembled shall nominate and choose, by a Majority of Votes, Thirty Persons, qualified as herein-after mentioned, as fit and proper Persons to be Select Vestrymen of the said Parish, and shall cause Lists, or Duplicates thereof, of the Names and Descriptions of the Persons so nominated and chosen, signed by the Chairman of the said Meeting, to be forthwith delivered to or left at the usual Place of Abode of the Mayor of the said Borough of *Leicester* for the Time being and the Clerk of the Peace of the said Borough for the Time being; and it shall and may be lawful unto and for His Majesty's Justices of the Peace for the said Borough, and they are hereby required, within One Week after the Delivery of the said Lists or Duplicates thereof, to cause a Petty Session of the Magistrates of the said Borough to be duly holden, at which Petty Session the Justices then assembled, or the major Part of them, shall and they are hereby required to appoint, by Writing under their Hands and Seals, Twenty of the Persons so nominated and chosen as aforesaid, and named in the said Lists, to be Vestrymen of the said Parish; and the Justices of the Peace for the said Borough shall forthwith cause Notice to be given to the Persons so appointed of such their Appointment; and from and after such Appointment shall have been made and completed, the Select Vestrymen so appointed, together with the Vicar, Churchwardens, and Overseers of the Poor, and the Surveyors of Highways of the said Parish for the Time being, shall be and they are hereby constituted the first Select Vestry for carrying this Act into execution; and the said first Select Vestry shall continue in Office until the Fourth *Thursday* in the Month of *April* in the Year of our Lord One thousand eight hundred and thirty-three, and until another Vestry shall be duly appointed under the Powers and Provisions of this Act; and the Select Vestry acting under the said Act of the Fifty-ninth Year

Vestry Meeting to be held on the Third Thursday after the passing of the Act, for the Election of a Select Vestry.

Year of the Reign of His said Majesty King *George* the Third shall, from and after the Appointment of the first Select Vestry under the Provisions of this Act, cease and determine.

Vestry Meeting to be held annually for the Election of the Select Vestry.

V. And be it further enacted, That the Inhabitants of the said Parish of *Saint Margaret*, qualified as herein-after mentioned, shall and they are hereby required to assemble in the Vestry Room of the said Parish on the Fourth *Thursday* in the Month of *April* in the Year of our Lord One thousand eight hundred and thirty-three, between the Hours of Ten and Twelve of the Clock in the Forenoon, and on the Fourth *Thursday* in the Month of *April* in every subsequent Year, between the same Hours; and at such Meetings the Inhabitants so then and there assembled shall nominate and choose, by a Majority of Votes, Thirty Persons, qualified as herein-after mentioned, as fit and proper Persons to be Select Vestrymen of the said Parish for the Year ensuing; and the Names and Descriptions of the Persons so nominated and chosen shall be inserted in a List or Lists, which List or Lists, or Duplicates thereof, signed by the Chairman of the said Meeting, shall be forthwith delivered to or left at the usual Place of Abode of the Mayor of the said Borough for the Time being and of the Clerk of the Peace for the said Borough for the Time being; and the Justices of the Peace for the said Borough shall and they are hereby required, within One Week after the Delivery of the said Lists or Duplicates thereof, to cause a Petty Session of the Magistrates of the said Borough to be duly holden, at which Petty Session the Justices then assembled, or the major Part of them, shall and they are hereby required to appoint, by Writing under their Hands and Seals, Twenty of the Persons so nominated and chosen as aforesaid, and named in the said Lists, to be Vestrymen of the said Parish for the Year ensuing, and until others shall be appointed in their Stead; and the Justices of the Peace for the said Borough shall forthwith cause due Notice of such Appointment to be given to the Individuals so appointed; and from and after such Appointment shall have been made and completed, the Select Vestrymen so appointed, together with the Vicar, Churchwardens, and Overseers of the Poor, and the Surveyors of Highways for the Time being of the said Parish, shall be the Select Vestry for carrying this Act into execution, and shall continue in Office until the Fourth *Thursday* in the Month of *April* following, and until another Select Vestry shall be duly elected and appointed under the Provisions of this Act, and so on from Year to Year for ever: Provided always, that no Notice of any such Meetings for the Election of Select Vestrymen shall be essential to the Validity of such Meetings, any thing in this Act contained to the contrary notwithstanding.

Vestrymen may be re-elected.

VI. Provided always, and be it further enacted, That all and every of the Persons serving on the Select Vestry for the Time being shall and may, if duly qualified, be eligible to be re-elected.

Mode of Election.

VII. Provided always, and be it further enacted, That in case at any Meeting of the Inhabitants to be held for the Purpose of electing the Select Vestry for the said Parish more than Thirty Persons shall be

be proposed for the Office of Select Vestryman, and a Poll shall be demanded by any Ten Persons present and qualified to vote as herein-after mentioned, then the Chairman of such Meeting shall appoint Three fit and proper Persons to be Scrutineers; and such Scrutineers shall immediately on their Appointment open and proceed with such Poll, and shall enter or cause to be entered in a Book or Books the Names of all Persons so proposed, and the Name of every Person duly qualified to be present and vote who shall desire to vote, together with his or her Description and Abode, and shall register the Vote of every such Person for every or any such Persons as he or she may respectively require; and if the Votes of all the Persons duly qualified and desirous to vote cannot be conveniently collected and registered by Five of the Clock in the Afternoon of the same Day upon which the Poll shall have been commenced, then the Chairman shall at that Hour adjourn such Poll to Ten of the Clock in the Forenoon of the Day next succeeding, unless such Day shall be *Good Friday*, and in that Case to the Day following; and if the Poll shall not be closed on such Second Day, the same shall be again adjourned at Five of the Clock in the Afternoon to Ten of the Clock in the Forenoon of the Day following, unless such Day shall be *Sunday*, then to the following *Monday*; provided nevertheless, that the Poll shall finally close at Five of the Clock in the Afternoon on the Third Day of such Election, or sooner if all the Persons nominated for the said Office of Select Vestryman shall agree thereto, or if since the polling of the Person who was last polled Half an Hour shall have elapsed during which no Person duly qualified shall have tendered his or her Vote; and as soon after the Close of the Poll as may be possible the Result thereof shall be certified to the Chairman by the Scrutineers, or the major Part of them, at the Place where the Election may have been holden, and the Names of the Persons who shall be elected shall be immediately certified by the Chairman to the Clerk for the Time being of the Select Vestry: Provided also, that in case of an Equality of Votes, including the Vote of the Chairman, appearing for any Persons at any Election of Select Vestrymen, the Chairman shall have another or casting Vote.

VIII. And be it further enacted, That no Person shall be capable of being elected or acting as a Select Vestryman of the said Parish in the Execution of this Act, except the Vicar, Churchwardens, Overseers of the Poor, and Surveyors of the Highways of the said Parish for the Time being, unless he shall be assessed in the Rates made for the Relief of the Poor of the said Parish at not less than Thirteen Pounds, and after a Survey and Valuation of the Houses, Lands, Tenements, and Hereditaments within the said Parish shall have been made under the Powers of this Act, unless such Person shall be assessed in the Rates made for the Relief of the Poor of the said Parish in respect of Property of the annual Value of Twenty-four Pounds.

Qualification  
of Select  
Vestrymen.

IX. Provided always, and be it further enacted, That if any Person who shall not be duly qualified as herein-before mentioned (except the Vicar, Churchwardens, Overseers of the Poor, and Surveyors of the Highways for the Time being of the said Parish,)

Penalty on  
Persons act-  
ing not being  
duly quali-  
fied.

[*Local.*]

*U u*

shall

shall vote or act as a Select Vestryman in the Execution of this Act, he 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 at *Westminster*, by any Person or Persons who shall sue for the same by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed; and every Person so prosecuted or sued shall prove that he was at the Time of acting qualified as aforesaid, or shall pay the said Penalty, on Proof being given of his having acted as a Select Vestryman in the Execution of this Act: Provided nevertheless, that all Acts and Proceedings of any Person so acting as such Select Vestryman in the Execution of this Act, and not being duly qualified, shall be as valid and effectual as if such Person had been qualified according to the Directions of this Act: Provided always, that no Justice of the Peace shall be disqualified from acting as such Justice in any Case within his Jurisdiction, in the Execution of this Act, by reason only of being one of the Select Vestrymen for executing this Act.

Justices not disqualified from acting within their Jurisdiction.

Persons exempt from parochial Offices to continue so.

X. Provided also, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to compel any Person to take upon himself and execute any Office created by this Act, who is or may be otherwise exempt by Law from the Execution of any such Office.

Right and Manner of voting at Vestry Meetings.  
58G.3. c.69.  
59G.3. c.85.

XI. And be it further enacted, That the Right and Manner of voting in all Vestry Meetings of the said Parish of *Saint Margaret* shall be regulated and determined in the Manner prescribed by an Act passed in the Fifty-eighth Year of the Reign of His Majesty King *George the Third*, intituled *An Act for the Regulation of Parish Vestries*, and by a certain other Act passed in the Fifty-ninth Year of His said Majesty's Reign, intituled *An Act to amend and correct an Act of the last Session of Parliament, for the Regulation of Parish Vestries in England*, except where the same, or either of them, are or is altered or varied by, or are or is inconsistent with, this Act.

Rate Payers who shall be entitled to vote.

XII. Provided always, and be it further enacted, That no Person shall be entitled to be present or to vote at any Meeting of Rate Payers for the Election of Select Vestrymen of the said Parish unless he shall have been assessed, for the Space of Six Calendar Months prior to such Meeting, in the Rates made for the Relief of the Poor of the said Parish, at not less than Six Pounds, and after a Survey and Valuation of the Houses, Lands, Tenements, and Hereditaments within the said Parish shall have been made as aforesaid, unless he shall have been assessed, for the Space of Six Calendar Months prior to such Meeting, in the Rates made for the Relief of the Poor of the said Parish, in respect of Property of the annual Value of Twelve Pounds, nor unless such Person shall have paid, previous to such Meeting, the whole of the Sum charged upon him by all the Rates made for the Relief of the Poor which shall have been duly made and published Three Calendar Months before the said Meeting.

XIII. And

XIII. And be it further enacted, That all Orders and Proceedings of the Select Vestry of the said Parish in the Execution of this Act shall be made and taken at a Meeting or Meetings to be held in pursuance thereof, and not otherwise (except in Cases hereby otherwise particularly provided for); and no Order or Proceeding shall be made or taken at any such Meetings unless the Majority of the Select Vestrymen present thereat shall concur therein; and all Orders and Proceedings which are hereby directed to be made or taken by or before the Select Vestry of the said Parish, and all the Powers and Authorities hereby vested in them generally, shall and may be made, taken, or exercised by the Majority of the Select Vestry who shall be present at the respective Meetings of such Select Vestry, the whole Number of Vestrymen present at any such Meeting not being less than Five, Three of whom shall neither be Churchwarden, Overseer of the Poor, nor Surveyor of the Highways, such Five being hereby declared to be a Quorum; and all Orders or Proceedings so made or taken by or before such Five Vestrymen (except in Cases where any other Number is by this Act named for any particular Purpose) shall have the same Force and Effect, and be as binding and conclusive on all Persons and to all Intents and Purposes, as if the same had been made and taken by or before all such Select Vestrymen; and at every such Meeting the Vicar of the said Parish, if present, may act as Chairman, and if he shall not be present or shall decline to act as Chairman, the Select Vestrymen present shall and may appoint a Chairman; and the Chairman, in case of an equal Number of Votes upon any Question (including such Chairman's Vote), shall have the casting or decisive Vote; and no Order or Proceeding at any Meeting of the Select Vestry of the said Parish once made or taken shall be revoked or altered at any subsequent Meeting, unless Notice of the Intention to propose the Revocation or Alteration thereof shall have been given at a previous Meeting held pursuant to the Directions of this Act, and shall have been entered in a Book of Proceedings of such Select Vestry, nor unless such Revocation or Alteration shall be resolved upon at a Meeting consisting of at least as great a Number of Select Vestrymen as were present when such Order or Proceeding was made or taken.

Proceedings  
of Select  
Vestry  
Meetings.

XIV. And be it further enacted, That the First Meeting of the said Select Vestry for putting this Act into execution shall be held at the Workhouse of the said Parish upon the First *Monday* after the Appointment of a Select Vestry under the Provisions of this Act, at the Hour of Six of the Clock in the Evening, or as soon after as conveniently may be; and after every new Appointment of the Select Vestry for the said Parish under the Powers of this Act, a Meeting of such Select Vestry shall be held at the Workhouse of the said Parish, or at some other convenient Place within the said Parish, on such Day and Hour and at such Place as shall be fixed by the Chairman of the Meeting at which such Election shall take place, and the said Select Vestry shall then and there proceed in the Execution of the Powers vested in them by this Act; and in case no Select Vestryman, or less than a Quorum, shall attend at the said Meeting, the same shall be deemed to be adjourned to the next Day, and so *toties quoties* until a sufficient Number of Select Vestrymen shall

Regulation of  
Select Vestry  
Meetings.

shall attend thereat to act in the Execution of this Act; and the said Select Vestry may at such Meeting, and at all their several Meetings, from Time to Time adjourn themselves, and afterwards meet again, as they shall from Time to Time appoint, provided that no such Adjournment shall be made for a longer Space of Time than Fourteen Days; and if at any such Meeting there shall not appear a sufficient Number of Select Vestrymen to act or adjourn, or if the Select Vestrymen appearing shall not adjourn such Meeting, the Clerk of the said Select Vestry shall from Time to Time and as often as the Case shall happen adjourn such Meeting to some other Day within Seven Days then next following, to be held at the same Place, and cause Notice of such Adjournment to be given at least One clear Day previous to the Day to which such Meeting shall be adjourned, by leaving such Notice with some Inmate at the usual Place of Abode of each of the Select Vestrymen of the said Parish.

Meetings on  
Emergencies.

XV. And be it further enacted, That if it shall on any Emergency be thought necessary that a Meeting of the Select Vestry of the said Parish should be held, it shall be lawful for Three or more of the said Select Vestrymen, or for their Clerk by an Order in Writing signed by any Three or more of the Select Vestrymen (although not assembled at a Meeting under this Act), to appoint such Meeting by Notice in Writing, mentioning the Time, Place, and Object of such Meeting, such Time not being less than One clear Day after the Day of the giving of the Notice of such Meeting, and the said Select Vestrymen shall thereupon meet accordingly; and all Orders and Proceedings of the said Select Vestry at such Meeting, relating to the particular Subject on which such Meeting shall have been called, shall be as valid as they would have been in case such Select Vestry had met in pursuance of Adjournment; and such Meeting may be adjourned to and be held at such Time and Place as the said Select Vestry shall think proper, in the same Manner as any other Meeting may be adjourned under this Act.

Vestrymen  
to pay their  
own Ex-  
pences.

XVI. And be it further enacted, That no Select Vestryman of the said Parish shall be entitled to receive any Money out of the Rates by this Act authorized to be made for or on account of any Costs, Charges, or Expences to which any such Select Vestryman may be put in the Execution of the Duty of his Office as such, unless any Sum or Sums of Money be allowed by the Select Vestry of the said Parish in respect thereof.

Minutes of  
Proceedings  
of Vestrymen  
to be kept,  
and be open  
to the In-  
spection of  
Rate Payers.

XVII. And be it further enacted, That regular Entries shall be made in some Book or Books, to be provided for that Purpose, of the Names of the Select Vestrymen who shall attend at each of the Meetings of the Select Vestry of the said Parish, and of all their Orders and Proceedings, and the same shall be subscribed by the Chairman of the respective Meetings; and all such Entries, being so signed, shall be deemed Originals, and shall be allowed to be read in Evidence in all Courts whatsoever in all Suits, Actions, and Proceedings relating to any thing done in pursuance of this Act; and every such Book shall at all reasonable Times, on giving One clear Day's Notice of the Intention to apply for an Inspection thereof, be  
open



open to the Inspection of all Persons who shall be rated or assessed to any Rates or Assessments which shall be made by virtue of this Act, or any Creditor or Creditors on the same, without Fee or Reward; and such Persons may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and if the Clerk or Person having the Custody thereof shall not permit such Persons as aforesaid, or any of them, so to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk or Person shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

XVIII. And be it further enacted, That the Select Vestry of the said Parish may from Time to Time elect and appoint such and so many Treasurers, Clerks, Collectors, Workhouse Masters, Assistant Overseers, Assistant Surveyors, Officers, Agents, and Servants, as they shall think proper, and shall and they are hereby required to take sufficient Security from the Treasurers, Collectors, or other Receivers of Money to be appointed or continued under this Act, for the faithful Execution of their respective Offices, which Securities may be taken either in the Name of their Clerk or in the Names of any Five or more of such Select Vestrymen; and such Select Vestry may also from Time to Time suspend or remove any of the Persons so continued, elected, or appointed, and elect or appoint others in the Place of those suspended or removed; and such Select Vestry shall order such Salaries and Allowances as they shall think proper to be paid, out of the Money to be raised by such Select Vestry under the Powers of this Act, to such Persons so continued, elected, and appointed; and the Assistant Overseers of the Poor who shall or may be appointed under the Authority of this Act are hereby empowered to execute all such of the Duties of the Office of Overseers of the Poor as shall be directed by the Select Vestry, in like Manner and as fully to all Intents and Purposes as the same may be executed by Law by any Overseer of the Poor: Provided always, that no Person shall be suspended or removed unless his Suspension or Removal shall have been agreed upon at a Meeting, of which, and the special Purpose of which, Ten clear Days Notice shall have been given to the Select Vestrymen by the Vestry Clerk or Three or more of the Select Vestrymen.

Vestry to  
appoint  
Treasurers  
and Officers  
of the Parish

XIX. And be it further enacted, That every Officer and Person so continued or appointed by the Select Vestry of the said Parish shall, at such Times and in such Manner as the Select Vestry thereof shall direct, deliver to such 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 her Charge by virtue of this Act, which Accounts shall show the Money received and also the Money expended by such Officer or Person by virtue or for the Purposes of this Act, and the Objects of such Expenditure, together with proper Vouchers for such Payments; and every such Officer and Person shall pay over all such Money as shall remain due from him or her to the Treasurer for the Time being of such Select Vestry, or to such other Person or Persons as they shall appoint to receive the same; and if any such Officer or Person shall refuse or

Officers to  
account to  
Select Vestry.

[*Local.*]

X x

wilfully

wilfully neglect to make and render such Accounts, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or to deliver, within Fourteen Days after being thereunto required by such Select Vestrymen, or by any Order of any Meeting of the Select Vestry, all Books, Papers, Writings, and Effects in his or her Custody or Power relating to the Execution of this Act, or to give Satisfaction to such Select Vestry, or to such other Person or Persons as aforesaid, respecting the same, then and in every such Case, upon Complaint made by such Select Vestry, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid, to any Justice of the Peace having Jurisdiction in the County, City, Borough, or Place within which such Officer or Person so refusing or neglecting shall reside or be or carry on Trade or Business, such Justice is hereby authorized and required to issue a Summons under his Hand and Seal for the Officer or Person charged with such Refusal or wilful Neglect to appear before him or some other Justice of the Peace; and upon such Officer or Person appearing, or when so summoned not appearing (without some reasonable Excuse), or not being found, it shall be lawful for such Justice 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 upon Oath or Affirmation, it shall appear to such Justice that any Money remains due from such Officer or Person, such Justice 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 Officer or Person; and if sufficient Goods and Chattels of such Officer or Person shall not be found to answer and satisfy the said Money and the Charges of such Distress and Sale, or if it shall appear to such Justice that such Officer or Person has refused or wilfully neglected to render such Accounts, or to produce the Vouchers relating thereto, or that any Books, Papers, Writings, and Effects relating to the Execution of this Act remain in his or her Custody or Power, and that he or she refuses or wilfully neglects to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justice is hereby required to commit such Offender to any Common Gaol or House of Correction, there to remain without Bail or Mainprize until he or she shall have paid such Money as aforesaid, or have compounded with such Select Vestry for such Money, and have paid such Composition in such Manner as they shall appoint (which Composition such Select Vestry are hereby empowered to make and receive), or until he or she shall have rendered such Accounts, and have produced the Vouchers relating thereto, or until he or she shall have delivered up such Books, Papers, Writings, and Effects, or have given Satisfaction in respect thereof to such Select Vestry or to such other Person as aforesaid; but no such Offender shall be detained in Prison by virtue of this Act for any longer Space of Time than Six Calendar Months for Want of sufficient Distress only: Provided always, that no Prosecution or Commitment under the Provisions of this Act of any such Officer or Person as aforesaid shall invalidate, release, or discharge any Security or Securities whatsoever which may be given or executed by any Person or Persons, as Security or Securities for any such

such Person as aforesaid, to any of the Select Vestrymen of the said Parish, or to their Clerk or Clerks, for the faithful Discharge of the Duties of his or her Office, or for the Payment of any Money received or to be received by him or her.

XX. And be it further enacted, That in case of the Death of any such Officer or other Person to be continued or appointed as aforesaid, or of his becoming bankrupt, before he shall have delivered up all his Books, Papers, and other Things concerning his Office or relating to the Execution of this Act, the Executors or Administrators of such Officer or Person, or the Assignees of his Estate and Effects, or other Persons possessing the same, or in whom the same has or have been vested, shall deliver up to the said Select Vestry, or to any Person appointed by them, all such Books, Papers, Writings, and other Things; and in case of the Nondelivery thereof for the Space of Seven Days after Demand made thereof, it shall be lawful for the said Select Vestry to proceed in any of His Majesty's Courts of Record at *Westminster* against such Executors, Administrators, Assignees, or other Persons possessing the Estates and Effects which did belong to such deceased or bankrupt Officer or Person, for the Recovery of Damages for the Nondelivery of such Books, Papers, Writings, and Things, together with full Costs of Suit.

In case of the Death or Bankruptcy of Officers.

XXI. And be it further enacted, That the Select Vestry of the said Parish shall and they are hereby required to cause a Book or Books to be provided and kept, and true and regular Accounts to be entered therein of all Sums of Money received and expended for or on account of the said Parish under the Authority of this Act, and of the several Articles, Matters, and Things, and for the several Purposes for which such Sums of Money shall have been expended; which Book or Books shall, at all reasonable Times, on giving One clear Day's Notice of the Intention to apply for an Inspection thereof, be open to the Inspection of all Persons paying the Rates by this Act granted, or any of them, or any Creditor or Creditors on the same, without Fee or Reward; and such Person may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and if the Clerk or Person having the Custody thereof shall not permit the Persons herein-before mentioned, or any of them, so to inspect the said Book or Books, or to take such Copies or Extracts as aforesaid, such Clerk or other Person shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

Books of Account to be kept by the Vestrymen, and be open to the Inspection of Rate Payers.

XXII. And be it further enacted, That the said Select Vestry for the Time being shall and they are hereby required to produce and lay before the Inhabitants of the said Parish in Vestry assembled, at a Meeting to be held twice in every Year, that is to say, on the Fourth *Thursday* in the Month of *April* and on the Fourth *Thursday* in the Month of *October*, between the Hours of Ten of the Clock in the Forenoon and One of the Clock in the Afternoon on each of such Days, or at some Adjournment thereof, a true and just Statement or Account in Writing, accompanied with proper Vouchers, of all Sums of Money which may have come to the Hands of the said

Accounts of Select Vestry to be audited at Vestry Meetings, and be subject to Appeal if disallowed.

Select

Select Vestry, or their Treasurer or Collectors, by virtue of this Act; and of all Monies due on account of any of the Rates hereby authorized to be made, and also of all Monies paid, laid out, and expended by them, or by any Churchwardens, Overseers, Surveyors, or other Persons by them employed, or responsible to the said Select Vestry, since the last Period up to which the Accounts of the said Select Vestry were audited; and in case any Person interested in the Application of such Money shall think there is just Cause to disapprove of any Part of the Accounts so to be provided, it shall be lawful for such Person to appeal against the same within the Time and subject to the Regulations and Provisions herein-after mentioned in respect to Appeals against Rates to be made in pursuance of this Act.

Accounts, when audited, to remain with Select Vestry for 28 Days, and be open to Inspection.

XXIII. And be it further enacted, That the said Accounts of the said Select Vestry, after the same shall have been laid before the said Vestry Meeting, shall be signed by the Chairman, and shall remain in the Custody of the said Select Vestry, at the Workhouse of the said Parish, or other Office of the said Select Vestry, and shall for Twenty-eight Days at least after such Meeting be open and accessible for the Examination at all seasonable Hours of any Person rated to any of the Rates or Assessments by this Act authorized to be made, and of any Creditor on such Rates, or any of them, without Fee or Reward.

Abstract of Accounts to be published.

XXIV. And be it further enacted, That an Abstract of the Accounts of all Monies received and disbursed by the said Select Vestry in pursuance of this Act shall twice in every Year, within Fourteen Days after the same shall have been laid before the said Vestry Meetings as in this Act mentioned, be made out by the Select Vestry, either in Writing or in Print, and be published by being affixed to the principal Door of the Church and Chapel of the said Parish, and by Insertion thereof in One or more Newspapers printed and circulated in the Town of *Leicester*.

Offices of Clerk and Treasurer not to be held by the same Person.

XXV. Provided always, and be it further enacted, That it shall not be lawful for the Select Vestry of the said Parish to continue or to appoint any Person or Persons who may be continued or appointed 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, to be the Treasurer of the said Parish for the Purposes of this Act, or to continue or appoint any Person or Persons who may be continued or appointed a Treasurer for the Purposes of this Act, or the Partner of any such Treasurer, the Clerk to the said Select Vestry for the Purposes of this Act; and if any Person shall accept both the Offices of Clerk and Treasurer of the said Parish for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, shall accept the Office of Treasurer, or shall act as Deputy of the Treasurer, or in any Manner officiate for the Treasurer, or, being a Partner of any such Treasurer, shall accept the Office of Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or in any Manner officiate for such Clerk,

Clerk, or if any such Treasurer shall hold any Place or Office 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 or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, Wager of Law, nor more than One Imparlance, shall be allowed.

XXVI. Provided also, and be it further enacted, That no Person who shall be appointed the Clerk of the said Select Vestry or the Treasurer of the said Parish, nor any Partner of such Clerk or Treasurer, shall be the Attorney or Solicitor for the said Parish, nor be concerned as such in any Business or Proceedings, either in Law or in Equity, for or on account of the said Parish or the Affairs thereof.

Clerk of the Select Vestry not to be the Attorney of the Parish.

XXVII. And be it further enacted, That all Collectors, Receivers, and other Officers and Persons whosoever who shall or may be employed in the receiving or collecting any of the Rates by this Act authorized to be made, shall, from and after the passing of this Act, once in every Week at the least, or oftener if required by an Order of the said Select Vestry appointed in pursuance of this Act, pay into the Hands of the Treasurer for the Time being to be appointed as required by this Act all Monies received or collected by them respectively for any of the Purposes of this Act, without making any Deduction thereout for or on account or under the Pretence of any Salary or Poundage having accrued due thereon, or on any other Account whatsoever; and in case any such Collector, Receiver, or other Officer or Person shall neglect or refuse to pay or deliver over all such Monies into the Hands of such Treasurer as aforesaid, after Three Days Notice in Writing of such Order of such Select Vestry, signed by the Chairman of such Select Vestry, or by any Five Vestrymen, or by the Clerk of the Select Vestry for the Time being, and delivered to such Collector, Receiver, or other Person so employed as aforesaid, or left at the last known Place of Abode of such Collector, Receiver, or other Person neglecting or refusing as aforesaid, such Collector, Receiver, and other Person so offending shall forfeit and pay any Sum not exceeding One hundred Pounds for every such Offence.

Collectors to deliver over Money collected once a Week.

XXVIII. And be it further enacted, That the Treasurer to the said Select Vestry for the Time being shall and he is hereby authorized and required, out of the Money which shall or may from Time to Time be in his Hands belonging to the said Parish, to pay all Sums of Money which the said Select Vestry shall order for any of the Purposes authorized by this Act; and the said Treasurer shall and he is hereby required to keep clear, regular, and distinct Entries in a Book or Books to be kept for that Purpose, provided by the said Select Vestry, of all and singular his Receipts and Payments on account of the said Select Vestry, and shall, as often as required by the said Select Vestry, produce his Accounts at the Meetings of

Treasurer to pay Money as directed by Select Vestry.

[*Local.*]

*Y y*

the

the said Select Vestry, and of the Vestrymen and Inhabitants conjointly.

Select Vestry  
may sue and  
be sued in  
the Name of  
their Clerk,  
&c.

XXIX. And be it further enacted, That the Select Vestry of the said Parish may sue and be sued, plead and be impleaded, in the Name of their Clerk or Treasurer for the Time being, or in the Name of any One of the Select Vestry of the said Parish; and all Actions or Proceedings which may be necessary to be brought or instituted for or in respect of any Matter or Thing arising out of this Act, and relating to the said Parish, may be brought or instituted in the Name of their Clerk or Treasurer for the Time being, or in the Name of any such Vestryman; and no Action or Proceedings which may be so brought or instituted by or against such Select Vestry shall abate or be discontinued by the Death, Suspension, Resignation, or Removal of any such Clerk or Treasurer, or by the Death or Removal of any such Vestryman, or by any Act or Default of any such Clerk, Treasurer, or Vestryman done or suffered without the Direction or Consent of the Select Vestry for the Time being, but such Clerk, Treasurer, or Vestryman as aforesaid shall be deemed Plaintiff or Defendant in any such Action or Proceeding, as the Case may be, except in Cases of Actions prosecuted between such Select Vestry and their Clerk or Treasurer for the Time being: Provided always, that in all Cases where the Clerk or Treasurer for the Time being, or any Vestryman as aforesaid, shall be the Plaintiff or Defendant on the Record in any Action or Proceeding in which in effect the Select Vestry of the said Parish shall be suing or sued, pleading or impleaded, in the Name of such Clerk or Treasurer or of such Vestryman as aforesaid, such Clerk, Treasurer, or Vestryman may and shall, if not otherwise interested or objectionable, be a good and competent Witness in any such Action or Proceeding, either for or against the said Select Vestry; and all Affidavits of Debt or Service which may be necessary to be made in reference to any such Action or Proceeding may be lawfully made by such Clerk, Treasurer, or Vestryman (as the Case may be), notwithstanding he shall be nominal Plaintiff or Defendant on the Record as aforesaid: Provided also, that every such Clerk, Treasurer, or Vestryman in whose Name any Action or Proceeding shall be instituted or defended as aforesaid shall be indemnified and reimbursed, out of the Money to be raised by the Select Vestry of the said Parish under the Powers of this Act, all such Damages, Costs, and Expences as he shall incur or become chargeable with by reason of his being so made Plaintiff or Defendant, and shall not be personally answerable or liable for the same, unless such Action or Proceeding shall arise in consequence of his own wilful Neglect or Default, or shall have been instituted or defended without the Order or Direction of the said Select Vestry.

Officers  
accepting  
any Fee to  
be liable to  
Penalty.

XXX. And be it further enacted, That if any Officer or Person employed by the Select Vestry of the said Parish in the Execution of this Act shall demand or accept any Fee or Emolument (other than such Salary or Allowance as shall be prescribed by such Select Vestry,) for doing any thing under the Authority of this Act, or for forbearing to do any thing directed by such Select Vestry under the Authority

Authority of this Act, or on any other account whatsoever relative to his Employment or Duty, or shall in anywise be concerned or interested in any Contract made by or with the said Select Vestry for any of the Purposes of this Act, every such Person shall forfeit and pay the Sum of Twenty Pounds for every such Offence.

XXXI. And be it further enacted, That the Select Vestry of the said Parish for the Time being shall and they are hereby required, on or before the Eighteenth Day of *March* in every Year, to make a List of the Names of Twenty-four substantial Householdors of the said Parish of *Saint Margaret*, and shall, on or before the Twenty-first Day of the same Month of *March*, transmit or deliver Duplicates of such List to One of the Justices of the Peace for the Borough of *Leicester*, and the Clerk of the Peace for the Time being of the said Borough, or leave or cause the same to be left at his or their respective Dwelling Houses or last or most usual Places of Abode, and shall also, on or before the Twenty-first Day of the same Month of *March*, give personal Notices to, or cause Notices in Writing to be left at the usual Places of Abode of the several Persons contained in such List, informing them of their being so named, to the Intent that they may severally appear before the Justices of the Peace for the said Borough at the Special Sessions to be held for the Appointment of Overseers of the Poor, to accept such Office if they shall be appointed thereto, or to show Cause, if they have any, against their being so appointed; and the said Justices, or any Two of them, shall and they are hereby required, on the Twenty-fifth Day of the same Month of *March*, or within Fourteen Days after, to appoint Four of the Persons so named in the said List as and for Overseers of the Poor of the said Parish; and when and so soon as such Appointment shall have taken place, such Persons shall be Overseers of the Poor of the said Parish together with the Churchwardens of the said Parish, and shall continue until others shall be appointed in their Places, and shall and may, together with the Churchwardens of the said Parish, execute all and every the Powers and Duties belonging to the Office of Overseers of the Poor, except the Power of making Rates for the Relief of the Poor or for any other Purposes, and except the Powers by this Act given to the said Select Vestry; and all Notices directed by any Act of Parliament or otherwise to be given or made to the Overseers of the Poor for any Purpose may be given or made to such Overseers or to any Churchwarden of the said Parish, or to the Clerk or Clerks of the said Select Vestry; and all Overseers of the Poor and Assistant Overseers of the said Parish shall severally and respectively, in the Execution of the Duties of their Office, act in all Things relating to the Care and Management of the Poor, or the Affairs of the said Parish, under the Controul and Directions of the said Select Vestry; and if any such Overseer or Assistant Overseer shall wilfully neglect or refuse to obey or perform any lawful Order or Orders of the said Select Vestry, or shall not conform thereto in every respect, according to the true Intent and Meaning of this Act, he shall forfeit and pay for every such Offence any Sum not exceeding Twenty Pounds, to be levied and applied in manner herein-after mentioned: Provided also, that in case of the Death or Removal out of the said Parish of any of the said Persons

Appointment  
of Overseers  
of the Poor.

so to be appointed Overseers, before the Expiration of their Office, the said Justices, or any Two of them, shall and they are hereby required to nominate out of the aforesaid List some other Person to the said Office, in the Place of the Person so dying or removing as aforesaid: Provided nevertheless, that in case in any Year no such List shall have been transmitted or delivered as aforesaid, then, and not otherwise, it shall be lawful for the said Justices and they are hereby required to appoint Four substantial Householders to be the Overseers of the Poor of the said Parish for such Year, whom they shall judge proper to execute such Office, and respectively liable to serve the same.

A Survey and Valuation to be made of the Lands and Hereditaments within the Parish.

XXXII. And be it further enacted, That the Select Vestry of the said Parish may from Time to Time cause a Survey and Valuation to be made of all Houses, Lands, Tenements, and Hereditaments within the said Parish, and of the annual Value thereof, and for that Purpose shall employ any Surveyor or Surveyors, or other Person or Persons whom they shall deem competent for that Purpose, and out of the Monies to be received from the Poor's Rates may pay such Sum and Sums of Money to every such Surveyor or Surveyors or other Person or Persons so to be employed, for his Trouble, as shall be agreed upon between the said Select Vestry and such Person or Persons respectively.

The Rates to be made from such Survey and Valuation.

XXXIII. And be it further enacted, That when the said Survey and Valuation of the said Parish shall be completed, the same shall be entered in a Book or Books to be provided for that Purpose, and shall be placed in the Custody of the said Select Vestry, in some secure Place in the Workhouse of the said Parish, or other Office of the said Vestry; and the Sum which shall be inserted in the Survey and Valuation of the said Parish as the annual Value of all Houses, Lands, Tenements, or Hereditaments within the said Parish, shall be taken and held to be the annual Value thereof for all the Purposes of this Act; and all Rates to be made from Time to Time by the said Select Vestry shall be made upon a fair and equal Pound Rate, in proportion to the annual Value of all the Houses, Lands, Tenements, and Hereditaments inserted in such Survey and Valuation.

How Alterations are to be made.

XXXIV. And be it further enacted, That no Alteration shall be at any Time made in such Survey or Valuation except the major Part of the Select Vestrymen present at some Meeting of the Select Vestry, of which and the special Purpose of which Five clear Days Notice shall have been given to the said Select Vestrymen by the Vestry Clerk or One or more of the Vestrymen, shall concur therein, when all Amendments or Alterations which the same may require, and Additions of all other rateable Houses, Lands, Tenements, or Hereditaments, shall be inserted therein, under the Direction of the said Vestry.

No Survey to be made oftener than once in Seven Years.

XXXV. And be it further enacted, That no such Survey or Valuation shall be repeated or made oftener than once in every Seven Years from the Time of making the first Survey and Valuation under the Authority of this Act.

XXXVI. And



XXXVI. And be it further enacted, That the Property of and in all and every the Goods, Chattels, Furniture, and Provisions, Clothes, Linen, and Wearing Apparel, Tools, Utensils, Materials, and Things whatsoever, furnished and provided or to be furnished or provided for the Use of the Poor of the said Parish, or belonging to the said Parish, shall be and the same is hereby vested in the said Select Vestry for the Time being; and such Goods, Chattels, Furniture, Provisions, Clothes, Linen, and Wearing Apparel, Tools, Utensils, Materials, and Things, so vested in the said Select Vestry, may be sold and disposed of from Time to Time as they shall think proper, and the Money arising by such Sale or Sales shall be applied in aid of the Rates for the Relief of the Poor of the said Parish; and the said Select Vestry are hereby empowered to bring any Action or to prefer any Bill of Indictment, as the Case may require, against any Person who shall steal or carry away all or any Part of any of the Articles or Effects so vested in the said Select Vestry; and in all such Actions or Bills of Indictment it shall be sufficient to state generally that the Article or Articles, Thing or Things, for or on account of which any such Action shall be brought or any such Bill of Indictment shall be preferred, is or are the Property of "The Select Vestry of the Parish of *Saint Margaret* in the Borough and County of *Leicester*," without particularly stating the Name of all or any of the said Select Vestry; and every such Action or Bill of Indictment shall be brought or prosecuted in the Name of the Clerk of the said Select Vestry, or of any of the Select Vestry of the said Parish, in manner herein-before mentioned with respect to Actions or Proceedings brought or instituted by the said Select Vestry.

Property in Goods, &c. belonging to the Parish vested in the Vestry.

XXXVII. And be it further enacted, That the Select Vestry for the Time being of the said Parish of *Saint Margaret* may exercise all the Powers and Authorities relating to the Relief, Maintenance, and Employment of the Poor of the said Parish, or the Expenditure and Application of the Poor's Rates, which Churchwardens and Overseers of the Poor are or shall be by Law authorized to exercise.

Vestry to have all the Powers of Overseers of the Poor.

XXXVIII. Provided always, and be it further enacted, That all the Laws relating to Overseers of the Poor, or to the Relief, Maintenance, or Employment of the Poor, or to Surveyors of Highways, and all the Powers, Authorities, and Duties of Churchwardens and Overseers of the Poor, Surveyors of Highways, and Justices of the Peace, under the said Laws, shall remain and continue in force, within and so far as regards the said Parish of *Saint Margaret*, in all respects, except where the same are varied, altered, or repealed.

Poor Laws to continue in force unless altered by this Act.

XXXIX. And be it further enacted, That it shall be lawful for the Select Vestry for the Time being of the said Parish, and they are hereby authorized and required, from Time to Time as often as Occasion shall require, to lay and assess upon all and every the Tenants and Occupiers of Houses, Lands, Tenements, and other Hereditaments and Premises within the said Parish, according to the respective annual Value thereof, Rates for the Maintenance and Relief of the Poor of the said Parish, and for defraying all Expences incident thereto or connected therewith, or for any Purpose to which

Vestry to assess the Poor, Church, and Highway Rates.

[Local.]

Z z

Poor

Poor Rates are or shall by Law be applicable, and Rates for the Support and Repair of the Churches and Burial Ground of the said Parish, and for defraying all the Expences incident thereto or connected therewith, or for any Purpose to which Church Rates are or shall by Law be applicable, and also Rates for defraying the Expences to be incurred in repairing the Highways, Streets, and Roads within the said Parish, and all other Expences incident thereto or connected therewith, or for any Purpose to which Highway Rates are or shall by Law be applicable, such last-mentioned Rates not to exceed in any One Year the Sum or Sums now or hereafter to be by Law allowed to be raised under the several Acts relating to the Highways.

Notice to be given of the Meeting of the Select Vestry in certain Cases.

XL. Provided always, and be it further enacted, That whenever any Meeting of the said Select Vestry shall be held for the Purpose of levying a Rate under the Powers of this Act, Notice of such Meeting, and of the Purpose thereof, shall be given to all the Select Vestrymen by Notice in Writing to be delivered to such Select Vestrymen, or delivered to some Inmate at their respective usual Places of Abode, at least Four Days prior to such Meeting.

Lands and Premises to be liable to such Church Rates only as they are now liable to.

XLI. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend to render any Lands, Tenements, Hereditaments, or Premises within the said Parish liable to the said Rates called Church Rates, which, at the Time of the passing of this Act, shall not be liable to be rated to Church Rates for the said Parish.

Prohibition as to Rates.

XLII. Provided also, and be it further enacted, That from and after the passing of this Act no Poor Rate, Church Rate, or Highway Rate shall be made or raised within the said Parish by any other Ways or Means than are directed by this Act.

Notice of Rates.

XLIII. And be it further enacted, That when and as the said several Rates shall have been made as aforesaid, every such Rate shall be entered into some Book or Books to be provided for that Purpose, and shall be signed by the Vestrymen present at the Meeting when such Rate or Rates shall have been made, or by any Seven or more of them, and shall be allowed and confirmed by Two or more of His Majesty's Justices of the Peace for the said Borough of *Leicester*; and Notice of such Rate, and of the Allowance of the same, shall be given in the Church of the said Parish, or in the Chapel of the same in case the said Church shall be shut up for the Purpose of Repair or any other Cause, by the Clerk or the Person officiating as Clerk, on the *Sunday* next after the same shall have been so allowed; which Notice the Clerk, or Person so officiating as Clerk, is hereby required to give on being directed so to do by any Five or more of the said Select Vestrymen, or the Clerk of the Select Vestry for the Time being.

Power to build a new or enlarge the present Workhouse.

XLIV. And be it further enacted, That in case the said Select Vestry assembled at any Special Meeting to be called for that Purpose shall consider it expedient to alter or enlarge the present Workhouse

Workhouse and Buildings belonging thereto, or to erect and build another Workhouse or other Building in lieu thereof, the said Select Vestry shall cause Notice in Writing to be given to each of the said Select Vestry, or to be left at their respective Dwelling Houses, within Seven Days after the holding of such Special Meeting, signifying the Opinion of the said Meeting as to such Expediency, and that a Second Special Meeting of the said Select Vestry will be held upon a Day to be appointed in such Notice, in order to take the same into Consideration (One Calendar Month at least intervening between the Day so appointed and the Day of the Date of such Notice); and in case at such Special Meeting convened in the Manner and for the Purposes last mentioned, and consisting of not less than Twenty of the said Select Vestrymen, the major Part of the Select Vestry so assembled shall agree and resolve upon the Expediency of altering or enlarging the present Workhouse and Buildings, or erecting and building another Workhouse in lieu thereof, then and in such Case it shall and may be lawful for the said Select Vestry, with the Consent of the Inhabitants of the said Parish in Vestry assembled, to alter and enlarge the present Workhouse and any of the Buildings belonging thereto, or to rent or build another Workhouse, with suitable Outbuildings and Out-offices, in lieu thereof or in addition thereto, on any Land or Ground now belonging or that may hereafter belong to the said Parish.

XLV. And be it further enacted, That it shall and may be lawful for the said Select Vestry, after any such Consent as aforesaid, to contract and agree with any Person or Persons for enlarging the said present Workhouse and any of the Buildings thereto belonging, or for pulling down and rebuilding the said Workhouse or any Part or Parts thereof on an enlarged Scale, and erecting such Offices and Outbuildings as may be deemed necessary for maintaining and employing the Poor of the said Parish, or for erecting or building a new Workhouse, with such requisite Offices and Outbuildings as aforesaid, upon any other Site or Ground within the said Parish, or for performing any Part or Parts of such Works as aforesaid, or for providing Materials for any Part or Parts thereof, upon such Terms as the said Select Vestry shall deem expedient.

The Select Vestry may contract for enlarging the Workhouse.

XLVI. And be it further enacted, That before any Contract or Contracts shall be entered into by the said Select Vestry for any of the Purposes of this Act, Fourteen Days Notice at the least shall be given, in One or more Newspaper or Newspapers printed and circulated in the Town of *Leicester*, of the Intention of the said Select Vestry to enter into such Contract or Contracts, expressing therein the general Nature of such Contract or Contracts, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Select Vestry at a certain Time and Place to be mentioned in such Notice; and all and every Person and Persons who shall enter into any such Contract shall give Security to the said Select Vestry for the due Performance thereof; and Copies of all Contracts made in pursuance of this Act shall be entered into a Book or Books to be kept by the said Select Vestry for that Purpose.

Notice to be given of entering into Contracts.

XLVII. And

Vestry may  
compound  
for Breach  
of Contract.

XLVII. And be it further enacted, That it shall and may be lawful for the said Select Vestry from Time to Time and at all Times hereafter, if it shall be so determined at any Special Meeting to be held for that Purpose, to compound and agree with any Person or Persons on account of any Breach or Nonperformance of such Contract or Contracts, for such Sum or Sums of Money as they shall think proper.

Lands vested  
in the Select  
Vestry.

XLVIII. And be it further enacted, That all Buildings, Lands, Tenements, and Hereditaments now vested in the Churchwardens and Overseers of the Poor of the said Parish, or either of them, as such, or belonging to the said Parish, shall from and after the passing of this Act be and the same are hereby absolutely vested in the Select Vestry of the said Parish of *Saint Margaret* for the Time being appointed in pursuance of the Directions of this Act, in Trust for the said Parish, subject nevertheless to all Charges and Incumbrances affecting the same; and all Lands, Tenements, and Hereditaments which shall be purchased, hired, or taken on Lease by the said Select Vestry on behalf of the said Parish shall be conveyed, demised, and assured to the said Select Vestry for the Time being, describing them as "The Select Vestry of the Parish of *Saint Margaret* in the Borough and County of *Leicester*," and their Successors, in Trust for the said Parish; and the said Select Vestry and their Successors shall and may and they are hereby empowered to accept and take and hold in the Nature of a Body Corporate, for and on behalf of the said Parish, all such Lands, Tenements, and Hereditaments, and also all other Lands, Tenements, and Hereditaments belonging to the said Parish; and all Actions, Suits, Indictments, and other Proceedings for or in relation to any such Buildings, Lands, Tenements, and Hereditaments, or the Rent thereof, or for or in relation to any other Buildings, Lands, Tenements, or Hereditaments belonging to the said Parish, or the Rent thereof, shall be brought or instituted in the Name of the Clerk of the said Select Vestry, or of any of the Select Vestrymen of the said Parish, subject to the same Regulations and in the same Manner as herein-before directed with respect to Actions or Proceedings brought or instituted by or against the said Select Vestry.

Power to  
raise Money.

XLIX. And be it further enacted, That if it shall appear expedient to the said Select Vestry to borrow or take up at Interest the Whole or any Part of the Sum of Money required for the Purposes aforesaid, on the Credit of the Rates and Assessments to be made for the Relief of the Poor, it shall and may be lawful for the said Select Vestry for the Time being so to do, and at any Special Meeting to be called for that Purpose from Time to Time to borrow and take up at Interest any Sum or Sums of Money for the Purposes of this Act upon the Credit of the Rates or Assessments to be from Time to Time made for the Relief of the Poor of the said Parish, not exceeding the Sum of Five thousand Pounds, and by Writing under the Hands of any Eleven or more of the said Select Vestry to assign all or any Part of the said Rates or Assessments to such Person or Persons as shall lend or advance any Money thereon, or to his or their Trustee or Trustees, as a Security for the Principal Money to be

be advanced, with any legal Interest for the same; and the Costs and Expences of such Assignment thereof, to be made as herein-after mentioned, shall be from Time to Time defrayed by the said Select Vestry out of the Monies so to be borrowed; and every such Assignment shall be in the Words or to the Effect following; (that is to say,)

‘ WE of the Select Vestry of the Parish of *Saint Magaret* in the Borough and County of *Leicester*, appointed by or in pursuance of an Act passed in the Second Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], in consideration of the Sum of advanced and lent by *A.B.* upon the Credit of the Rates to be made for the Relief of the Poor, do hereby grant and assign unto the said *A.B.* [*or to his Trustee or Trustees, as the Case may require*], his Executors, Administrators, and Assigns, such Proportion of the Rates to be made for the Relief of the Poor of the said Parish of *Saint Margaret* as the said Sum of doth or shall bear to the whole Sum which may at any Time be borrowed or become due or owing or be charged upon the Credit of the said Rates for the Purposes of this Act; to be holden from the Day of until the said Sum of with Interest for the same after the Rate of *per Centum per Annum*, shall be repaid and satisfied. In witness whereof we have hereunto set our Hands and Seals the Day of in the Year of our Lord .’

Form of Security.

And every such Security shall be good, valid, and effectual, and shall entitle the Person or Persons to whom the same shall have been made, his, her, or their Executors, Administrators, and Assigns, to the Payment thereof, and to all Profit and Advantage thereon, according to the true Intent and Meaning of this Act.

L. And be it further enacted, That it shall and may be lawful for the Person and Persons entitled to any of the Securities for the Money to be borrowed at such legal Interest as aforesaid, and their respective Executors, Administrators, and Assigns, (as the Case may be,) at any Time, by Writing under their Hands and Seals, to transfer such Securities to any Person or Persons whomsoever; which Transfer may be in the Words or to the Effect following; (that is to say,)

Power to transfer Securities.

‘ I *A.B.*, being entitled to the Sum of by virtue of a Grant or Assignment bearing Date the Day of under the Hands and Seals of [*as the Case may be*] of the Select Vestry of the Parish of *Saint Margaret* in the Borough and County of *Leicester*, by virtue of an Act passed in the Second Year of the Reign of King *William* the Fourth, intituled [*here set forth the Title of this Act*], upon the Credit of the Rates for the Relief of the Poor of the said Parish, do hereby transfer all my Right and Title in and to the same Sum, and all Interest now due and owing thereon, unto *C.D.*, his Executors, Administrators, and Assigns. Witness my Hand and Seal the Day of in the Year of our Lord .’

Form of Transfer.

[*Local.*]

3 A

And

And a Copy of every Security or Assignment which shall have been made in pursuance of this Act, and of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk of the said Select Vestry, to which any Person interested shall at all seasonable Times have access, and have free Liberty to inspect the same, without Fee or Reward; and for the Entry of every such Transfer the said Clerk shall be paid by the Person to whom such Transfer shall be made the Sum of Two Shillings and Sixpence, and no more; and every such Transfer, after the Entry thereof as aforesaid, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any other Registry or Enrolment whatsoever.

Manner of Proceeding for Recovery of Principal and Interest.

LI. And be it further enacted, That it shall and may be lawful for any Person or Persons who shall advance or lend any Money upon the Credit of the said Rates or Assessments, in default of Payment of the Principal Money he or they shall so lend, or the Interest thereof (after Demand made at any Meeting of the said Select Vestry), to collect, gather, and receive such Proportion of the said Rates or Assessments for the Relief of the Poor by this Act granted as the Sum by him or them lent or advanced doth or shall bear to the whole Money to be borrowed by virtue of this Act on the Security of the said Poor Rates, and shall continue to receive the same until all Principal Money and Interest shall be repaid; and such Person or Persons is and are hereby vested with the same Power for recovering and receiving the same as is hereby given to the Select Vestry of the said Parish.

Money may be borrowed at lower Rate of Interest to pay off Securities bearing a higher.

LII. Provided always, and be it further enacted, That in case the said Select Vestry can at any Time borrow or take up any Sum or Sums of Money for the Purposes of this Act at a lower Rate of Interest than any Securities which shall then be in force shall bear, it shall be lawful for the said Select Vestry from Time to Time to charge the said Poor Rates, in such Manner and with such Restrictions as herein mentioned, with such Sum or Sums of Money as they shall think proper, and the Interest thereof at such lower Rate as aforesaid, to pay off and discharge any Security or Securities bearing a higher Rate of Interest, according to the Regulations and Directions herein prescribed for paying off such Securities.

Select Vestry to have the Care of the Poor;

LIII. And be it further enacted, That the said Select Vestry shall have the Care of and provide for the Maintenance of all the Poor of the said Parish, with Power to receive all such Persons into any Workhouse or Asylum belonging to the said Select Vestry.

with Power to employ them.

LIV. And be it further enacted, That it shall be lawful for the said Select Vestry to cause any Person capable of Labour who shall apply for Relief, or who shall be received into any such Workhouse or Asylum of the said Parish, to be employed in any Trade, Manufacture, or Employment, either in the said Workhouse or Asylum, or elsewhere, as they shall think proper, during the Time he or she shall continue to receive such Relief or be in any such Workhouse

or Asylum; and shall and may, for that Purpose only, procure or purchase a sufficient Stock of Materials, and set up, use, and occupy any Trade, Mystery, or Occupation whatever in such Workhouse, Asylum, or other Building used therewith, and for the Purposes of this Act may sell and dispose of such Goods, Wares, and Merchandizes or other Things as shall be manufactured or made by such poor Persons, any Law, Usage, or Privilege to the contrary notwithstanding; and out of the Profits arising from any Work which shall be done by such poor Persons, such Gratuities or Rewards may be distributed to the industrious and skilful, according to the Quality and Perfection of their Work, and of the Industry and good Character of the Persons executing the same, as to the said Select Vestry shall appear reasonable and proper; and the Remainder of the Profits shall be applied by the said Select Vestry in aid of the Rates for the Relief of the Poor of the said Parish.

LV. And be it further enacted, That where any poor Person, though not belonging to the said Parish, shall apply to the said Select Vestry or to the Overseers of the Poor of the said Parish for Relief; it shall and may be lawful for the said Select Vestry and Overseers to compel all such Persons to come into, dwell, and inhabit in the Workhouse or Asylum of the said Parish, and all such poor Persons shall be maintained therein during so long as he or they shall continue to be relieved by the said Parish; and during all such Time as such poor Person shall continue to be maintained in such Workhouse or Asylum he shall do and perform all such Work, Labour, and Employment as the said Select Vestry by their Rules, Orders, and Regulations shall in such Cases direct.

Persons applying for Relief, though not Parishioners, compellable to go into the Workhouse.

LVI. And be it further enacted, That if any poor Person in the said Workhouse or Asylum shall in case of Illness desire the Aid, at any reasonable Time, of any Clergyman of the Church of *England*, or any Minister of any other Religious Persuasion, the Governor or Master of the said Workhouse or Asylum is hereby required to permit the Attendance of such Clergyman or Minister.

Poor may be visited by any Clergyman or Minister.

LVII. And be it further enacted, That no Select Vestryman of the said Parish, nor any Churchwarden or Overseer, or Surveyor of the Highways of the said Parish, shall hold or enjoy any Office or Place of Profit under this Act, or be concerned or interested, directly or indirectly, in any Contract entered into under the Powers of this Act, or in providing, furnishing, or supplying, for his or their own Profit, any Goods, Materials, or Provisions for the Use of the said Workhouse of the said Parish, or otherwise for the Support or Maintenance of the Poor of the said Parish, or in any Contract or Contracts relating thereto, nor shall any Vestryman be capable of taking any such Contract during the Time he shall be and continue such Vestryman, under the Pain of forfeiting and paying the Sum of One hundred Pounds, together with full Costs of Suit, to any Person who shall sue for the same, to be recovered in any of His Majesty's Courts of Record, 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

No Vestryman to be interested in Contracts.

be allowed; and one Moiety of such Penalty, when recovered, shall be paid to the Party who shall sue for the same, and the other Moiety shall be paid to the Treasurer of the said Select Vestry, and shall be applied in aid of the Poor Rates of the said Parish; and every Person convicted of such Offence shall immediately cease to be and shall be thenceforth absolutely disqualified for ever from again acting as a Vestryman or Churchwarden or Overseer or Surveyor for the said Parish.

Bastardy  
Bonds to  
be made to  
Select Vestry.

LVIII. And be it further enacted, That all Bonds and Securities to be given for indemnifying the said Parish from any Charge which may arise from any Bastard Child or Children, or for any Purpose or in anywise relating to the Relief, Maintenance, or Employment of the Poor, or for any other Purpose connected with or relating to such Poor, may be made to any Five or more of the said Select Vestry, any Law, Statute, or Custom to the contrary notwithstanding; and the Select Vestry for the Time being shall and may and they are hereby authorized to sue on such Bonds and Securities, for the Purpose of recovering the Penalties thereon, in the Name of the Vestry Clerk for the Time being of the said Parish, or of any of the Vestrymen for the Time being.

Summons of  
Justice to be  
deemed duly  
obeyed by  
the Attendance  
of a  
Vestryman.

LIX. And be it further enacted, That upon any Summons issued by any of His Majesty's Justices of the Peace having Jurisdiction to show Cause why any poor Person belonging to or lodging in the said Parish should not be relieved, such Summons shall be deemed and taken to be duly obeyed if attended by One or more of the Vestrymen or of the Assistant Overseers.

Justices may  
proceed on  
Complaint  
of Select  
Vestry.

LX. And be it further enacted, That in all Cases relating to the Poor, or to the Management, Maintenance, Relief, or Employment of them, where any Justice of the Peace is empowered by the Laws in being to proceed on the Complaint of the Churchwardens and Overseers of the Poor of any Parish, it shall be lawful for all such Justices of the Peace and they are hereby respectively required to proceed on the Complaint of any of the said Vestrymen or of any of the said Assistant Overseers, or of such Person or Persons as shall have been duly appointed by the said Select Vestry, in such and the like Manner, to all Intents and Purposes, as if such Complaint had been made by such Churchwardens and Overseers.

Power for  
Select Vestry  
to make  
Rules, &c.  
for the better  
governing of  
the Poor.

LXI. And be it further enacted, That it shall be lawful for the said Select Vestry, and they have hereby full Power and Authority, at their Meetings, from Time to Time to make Rules, Orders, and Regulations for the better governing, employing, and supporting the Poor of the said Parish, and for the carrying on any Trade that shall be established for the Employment of the said Poor, or for regulating the Conduct of their own Members, and for other the Purposes of this Act, and from Time to Time to repeal, alter, or amend any such Rules, Orders, and Regulations, and to make others, as to the said Select Vestry shall seem meet, so that such Rules, Orders, and Regulations be not repugnant to the Laws of this Realm or any thing in this Act contained; and all such Rules, Orders, and Regulations,



lations, and all other Acts, Orders, and Proceedings of the said Select Vestry, shall be entered by their Clerk for the Time being in a Book or Books to be provided for that Purpose, and shall be signed by the Chairman of the Meeting at which the same shall be made, and which Book or Books may be produced and received in Evidence in all Courts and Places whatsoever; and no such Rule, Order, Regulation, Act, or Proceeding of the said Select Vestry shall be repealed, altered, or revoked, unless resolved upon at a Meeting consisting of at least as great a Number of the Select Vestry as were present at the making or doing thereof, and unless Notice of the Intention to propose the Repeal, Alteration, or Revocation thereof shall have been given at a previous Meeting held pursuant to the Directions of this Act: Provided always, that all such Rules, Orders, and Regulations shall be printed, and a Copy thereof hung up or affixed in some conspicuous Place in the Workhouse or Asylum of the said Parish.

LXII. And whereas the Appointment of Sexton of the said Parish is now vested in the Inhabitants of the said Parish in Vestry assembled, and the Election of Persons to execute such Office hath been attended with Expence and Inconvenience to the said Parish; be it therefore further enacted, That it shall be lawful for the Select Vestry of the said Parish from Time to Time to elect a fit and proper Person to execute the Office of Sexton when and so often as the said Office shall have become vacant by the Death, Resignation, or Removal of the present or any future Sexton, and from Time to Time to remove any such Officer, and to appoint another in his Room, and also from Time to Time to fix the Remuneration or Salary of such Sexton.

Select Vestry  
to appoint  
the Sexton.

LXIII. And be it further enacted, That the Monies to be from Time to Time received, by virtue of this Act, under the Rates called Church Rates, shall (after Payment of the Costs, Charges, and Expences attending the collecting, receiving, and managing the same,) be paid over by the said Select Vestry, and they are hereby required to pay over the same, to the Churchwardens, or One of them, for the Time being; to be by them or him applied and accounted for in manner as by Law established.

Money col-  
lected for  
Church Rates  
to be paid  
over to  
Church-  
wardens.

LXIV. And be it further enacted, That the Select Vestry of the said Parish shall and they are hereby required, on or before the Twenty-second Day of *September* in every Year, to make a List of the Names of Twelve Persons qualified as by Law required for Surveyors of the Highways, and shall, on or before the Twenty-fifth Day of the same Month of *September*, transmit or deliver Duplicates of such List to the Mayor of the said Borough of *Leicester* for the Time being and the Clerk of the Peace for the Time being of the said Borough, or leave or cause the same to be left at their respective Dwelling Houses or last or most usual Places of Abode, and shall also, on or before the Twenty-fifth Day of the same Month of *September*, give personal Notices to, or cause Notices in Writing to be left with some Inmate at the usual Places of Abode of the several Persons contained in such List, informing them of their being so

Appointment  
of Surveyors  
of the High-  
ways.

[Local.]

3 B

named,

named, to the Intent that they may severally appear before the Justices of the Peace for the said Borough at the Special Sessions to be held for the Appointment of Surveyors of the Highways, to accept such Office if they shall be appointed thereto; or to show Cause, if they have any, against their being so appointed; and the said Justices shall and they are hereby required, at the Special Sessions fixed by them for the Appointment of Surveyors of the Highways, to appoint Two of the Persons named in the said List as and for Surveyors of the Highways of the said Parish; and when and so soon as such Appointment shall have taken place, such Persons shall be Surveyors of the Highways of the said Parish, and shall continue until others shall be appointed in their Places, and shall and may execute all and every the Powers and Duties belonging to the Office of Surveyor of the Highways (except the Power of making Rates, and except the Powers by this Act given to the said Select Vestry); and all Notices directed by any Act of Parliament or otherwise to be given and made to the Surveyors of the Highways for any Purpose may be given and made to such Surveyors of the said Parish, or to the Clerk of the Select Vestry; and no Surveyors of Highways of the said Parish shall, in the Execution of the Duties of their Office, act contrary to the Orders or Directions of the said Select Vestry: Provided also, that in case of the Death of any of the said Persons so to be appointed Surveyors of the Highways before the Expiration of their Office, the said Justices, or any Two of them, shall and they are hereby required to nominate out of the aforesaid List some other Person to the said Office, in the Place of the Person so dying: Provided nevertheless, that in case in any Year no such List shall have been transmitted or delivered as aforesaid, then, but not otherwise, it shall be lawful for the said Justices and they are hereby required to appoint Two other Persons to be the Surveyors of the Highways of the said Parish for such Year, whom they shall judge proper to execute such Office, and respectively liable to serve the same.

Church-wardens and Overseers to be repaid any legal Expences incurred by them.

LXV. And whereas by the several Laws now in force Churchwardens and Overseers of the Poor in the Execution of the Duties of their Office may incur Expences or be liable to Payments, for the raising or Payment whereof they may by Law levy special and distinct Rates, or may apply Money raised by them for the Relief of the Poor; be it therefore further enacted, That the Select Vestry of the said Parish shall and they are hereby required, on the Demand of the said Churchwardens and Overseers, or the major Part of them, to pay and advance to such Churchwardens and Overseers, or to reimburse to them, out of the Rates for the Relief of the Poor to be raised or received by virtue of this Act, all Sums of Money to the Payment of which the said Churchwardens and Overseers of the Poor shall and may be liable by Law, or which they shall have lawfully incurred or paid in the Execution of their Office, and for the Payment and Reimbursement of which the said Churchwardens and Overseers might lawfully have raised any special and distinct Rate if this Act had not been passed, or might have applied any Money raised by them for the Relief of the Poor; and all such Payments shall be allowed to the said Select Vestry in their Accounts.

LXVI. And whereas the Surveyors of Highways for the said Parish may incur Expences and be liable to Payments in the Execution of their Office, for the Payment whereof they might have applied the Monies which would have been received by them under the Highway Acts if this Act had not been passed; be it therefore further enacted, That the said Select Vestry shall and they are hereby required to pay and advance or to reimburse to the Surveyors of the Highways of the said Parish for the Time being, out of the Monies to be raised for the Repair of the Highways, all such Sum and Sums of Money as they the said Surveyors shall have lawfully paid or advanced or have become liable to pay in the Execution of the Duties of their Office, and which they might have lawfully raised or paid out of the Monies which would have been received by them under the Powers of the Highway Acts if this Act had not been passed; and all such Payments shall be allowed to the said Select Vestry in their Accounts.

Surveyors of Highway to be repaid any legal Expences incurred by them.

LXVII. Provided always, and be it further enacted, That it shall not be lawful for the said Churchwardens and Overseers, or for the said Surveyors of Highways, at any Time after the Appointment of the said Select Vestry, to levy or raise any Rate or Rates within the said Parish for any Purpose whatsoever.

Parish Officers not to levy Rates.

LXVIII. And be it further enacted, That all Rates made by Authority of this Act shall be paid by the Tenant or Occupier rated for the several Lands, Houses, Buildings, Tenements, or Hereditaments, to the Collectors or Persons appointed by virtue of this Act to receive the same; and if any such Tenant or Occupier, or any other Person made liable to pay any such Rates, shall refuse or neglect to pay his or her Proportion of any such Rate for the Space of Seven Days after Demand thereof made at the Dwelling House or usual Place of Abode of such Tenant or Occupier, or other such Person hereby made liable to pay such Rates, or after Demand made on the Premises on account of which such Person shall be charged, it shall be lawful for any of His Majesty's Justices of the Peace having Jurisdiction, and he is hereby required, to summon by Writing under his Hand, or by Warrant or Precept under his Hand and Seal, to authorize and require the Clerk of the said Select Vestry, by Writing under the Hand of such Clerk, to summon, all Persons who shall have refused or neglected to pay as aforesaid, upon Oath being made before such Justice by the Collector or other Person appointed by virtue of this Act to receive the same, of his having lawfully demanded Payment of such Rate, and of the Neglect or Refusal of such Person to pay the same, to appear before such Justice, or before any other Justice of the Peace having Jurisdiction, at a Time and Place to be mentioned in such Summons; and if any Person so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he or she shall attend and shall not satisfactorily prove to such Justice that he or she is not liable to the Payment of such Rate, such Person shall pay the said Rate, and shall also pay the reasonable Costs and Charges of such Summons; and in Cases where any such Rate shall not be paid at or before the Time mentioned in such Summons for the Appearance of the Person summoned,

Recovery of Rates from Persons refusing to pay.

summoned, it shall be lawful for the said Justice who shall have issued, or have authorized and required to be issued, such Summons as aforesaid, or for any other Justice having Jurisdiction, and he is hereby required, upon Oath made before him of the due Service of such Summons, to grant a Warrant under his Hand and Seal authorizing and directing the said Collector or other Person appointed to collect such Rate, or any Constable, Headborough, or Beadle of the said Parish, or any other Person to be named in such Warrant, to levy such Rate and all Arrears, and the Costs and Expences of the Summons and Service thereof (if the same shall not have been before paid), and the Costs and Expences of such Warrant and of executing the same, by Distress of the Goods and Chattels of the Party so neglecting or refusing which shall be found within the said Parish or elsewhere; and if within Five Days after such Distress shall be made, the said Rate and all Arrears, together with the before-mentioned Costs, Charges, and Expences, and also the Charges and Expences of making such Distress and keeping such Goods and Chattels, shall not be paid, the said Collector, Headborough, or Beadle, or other Person authorized by such Warrant, shall cause such Goods to be appraised and to be sold, or such Part thereof as shall be sufficient in his Judgment to pay the said Rate, together with all Arrears due, and the said Costs, Charges, and Expences, and all the Costs and Expences of appraising, removing, keeping possession of, and selling the same, returning the Overplus (if any) to the Owner of such Goods and Chattels, upon Demand thereof made by him for that Purpose; which Costs, Charges, and Expences, in case of Dispute, shall be settled by any Justice of the Peace.

In default of Distress, &c. Persons may be committed to Prison.

LXIX. And be it further enacted, That in case no sufficient Goods and Chattels of any Person so neglecting or refusing to pay can be found to be distrained by virtue of any such Warrant, or in case any such Goods or Chattels shall be concealed, secured, or removed, with an Intention to elude the Payment or recovering of such Rate, so that the Amount thereof cannot be distrained for or recovered, then and in every such Case, upon Information thereof given to any Justice of the Peace having Jurisdiction, it shall be lawful for such Justice and he is hereby required to issue a Warrant under his Hand and Seal for the Apprehension of such Person, and to commit him or her to some Common Gaol or House of Correction, there to be kept in the same Manner as Persons confined for Debt, and without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless such Rate and all Arrears thereof, and all such Costs, Charges, and Expences, or so much thereof as shall remain unsatisfied by any such Distress or otherwise, shall be sooner paid and satisfied.

For Recovery of Rates from Persons quitting Premises.

LXX. And be it further enacted, That in case any Person who shall be rated in or towards any Rates made by virtue of this Act shall quit the Lands, Houses, Tenements, or Hereditaments on account of which any Rate shall have been so made, before he or she shall have paid such Rate, and shall afterwards refuse or neglect to pay the same when demanded of such Person, or at his or her then

then Place of Abode, by the Collector or other Person authorized as aforesaid to receive the same, it shall be lawful for any Justice of the Peace having Jurisdiction to grant a Warrant of Distress under his Hand and Seal, (on Oath or Affirmation being made before him by such Collector or other Person as aforesaid of such Person having been so rated, and of his or her having quitted the Premises as aforesaid, and of the said Rate having been demanded of or from him or her, or at the Place of Abode of such Person,) authorizing and directing the said Collector or other Person as aforesaid, or the Constable, Headborough, or Beadle, or other Persons to be named in such Warrant, to distrain the Goods and Chattels of the Person so refusing or neglecting to pay, and to sell the same, rendering the Overplus (if any), after having retained the Amount of the Rate then due, and all the reasonable Costs and Expences attending such Warrant, Distress, and Sale, upon Demand, to the Owner of such Goods and Chattels; and on Deficiency of such Distress it shall be lawful for such Justice to cause such Defaulter to be apprehended and brought before him, and to commit such Defaulter to some Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, or until Payment of such Rates as aforesaid, together with all Costs and Expences attending the Recovery thereof, such Costs and Expences, in case of Dispute, to be ascertained and determined by the said Justice.

LXXI. And be it further enacted, That in all Cases where any Person shall quit the Possession of any Lands, Houses, Buildings, Tenements, or Hereditaments, the Tenant or Occupier whereof shall be rated or be liable to be rated by virtue of this Act, such Person shall be liable to pay such Rate in proportion to the Time such Person shall have occupied the same; and in all Cases where any Person shall come into Possession of any Lands, Houses, Buildings, Tenements, or Hereditaments rated or liable to be rated as aforesaid, which any other Person shall have quitted as aforesaid, or which at the Time of making any such Rate were unoccupied, the Person coming into the same shall be liable to pay such Rate (although his or her Name may not be inserted in such Rate) in proportion to the Time that he or she shall occupy the same, and which said Proportion, in case of Dispute, shall be settled by the Select Vestry for the Time being.

Persons removing from and others entering into Premises to pay Proportions of the Rate.

LXXII. And be it further enacted, That all or any of the several Lessors, Landlords, and Owners of Houses, Lands, Tenements, Buildings, or Hereditaments within the said Parish, the yearly Assessment whereof respectively shall not exceed Six Pounds, or the annual Value whereof respectively shall not exceed Twelve Pounds, or which shall be let for any less Period than a Year, or in Lodgings or separate Apartments, may from Time to Time and at all Times hereafter be rated towards all Rates to be made by Authority of this Act for or in respect of such Lands, Houses, Buildings, Tenements, and Hereditaments respectively, instead of the actual Occupiers thereof; and the Persons so rated, whether the Lessors, Landlords, or Owners, or the Occupiers thereof, shall from Time to

Landlords may be rated in certain Cases.

[Local.]

3 C

Time

Time pay such Rates in respect of such Lands, Houses, Tenements, Buildings, or Hereditaments respectively: Provided always, that it shall be lawful for the said Select Vestry of the said Parish to compound with any such Lessor, Landlord, or Owner, not being the actual Occupier of such Lands, Houses, Tenements, Buildings, or Hereditaments, for Payment of any Rate so made or charged by such Select Vestry upon such Lessor, Landlord, Owner, or other Person in respect or on account of such Lands, Houses, Tenements, Buildings, or Hereditaments, at such reduced Assessment as such Select Vestry shall think reasonable, and to vary, discontinue, or renew such Composition from Time to Time as they shall think proper, and also to make to Lessors, Landlords, and Owners who under the Provisions of this Act shall be assessed in respect of any Houses, Tenements, or Hereditaments, and who shall not have compounded for the same, such Allowance as the said Select Vestry shall think just, by reason of such Houses, Tenements, or Hereditaments having remained void or unoccupied for the Whole or the greater Part of the Period for which the Rate or Rates in respect thereof shall have been made.

Defining  
Owners of  
Houses, &c.

LXXIII. And be it further enacted, That to prevent any Dispute touching the Designation of Lessors, Landlords, or Owners of Houses, Buildings, Tenements, or Hereditaments intended to be made liable to the Payment of any Rate by virtue of this Act, the Person or Persons authorized to receive or collect, or the Person or Persons applying for, receiving, or collecting, the Rents of any Houses, Buildings, Tenements, or Hereditaments from the Tenants or Occupiers thereof respectively, shall be deemed and taken to be the Lessor or Lessors, Landlord or Landlords, Owner or Owners of such Houses, Buildings, Tenements, or Hereditaments, for the Purposes of this Act, and shall be liable to be rated and shall be compellable to pay the Rates in respect of such Houses, Buildings, Tenements, or Hereditaments, in all Cases in which either Lessors, Landlords, or Owners are by this Act made liable to be rated and to the Payment of such Rates, unless the real Lessor or Lessors, Landlord or Landlords, Owner or Owners thereof shall declare himself, herself, or themselves to be such real Lessor or Lessors, Landlord or Landlords, Owner or Owners, and shall voluntarily pay or compound for such Rates as aforesaid, or shall be distinctly or certainly known to be such by the said Select Vestry.

Certain Oc-  
cupiers to  
be rated, if  
required.

LXXIV. And be it further enacted, That it shall be lawful, so long as Inhabitants paying Scot and Lot shall possess the Right of voting at the Election of Members to serve in Parliament for the said Borough of *Leicester*, for the Occupier of any House in that Part of the said Parish of *Saint Margaret* which is situate within the said Borough to demand to be assessed for and to pay the Rates to be from Time to Time made for the Relief of the Poor of the said Parish; and the said Select Vestry are hereby required to assess such Occupier so demanding to be assessed, instead of the Landlord or Owner thereof, so long as such Occupier shall duly pay the whole Amount of the said Rates, and no longer.

LXXV. Pro-

LXXV. Provided always, and be it further enacted, That the Goods and Chattels of any Person occupying any House, Building, Tenement, or Hereditament, or other Premises, or any Part thereof, within the said Parish, to the Payment of the Rate whereon the Lessor, Landlord, or Owner thereof is hereby made liable as aforesaid, although the Person or Persons occupying any such House or other Premises, or any Part thereof, be not rated 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 any of His Majesty's Justices of the Peace having Jurisdiction (which Warrant such Justice is hereby authorized and required to grant), for any Rates which may have accrued or become due during the Term of the Occupancy of such Person, and for the Costs, Charges, and Expences of such Warrant, and of any Appraisement, Possession, Removal, or Sale of such Goods and Chattels, or attendant thereon; but no such Person shall be liable to the Payment of a greater Sum for or towards the Discharge of the said Rates and Expences, or any of them, than the Amount of the Rent actually due and payable by such Person to the Lessor, Landlord, or Owner of any such House or other Premises; and every Person who shall pay any such Rate as ought to have been paid by the Lessor, Landlord, or Owner of any such House or other Premises, or upon whose Goods and Chattels the same shall be levied in pursuance of this Act, shall and may deduct the Amount of such Rates, and the Costs, Charges, and Expences of such Distress and Sale, out of the Rent due and payable to his or her Lessor, Landlord, or Owner, unless there shall be some Agreement to the contrary between the said Parties; and the Receipt for such Payment shall be a sufficient Discharge to every such Person for so much Money as he or they shall have so paid, or which shall have been levied on his or her Goods and Chattels in pursuance of this Act, and shall be repaid by such Lessor, Landlord, or Owner, or be allowed by him in part or full Payment, as the Case may be, for the Rent due or to become due to him from such Person as aforesaid.

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

LXXVI. And be it further enacted, That whenever it shall appear to the Select Vestry of the said Parish that there is any Omission or Error in any Rate made by such Select Vestry of or in the Assessment, or in the Name of any Person or in the Description of any Premises liable to be rated for the Purposes of this Act, it shall be lawful for the said Select Vestry who made such Rate, or their Successors, to cause to be added or corrected in such Rate the Assessment or Name or Names of the Person or Persons omitted or erroneously rated, and the Description of the Property in respect of which he, she, or they ought to be rated; and every such Addition or Correction made in any of the said Rates shall be as valid and effectual as if the same had originally been Part of the Rate.

Errors in Rates may be rectified.

LXXVII. Provided always, and be it further enacted, That it shall be lawful for the Select Vestry of the said Parish to exonerate and release, wholly or in part, any Householder or Occupier of any Lands, Tenements, or Hereditaments from the Payment of the Rates to be imposed by such Select Vestry by virtue of this Act, on account of the Poverty of such Person, during such Times and in such Proportions as such Select Vestry shall think fit.

Select Vestry may remit Rates to the Poor.

LXXVIII. And





LXXIX. And be it further enacted, That every Summons which may be issued by any Justice of the Peace for the Attendance before him of any such Defaulter or Defaulters may include Two or more Persons.

Summons may include Two or more Persons.

LXXX. And be it further enacted, That when sufficient Distress cannot be found it shall be lawful for the said Select Vestry to bring an Action of Debt or a special Action on the Case in any of His Majesty's Courts of Record at *Westminster*, for all or any of the Rates to be made by such Select Vestry by virtue of this Act, in which Action it shall be sufficient for the Plaintiffs to declare that the Defendant or Defendants is or are indebted to the Plaintiffs in such Sums of Money as the Plaintiffs shall suppose to be due; and if the Plaintiffs shall recover such Sum so declared for, or any Part thereof, they shall have full Costs, to be levied and recovered as other Monies upon Judgment may by Law be levied and recovered; and in such Action no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Actions may be brought for Rates in certain Cases.

LXXXI. And be it further enacted, That the Books of Rates to be delivered to the Collectors or other Officers by the said Select Vestry, and all Entries afterwards made therein in manner by this Act directed, or examined Copies thereof respectively signed by any Seven or more of the Select Vestry, shall be received as Evidence of the Rates imposed by virtue of this Act.

Rate Books or examined Copies to be received in Evidence.

LXXXII. And be it further enacted, That if any Person shall interrupt or intrude upon any Meeting of the Select Vestry acting in the Execution of this Act, or shall assault or obstruct any of the said Select Vestry, or any of the Collectors, Clerks, Surveyors, or other Officers, Workmen, Agents, Servants, or Persons continued, appointed, or employed by virtue of this Act, in the Performance or Execution of their respective Duties, or of any of the Work, Matters, or Things by this Act authorized, every Person so offending shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Penalty for obstructing Execution of Act.

LXXXIII. And be it further enacted, That when and so often as any Action or Proceeding shall be brought or instituted by or against the said Select Vestry for any thing done or supposed to be done in pursuance or by virtue of this Act, it shall be lawful as well for the said Select Vestry, as for all Persons with whom the said Select Vestry shall have any such Dispute, to compound such Action or Proceeding without bringing the same to Trial.

Power for Vestry to compound Actions.

LXXXIV. And be it further enacted, That it shall and may be lawful for all Persons who shall be rated or assessed to any Rates or Assessments which shall be made by virtue of this Act, or any Creditor or Creditors on the same, at all reasonable Times to inspect all Rates and Accounts and Valuations relating to the said Parish, paying One Shilling for such Inspection, and to have Copies of or Extracts from the same, paying at the Rate of Three-pence for every Seventy-two Words, and so in proportion for a less Number of Words; and if the Clerk or Person having the Custody thereof shall not permit such Person as aforesaid, or any of them, to inspect the

Power for Rate Payers to inspect Rates and Accounts.

[Local.]

3 D

said

said Rates, Accounts, or Valuations, or shall refuse or neglect to give Copies thereof or Extracts therefrom within a reasonable Time after Demand, such Clerk or Person shall forfeit and pay any Sum not exceeding Ten Pounds for every such Offence.

For compelling Witnesses to attend.

LXXXV. And be it further enacted, That if any Person shall be summoned as a Witness to attend and give Evidence before any Justice of the Peace touching any Matter of Fact contained or involved in or affecting any Information or Complaint for any Offence committed against this Act, either on the Part of the Prosecutor or on the Part of the Party summoned or accused, and shall refuse or neglect to appear at the Time and Place to be for that Purpose appointed, having been paid or tendered a reasonable Sum for his Costs and Charges, without a reasonable Excuse for his Refusal or Neglect; or appearing shall refuse to be examined upon Oath (or, in the Case of a Quaker, on solemn Affirmation), then and in either of the said Cases every such Person shall forfeit and pay any Sum not exceeding Five Pounds for every such Offence.

Recovery and Application of Penalties.

LXXXVI. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act (the Manner of levying and recovering whereof is not herein particularly directed) may in case of Nonpayment thereof be recovered in a summary Way by the Order and Adjudication of some Justice or Justices of the Peace having Jurisdiction, on Complaint to him or them for that Purpose exhibited, and afterwards be levied, as well as the Costs (if any) of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of any such Justice or Justices, who is and are hereby authorized and required to summon and examine any Witnesses of or concerning such Offence, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money so raised or recovered, after discharging such Penalty or Forfeitures, and the Costs and Expences as aforesaid, shall be returned to the respective Owners of the Goods and Chattels so seized and distrained; all which Penalties and Forfeitures not herein directed to be otherwise applied shall be paid to the Select Vestry of the said Parish of *Saint Margaret*, or to the Treasurer or Clerk of such Select Vestry, and shall be applied in aid of the Rates to be raised within the said Parish under the Powers of this Act; and it shall be lawful for the said Justice or Justices to order any Offender so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant of Distress, unless such Offender can give sufficient Security, to the Satisfaction of such Justice or Justices, for his or her Appearance before the said Justice or Justices, or before some other Justice having Jurisdiction, on such Day as shall be appointed for the Return of such Warrant, such Day not being later than Five Days from the Day of taking any such Security, and which Security any such Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Forfeiture, and Costs and Expences as aforesaid, and the same shall

shall not be forthwith paid, or in case it shall appear to the Satisfaction of any such Justice or Justices, upon the Confession of the Offender or otherwise, that he or she hath not sufficient Goods and Chattels whereupon such Penalty or Forfeiture, Costs and Expences, could be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant, but in such Case such Justice or Justices is and are hereby required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender to some Common Gaol or House of Correction, there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Fine, Penalty, or Forfeiture, and all Costs and Charges attending the Proceedings (to be ascertained by such Justice or Justices), shall be sooner paid and satisfied: Provided always, that in all Cases where the Penalty imposed by this Act shall exceed the Sum of Ten Pounds, no summary Proceedings shall be had or taken for the Recovery thereof before a less Number than Two Justices.

LXXXVII. And be it further enacted, That in all Cases where any Damages or Charges are by this Act directed to be paid, and the Manner of ascertaining the Amount thereof is not specified or provided for, such Amount, in case of Nonpayment or of any Dispute respecting the same, shall be ascertained and determined by some Justice of the Peace having Jurisdiction; and where by this Act any Damages or Charges are directed to be paid in addition to any Penalty for any Offence, the Amount of such Damages or Charges, in case of Nonpayment or of any Dispute respecting the same, shall be ascertained and determined by the Justice or Justices by or before whom any Offender shall be convicted of such Offence; and such Justice is hereby authorized and required, on Nonpayment of the Damages or Charges in any of the Cases aforesaid, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels in manner directed by this Act for the levying of Penalties or Forfeitures.

Damages and Charges, in case of Dispute, to be settled by Justices.

LXXXVIII. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before a Justice or Justices of the Peace, it shall be lawful for any Justice of the Peace to whom Complaint shall be made of any Offence against this Act to summon before him the Party complained against, and on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him or her to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited before him; and all such Proceedings by Summons without Information in Writing shall be as valid and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

Justices may proceed by Summons in the Recovery of Penalties.

LXXXIX. And be it further enacted, That all Justices of the Peace before whom any Person informed against shall be convicted of or in any Offence against this Act may cause the Information (whenever any Information shall be taken in Writing) and the Conviction

Forms of Information and Conviction:

Conviction respectively to be drawn in the Form following, or in any other Form to the same Effect, as the Case may require; (that is to say,)

Information.

‘ to wit. } **BE** it remembered, That on the \_\_\_\_\_ Day  
 ‘ of \_\_\_\_\_ A. B. of \_\_\_\_\_ informeth me,  
 ‘ C. D., One of His Majesty’s Justices of the Peace for  
 ‘ that \_\_\_\_\_ of \_\_\_\_\_ [here describe the Offence,  
 ‘ with the Time and Place], contrary to an Act passed in the Second  
 ‘ Year of the Reign of His Majesty King *William* the Fourth,  
 ‘ intituled [here set forth the Title of this Act], which hath imposed  
 ‘ a Forfeiture of \_\_\_\_\_ for the said Offence. Taken  
 ‘ the \_\_\_\_\_ Day of \_\_\_\_\_ before me, C. D.’

Conviction.

‘ **BE** it remembered, That on [Time of Conviction], at  
 ‘ A. B. is convicted before me, One of His Majesty’s Justices of  
 ‘ the Peace for \_\_\_\_\_ for that the said A. B. did, on  
 ‘ [here state the Offence, with the Time and Place], contrary to an  
 ‘ Act passed in the Second Year of the Reign of His Majesty King  
 ‘ *William* the Fourth, intituled [here set forth the Title of this Act];  
 ‘ and I do therefore adjudge that the said A. B. hath forfeited for  
 ‘ the said Offence the Sum of \_\_\_\_\_ [or shall be committed  
 ‘ to [Place of Imprisonment] for the Space of \_\_\_\_\_].  
 ‘ Given under my Hand and Seal, the Day and Year first above  
 ‘ written.’

Distress not  
to be unlaw-  
ful for Want  
of Form.

XC. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor shall the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto, nor shall the Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him or her, but the Party aggrieved by such Defect or Irregularity shall and may recover full Satisfaction for the special Damage by an Action upon the Case.

Inhabitants,  
&c. compe-  
tent Wit-  
nesses.

XCI. And be it further enacted, That in all Actions and Proceedings whatsoever relating to the Execution of this Act none of the Select Vestry of the said Parish, nor any of their Clerks, Collectors, or other Officers or Servants, nor any of the said Churchwardens or Overseers, or Surveyors of the Highways, nor any of the Inhabitants of the said Parish, shall be deemed incompetent to give Evidence by reason of their filling or holding any Office or of their being charged with or paying any Rate under or by virtue of this Act.

Appeal to  
Vestry.

XCII. Provided always, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Survey or Valuation, or by any Rate, or by any other Act, or Matter made or done or arising under or in pursuance of this Act, such Person may appeal to the Select Vestry by or from whom or by or from whose Act or Order such Cause of Complaint shall arise, at any of their Meetings, provided that Notice of such Appeal be given within Two Calendar Months next after such Rate or Cause of Complaint shall have been made or shall have arisen; and such Select Vestry may examine

examine any Appellant and any Witnesses touching the Matter of such Appeal, and may grant or refuse Relief to the Person or Persons appealing, and make such Order therein as to them shall seem meet.

XCIH. Provided also, and be it further enacted, That if any Person shall think himself or herself aggrieved by any Survey or Valuation, or by any Rate, or by any other Act or Matter made, done, or arising under or in pursuance of this Act, or by any Order or Conviction of any Justice or Justices of the Peace, it shall be lawful for such Person to appeal to some General or Quarter Sessions of the Peace to be held for the Borough of *Leicester* or for the County of *Leicester*, at the Option of the Appellant, within Six Calendar Months next after the Cause of Complaint shall have arisen, or in case of an Appeal against the Confirmation of any Rate by the said Select Vestry, then, on having paid such Rate, to such General or Quarter Sessions of the Peace within Six Calendar Months next after such Confirmation shall have been notified to the Party liable to such Rate, either of which Courts of Session are hereby empowered to hear and finally determine the Matter of the Appeal, and to make such Order therein as to them shall seem meet, which Order shall be conclusive upon all Parties; provided that the Party so appealing shall give or cause to be given at least Fourteen Days Notice in Writing of his or her Intention to bring such Appeal, and of the Nature and Ground thereof, as well to the said Select Vestry, Churchwardens, and Overseers for the Time being, and to such other Person as shall be intended to be affected by such Appeal, as also, in case of every Appeal against any Conviction or other Proceedings had, made, or done by or before any Justice or Justices of the Peace, to the Justice or Justices by or before whom such Conviction or Proceeding shall have been had, made, or done, and also within Four Days after such Notice enter into a Recognizance before some Justice or Justices of the Peace, with Two sufficient Sureties, in such reasonable Sum or Sums of Money as such Justice or Justices shall direct, conditioned to try such Appeal at the then next General or Quarter Sessions of the Peace for the said Borough or County, and to abide the Order of and pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions, or at any Adjournment thereof; and in case of Appeal against the Accounts of the said Select Vestry, the particular Grounds and Causes of Appeal, and the Charges and Items appealed against, shall be expressed in such Notice; and upon the Hearing such Justices shall not inquire or examine into any Cause or Ground of Appeal, or any Charge or Item not specified in the Notice; and such Justices shall finally determine the Matter of such Appeal, and may, according to their Discretion, award such Costs to the Party appealing or appealed against as they shall think proper, and their Determination in and concerning the Premises shall be conclusive on all Parties to all Intents and Purposes whatsoever: Provided nevertheless, that such Justices shall not inquire into any Appeal against any Rate or Thing made or done by the Select Vestry of the said Parish, unless Complaint shall have been previously made to the Select Vestry by whose Act or Order the Cause of Complaint shall have arisen, and such Select Vestry shall have refused Satisfaction to the Appellant, or shall have neglected for Ten Days after the Date of the Notice of Appeal to such Select

Appeal to  
the Quarter  
Sessions.

[*Local.*]

3 E

Vestry

Vestry to give Satisfaction, and to notify the same to the Appellant: Provided also, that such Justices shall not inquire into nor interfere with any Election of the Select Vestry, nor alter any Rule or Order relating to such Proceeding or Election.

Rates and Survey may be amended on Appeal.

XCIV. Provided always, and be it further enacted, That in Cases of Appeal to the Justices of the Peace for the Borough of *Leicester* or for the County of *Leicester*, against or relating to any Survey or Valuation or Rate made under or by virtue of this Act, the said Justices upon hearing such Appeal, when they shall see just Cause for Relief, shall and are hereby empowered to correct, alter, and amend such Survey or Valuation or Rate, in such Manner only as shall be necessary for giving Relief to the Person so appealing, without quashing or wholly setting aside the same Survey or Valuation or Rate respectively: Provided always, that if the Court shall think it proper and necessary for giving such Relief to the Person appealing that the Survey or Valuation or Rate should be wholly quashed, then and in such Case the Court may wholly quash the same, and order a new Survey and Valuation or Rate to be made.

Rates and Proceedings not to be quashed for Want of Form.

XCV. And be it further enacted, That no Rate, nor any Proceeding to be had touching the Conviction of any Offender against this Act, nor any Order made, nor any other Matter or Thing done in or relating to the Execution of this Act, 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*.

Limitation of Actions.

XCVI. Provided also, and be it further enacted, That no Action, Suit, or Information shall be commenced against any Person for any thing arising out of this Act unless Fourteen Days Notice of the Intention to commence such Action, Suit, or Information shall have been given in Writing to the intended Defendant or Defendants, nor unless such Action, Suit, or Information shall be commenced within Six Calendar Months next after the Fact committed, or in case there shall be a Continuation of Damage, then within Six Calendar Months next after the committing such Damage shall have ceased, nor unless such Action, Suit, or Information shall be brought or laid in the County or Place where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action, Suit, or Information may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial which shall be had thereupon, and that the same was done by the Authority of this Act; and if it shall appear to have been so done, or that such Action, Suit, or Information was brought otherwise than as herein-before directed, the Jury shall find a Verdict for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or shall suffer a Discontinuance of any such Action, Suit, or Information after the Defendant or Defendants shall have appeared thereto, or if a Verdict shall pass against the Plaintiff or Plaintiffs therein, or if upon Demurrer or otherwise Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law, in other Cases.

XCVII. Provided also, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in execution of this Act, if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding before such Action brought; and in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined to pay into Court such Sum of Money as he or she shall think fit, whereupon such Proceedings, Orders, and Adjudications shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

Plaintiff not to recover after Tender of sufficient Amends.

XCVIII. And be it further enacted, That in all Cases where any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear or determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to or to receive the Affirmation of any Person being a Quaker before he or she shall be examined by or before such Justice.

Power for Justice to administer Oath.

XCIX. And be it further enacted, That in all Cases where it may be necessary for any Person to serve any Notice or any Proceeding in Law or Equity upon the Select Vestry of the said Parish, Service thereof upon the Clerk or Clerks for the Time being of the Select Vestry, or by leaving such Notice at the Office of such Clerk or Clerks, or at the Office of the Select Vestry of the said Parish, or Service upon any Five of the Select Vestry of the said Parish, or by leaving such Notice with some Inmate at their respective last or most usual Place of Abode, shall be deemed sufficient Service of the same respectively on the said Select Vestry.

Declaring what shall be good Service of Notice on Select Vestry.

C. And be it further enacted, That in all Cases where it may be necessary for such Select Vestry to give any Notice to any Person or Body Corporate, under the Provisions of this Act, such Notice shall be in Writing or in Print, or partly in Writing and partly in Print, and be signed by any Five or more of such Select Vestry, or by their Clerk for the Time being, and shall be delivered to such Person, or be left with some Inmate at his or her last or most usual Place of Abode, or be delivered to some Member of such Body, or be left with some Inmate at his last or usual Place of Abode, or to some Clerk or other Officer of such Body, or be left at the Office of such Clerk or Officer, or with some Inmate at his last or usual Place of Abode, except in Cases in which any other Mode of giving such respective Notices is by this Act particularly directed.

Declaring what shall be good Service of Notice by Select Vestry.

CI. Provided always, and be it further enacted, That it shall and may be lawful to and for the said Select Vestry to convene a Vestry Meeting of the Inhabitants of the said Parish when and so often as they shall think fit: Provided always, that no such Vestry or Meeting of the Inhabitants in Vestry of or for the said Parish shall be holden unless public Notice shall have been given of such Vestry Meeting, and of the Place and Hour of holding the same, and the special

Power for Select Vestry to convene Vestry Meetings.

special Purpose thereof, Three clear Days at the least before the Day appointed for the holding of such Vestry Meeting, by affixing such Notice, fairly written or printed, or partly written and partly printed, and signed by the Clerk or Clerks for the Time being of the said Select Vestry, or by any Five or more of the said Select Vestry, on the principal outer Door of the Church and Chapel of the said Parish, and by Publication thereof in Two Newspapers printed and circulated in the Town of *Leicester*, if there be Two, and if there be only One, then in such One, and if no such Newspaper be published, then in such other public Manner as the said Select Vestry may approve: Provided also, that nothing in this Act shall extend or be construed to extend to prevent Vestry Meetings of the said Parish being called by the Persons now authorized by Law to convene the same, or to interfere with the Mode of calling or holding thereof.

Meetings  
may be ad-  
journed from  
the Vestry  
Room to  
some other  
Place.

CII. Provided always, and be it further enacted, That it shall and may be lawful for the Inhabitants of the said Parish, at any Time after the passing of this Act, to adjourn any Meeting from the Vestry Room of the said Parish, or other Place where they may assemble, to the Chancel or other Part of the Church, for the Purpose of holding such Meeting; any thing in this Act contained to the contrary notwithstanding.

Saving  
Ecclesiastical  
Jurisdiction.

CIII. Provided always, and be it further enacted, That this Act or any thing herein contained shall not extend or be construed to extend to invalidate or avoid any Ecclesiastical Law or Constitution of the Church of *England*, or to destroy or in anywise abridge or controul any of the Rights or Powers of the Lord Bishop of *Lincoln*, or the Prebendary of the Prebendal Church of the said Parish of *Saint Margaret*, or of any other Person or Persons having Ecclesiastical Jurisdiction in or over the said Parish, or in any Manner to affect the Jurisdiction of them or any of them in or over the said Parish, or in or over any Matter or Thing concerning the Churches of the said Parish, or the Ministers thereof.

For paying  
the Expences  
of the Act.

CIV. And be it further enacted, That all the Costs, Charges, and Expences of preparing, applying for, and obtaining this Act, or incurred in consequence of the Application for this Act, or connected with or arising out of the same, or in any Manner relating thereto, shall be borne, paid, and discharged out of the Monies which shall be raised or received by or on account of the said Select Vestry under the Authority or by virtue of this Act.

Public Act.

CV. 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.