

ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 114.

An Act for altering, amending, and rendering more effectual an Act of the First Year of King *George* the Second, for erecting a Workhouse in the City of *Canterbury*, for employing and maintaining the Poor there, and for other Purposes relating thereto. [17th *June* 1814.]

WHEREAS by an Act of Parliament passed in the First Year of the Reign of His Majesty King *George* the Second, intituled *An Act for erecting a Workhouse in the City of* Canterbury, *for employing and maintaining the Poor there, and for the better enlighting the Streets of the said City*, it was enacted (amongst other Things), that there should be a Corporation, to continue for ever, within the said City of *Canterbury*, which Corporation should consist of the Mayor, Recorder, and Justices of the Peace of the said City and County of the same for the Time being, and also Twenty-eight other Persons, to be chosen out of the ablest and discreetest Inhabitants of the Parishes within the said City, Two out of each Parish; that is to say, the Parish of *Saint Martin*, the Parish of *Saint Paul*, the Parish of *Saint George the Martyr*, the Parish of *Saint Margaret*, the Parish of *Saint Mary Bredin*, the Parish of *Saint Mildred*, the Parish of *Saint Andrew the Apostle*, the Parish of *Saint Mary Bredman*, the Parish of *All Saints*, the Parish of *Saint Peter's*, the Parish of *Holy Cross*, *Westgate*, the Parish of *Saint Mary*, *Northgate*, the Parish of *Saint Alphage*, and the Parish of *Saint Mary Magdalen*: And it was enacted, that the said Twenty-eight Persons, Two out of each of the 1 G. 2. c. 20.

ſaid Fourteen Pariſhes, ſhould be choſen in and for the ſaid reſpective Pariſhes, by the Majority of the Inhabitants of the ſaid Fourteen Pariſhes, who then were or thereafter ſhould be rated for or towards the Relief of the Poor of ſuch of the ſaid Pariſhes wherein they inhabited, in Manner therein mentioned, on the laſt *Tueſday* in *June*, yearly, for ever; and it was enacted, that the Mayor, Recorder, and Juſtices of the Peace of the ſaid City and County for the Time being, and other the ſaid Twenty-eight Perſons appointed to be elected and conſtituted thereby, ſhould be and be named and called Guardians of the Poor of the City of *Canterbury*, and that they and their Succeſſors ſhould be in Name and Fact One Body Politic and Corporate in Law to all Intents and Purpoſes, and ſhould have a perpetual Succeſſion; and it was enacted, that it ſhould and might be lawful for any Court or Aſſembly, conſiſting of the ſaid Guardians, or the Majority of them, to be holden before the Preſident or his Deputy by the Votes of the major Number of ſuch of them as ſhould be preſent, from Time to Time, to proportion out, rate, and aſſeſs ſuch Sum and Sums of Money, by Taxation of every Inhabitant, Parſon, Vicar, and others, and of every Occupier of Lands, Tenements, and Tithes Impropriate or Propriation of Tithes in the ſaid City of *Canterbury*, and Pariſhes aforeſaid, in equal Proportions, according to their ſeveral and reſpective Values, as they ſhould judge neceſſary, for the purchaſing, building, making, erecting, repairing, or finiſhing any Workhouſe or Workhouſes, Houſe or Houſes of Correction, ſo to be bought or uſed, and for other the Purpoſes in the ſaid Act mentioned or intended, and alſo for the Maintenance and Employment of the Poor within the ſaid City and Pariſhes, and ſo as ſuch Poor of the ſaid reſpective Pariſhes aforeſaid as were unable to work or get their Living ſhould be provided for thereout, to the Intent that no other Levy or Aſſeſſment might be made for any other Maintenance or Allowance to or for any of the Poor of the ſaid reſpective Pariſhes on any of the ſaid Inhabitants, and the ſaid Rate or Ceſs made as aforeſaid to certify the ſame under their Common Seal, unto the Mayor, Recorder, and Juſtices of the Peace of the ſaid City and County of *Canterbury* for the Time being, which ſaid Mayor, Recorder, and Juſtices of the Peace, or any Three or more of them, might and were thereby required to grant and iſſue out their Warrant, under their Hands and Seals, thereby to authorize and require the Overſeers of the Poor of the ſaid Pariſhes reſpectively to demand, gather, and receive the ſame of the ſeveral Perſons and Inhabitants aforeſaid within their ſaid Pariſhes reſpectively, and for Non-payment thereof (being lawfully demanded) upon ſuch Demand, or within Ten Days after, to levy the ſame by Diſtreſs and Sale of the Goods of ſuch Perſon or Perſons who ought to pay the ſame, reſtoring the Overplus, after the Charges of Diſtreſs and Sale deducted, to the Owner of the Goods ſo diſtrained; and if no ſufficient Diſtreſs could be found, then it ſhould and might be lawful to and for the ſaid Mayor, Recorder, Juſtices of the Peace, and any Three or more of them, to commit ſuch Perſon or Perſons ſo offending or neglecting to pay ſuch Rate to the Common Gaol of the ſaid City, there to remain without Bail or Mainprize until ſuch Perſon or Perſons ſhould have paid the Sum or Sums ſo rated or aſſeſſed on him or them, and when the ſaid Sums ſo aſſeſſed ſhould be received, the Overſeers reſpectively receiving the ſame or any Part thereof, from Time to Time, ſhould pay the ſame to the Receiver of the ſaid Corporation for the Time being: And whereas the Pariſh of *Saint Paul*, before mentioned, is Part within the Liberties of the City of

Canterbury, and Part within the County of *Kent*, it was enacted, that the ſaid Corporation of Guardians of the Poor in the City of *Canterbury*, by the ſaid Act recited ſhould have and thereby had Power and Authority at any of their Courts or Aſſemblies, to rate and aſſeſs that Part of the ſaid Pariſh of *Saint Paul* which is in the County of *Kent*, to and for the maintaining the Poor of the ſaid Pariſh, and to and for the other Uſes, Intents, and Purpoſes in the ſaid Act mentioned, as they might rate or aſſeſs that Part of the ſaid Pariſh of *Saint Paul* which is within the Liberties of the ſaid City, or as they might rate or aſſeſs any other Pariſh within the ſaid City, obſerving the Directions in the ſaid Act given or mentioned; and the Rate or Aſſeſſment ſo made for that Part of the ſaid Pariſh of *Saint Paul*, which is in the County of *Kent*, to certify under their Common Seal to Two of His Majeſty's Juſtices of the Peace for the ſaid County of *Kent*, who were thereby required to iſſue out their Warrant under their Hands and Seals to the Overſeer or Overſeers of the Poor of that Part of the ſaid Pariſh of *Saint Paul* which is in the County of *Kent*, to authorize and require him or them to demand, gather, and receive the ſame, and upon Non-payment thereof (being lawfully demanded), upon ſuch Demand, or within Ten Days after, to levy the ſame by Diſtreſs and Sale of the Goods of ſuch Perſon or Perſons who ought to pay the ſame, reſtoring the Overplus, after the Charges of Diſtreſs and Sale deducted, to the Owner or Owners of the Goods ſo diſtrained; and if no ſufficient Diſtreſs could be found, then it ſhould and might be lawful, and the ſaid Juſtices of the Peace of the ſaid County of *Kent* were thereby required to commit ſuch Perſon or Perſons ſo offending or neglecting to pay ſuch Rate to the Common Gaol of the ſaid County of *Kent*, there to remain without Bail or Mainprize until ſuch Perſon or Perſons ſhould have paid the Sum or Sums ſo rated or aſſeſſed on him, her, or them, and when the ſaid Sums ſo aſſeſſed ſhould be received, the ſaid Overſeer or Overſeers of that Part of the ſaid Pariſh of *Saint Paul* which is in the County of *Kent*, ſhould pay the ſame to the Receiver of the ſaid Corporation for the Time being, and certain other Powers and Authorities were thereby given to the ſaid Guardians and their Succeſſors, and certain Property was veſted in them, to be by them exerciſed, managed, and employed to and for the Benefit and Advantage of the Poor of the ſaid City and Pariſhes in Manner therein mentioned: And whereas it is expedient that certain Perſons ſhall in certain Caſes be diſabled and diſqualified from acting as Guardians of the Poor of the ſaid City of *Canterbury*: And whereas the Powers and Proviſions of the ſaid recited Act, and eſpecially for aſſeſſing, levying, and recovering the Rates or Sums of Money for the Expences of maintaining and employing the ſaid Poor in the ſaid City and Pariſhes, and for the other Purpoſes in the ſaid recited Act mentioned, relative to the Poor of the ſaid City and Pariſhes, have been found by Experience inadequate for the Purpoſes thereby intended, and it is expedient that the ſame ſhould be altered and amended, and it would tend to the Equalization and better Collection of the ſaid Rates or Sums of Money if additional Powers were given to the ſaid Guardians for aſſeſſing and collecting ſuch Rates; but as ſuch beneficial Purpoſes cannot be effected without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon elected

Guardians in certain Caſes to ceaſe to act.

elected a Guardian of the Poor of the said City, out of any of the Parishes as in the said recited Act is mentioned, shall cease to be an Inhabitant Householder within the Parish for which he is elected and chosen, or shall become Bankrupt or Insolvent before the Time appointed for next electing Members of the said Corporation of Guardians of the Poor of the said City, every such Person shall be thereupon disabled and disqualified from acting as Guardian of the Poor of the said City, under the said recited Act or this Act, and another Guardian shall be appointed in the Stead of such Guardian so being disabled and disqualified as aforesaid, in the same Manner and within the same Space of Time as in and by the said recited Act directed in the Case of Persons elected Guardians of the Poor of the said City dying or departing from the said City, or the Parishes to which they belong.

Guardians to appoint Collectors.

II. And whereas it would tend to the better and more effectual collecting and levying the Rates and Assessments to be made by virtue of this Act and the said recited Act if the said Guardians of the Poor were empowered at their Discretion, if they should deem it expedient, to appoint One or more Person or Persons to be a Collector or Collectors to collect and levy the said Rates and Assessments, instead of or in conjunction with the said Overseers of the said Parishes respectively; be it therefore further enacted, That it shall and may be lawful for the said Guardians, at any extraordinary Court or Assembly, of which Fourteen Days Notice in Writing shall be given expressive of the Purpose of calling the said Court, consisting of a Majority of the said Guardians (the Votes of the major Part of such of them as shall be then present to be taken by Ballot, in Manner prescribed by the said recited Act), from Time to Time, as often as they shall deem it necessary or expedient, to appoint One or more Person or Persons to be a Collector or Collectors of the Rates and Assessments to be made, collected, and levied by virtue of this Act and the said recited Act, every such Collector being a resident and substantial Householder or Inhabitant within the said City and Parishes, in the room and stead of or in conjunction with the Overseers of the Poor of the said Parishes respectively; and out of such Rate or Rates, Assessment or Assessments, to make such Allowances by way of Salary or Poundage to the said Collector or Collectors, not exceeding Four-pence in the Pound, on the Monies actually collected, as to them the said Guardians of the Poor at any such Court as last aforesaid shall seem meet and proper; and the Warrants by the said recited Act directed to be granted and issued to the Overseers of the Poor of the said Parishes respectively, for the demanding, gathering, receiving, and levying the said Rates and Assessments, shall, upon every such Appointment of such Collector or Collectors in the room or stead of, or in conjunction with, such Overseers, (which Appointment shall be certified, together with the Rates to the Justices granting and issuing the Warrants), be granted and issued to such Collector or Collectors alone, or to such Overseers and Collector or Collectors in conjunction, as the Case may be, for the Purposes aforesaid.

Security to be taken from the Collectors.

III. And be it further enacted, That the said Guardians of the Poor shall, and they are hereby required to take such Security from such Collector or Collectors respectively, as they the said Guardians of the Poor at any such Court as last aforesaid shall think proper, for the due and faithful Execution of his or their Office of Collector, in all and every

Part

Part thereof, and among other Things, for the duly accounting for all Monies which, as ſuch Collector or Collectors, he or they ſhall or may receive, and for the Payment of the ſame within the Space of Seven Days from the Receipt thereof, to the Receiver of the ſaid Guardians for the Time being.

Collectors to be removed.

IV. And be it further enacted, That the ſaid Guardians of the Poor, at any ſuch Court as laſt aforeſaid, ſhall and may at all Times, at their Will or Pleaſure, wholly diſplace and remove ſuch Collector or Collectors, or any of them; and the ſaid Collector or Collectors, each and every of them ſhall, and he and they is and are hereby reſpectively required at all Times whatſoever, either being ſo diſplaced or otherwiſe, to produce and deliver up to the ſaid Guardians at any ſuch Court, or to their Receiver for the Time being, or to their Clerk or other Perſon for that Purpoſe appointed, whenever the ſaid Collector or Collectors ſhall be thereto required, all and every the Rate Book or Books, and all other Books, Papers, Documents, Matters, and Things, reſpecting his and their Office or Employment, in order that the ſaid Guardians of the Poor may take Poſſeſſion of and retain the ſame, either for the Purpoſe of Inſpection, ſafe Cuſtody, or any other Account which to them ſhall ſeem meet and expedient.

Collectors to account.

V. Provided always, and be it further enacted, That if any Collector or Collectors, when thereunto required by the ſaid Guardians, at any Court or Aſſembly, or by the Preſident or Deputy Preſident for the Time being, ſhall refuſe, or ſhall not, within Ten Days after ſuch Requiſition has been ſo made to him or them, deliver up the Rate Book or Books, and all and every the Account and Accounts of all Monies by him or them received for or on Account of the ſaid Rates or Aſſeſſments, upon Oath, before the Mayor or One Juſtice of the ſaid City, and all Books, Papers, Matters, or Things reſpecting his or their ſame Office or Employment, or ſuch or ſo many thereof as ſhall have been of him or them demanded in Manner aforeſaid, or ſhall not, upon being required thereto, pay the Balance of Monies received, which ſhall appear to remain in his or their Hands by virtue of his or their reſpective Office or Offices, to the Receiver, then, and in every ſuch Caſe, upon Complaint made by the ſaid Guardians for the Time being of any ſuch Refuſal or Neglect as aforeſaid to the Mayor or any Juſtice of the Peace for the ſaid City, ſuch Mayor or Juſtice may, and he is hereby authorized and required to iſſue a Warrant under his Hand and Seal for the Perſon or Perſons ſo refuſing or neglecting to appear before him, and upon his or their appearing, or if he or they ſhall not appear, then, upon due Proof that the Perſon or Perſons ſo neglecting to appear had been ſummoned or could not be found for the Purpoſe of being ſummoned, to hear and determine the Matter in a ſummary Way, and if upon the Confeſſion of the Party, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath (which Oath ſuch Mayor or Juſtice is hereby required and empowered to adminiſter), it ſhall appear to ſuch Mayor or Juſtice that any Monies that ſhall have been collected or received by virtue of this Act ſhall remain due from ſuch Collector or Collectors, ſuch Mayor or Juſtice may, and he is hereby authorized and required, upon Non-payment thereof, by Warrant under his Hand and Seal, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Collector or Collectors, each and every of them; and if

it ſhall appear to ſuch Mayor or Juſtice that ſuch Collector or Collectors ſhall have refuſed or neglected to render and give ſuch Account, or to produce the Rate or Rates, Book or Books, Papers or Writings, or other Matters or Things relating to the Collection of the Rates, or in anywiſe reſpecting or appertaining to the ſaid Office or Employment, which ſhall be in his or their Cuſtody or Power, and required from him or them as aforeſaid, or ſhall not have paid the Balance remaining in his or their Hands in Manner aforeſaid, and no ſufficient Diſtreſs can be found within the ſaid City and Pariſhes whereof to levy the ſame, then, and in each and every ſuch Caſe, ſuch Mayor or Juſtice ſhall commit ſuch Offender or Offenders to the Common Gaol of the ſaid City, there to remain without Bail or Mainprize until he or they ſhall give and make a true and perfect Account, and deliver up ſuch Books, Papers, and Writings, and pay ſuch Balance to the ſaid Guardians of the Poor or their Receiver; provided, that no ſuch Collector or Collectors ſo committed, ſhall be confined or detained in Priſon for want of ſufficient Diſtreſs by virtue of ſuch Warrant for any longer Space of Time than Six Calendar Months; provided nevertheleſs, that no ſuch Commitment of any Collector to ſuch Common Gaol as aforeſaid ſhall acquit or diſcharge any Surety or Security that ſhall or may have been taken by or given to the ſaid Guardians of the Poor for the due and faithful Execution of the Office of Collector, in Manner herein-before expreſſed and provided, nor any Action, Suit, or Proceſs commenced or to be brought for the Recovery of any Money ſo received, or any ſuch Books, Papers, or Writings, or the Value thereof.

Collectors not to retain Monies in their Hands.

VI. And be it further enacted, That in caſe any Collector or Collectors appointed under and by virtue of this Act, ſhall at any Time retain and have in his or their Hands any Sum or Sums of Money above the Sum of Twenty Pounds, to be collected by virtue of this Act for the Space of Seven Days, without paying over the ſame to the ſaid Receiver, every ſuch Collector or Collectors ſhall, for every ſuch Retention or Offence, forfeit the Sum of Five Pounds, to be recovered by the ſaid Guardians by Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, in the Name of the Receiver to the ſaid Guardians for the Time being, to be commenced within Six Calendar Months after the Offence committed, in which Action no Eſſoign, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

For the better Recovery of Rates on Houſes let at Small Rents, &c.

VII. And be it further enacted, That from and after the paſſing of this Act, in all Caſes where the yearly Value of any Houſe, Tenement, or Hereditaments within the ſaid City and Pariſhes ſhall not exceed Ten Pounds net Aſſeſſment, whether let by the Year or otherwiſe, or where any Houſe, Tenement, or Hereditaments, (whatever the Yearly Value may be), ſhall be let to Weekly or Monthly Tenants, or for any leſs Period than Quarterly, or in ſeparate Apartments, furniſhed or unfurniſhed, or where the Rent of any Houſe, Tenement, or Hereditaments (whatever the Yearly Value may be) ſhall become payable, and be collected at any ſhorter Period than Quarterly; it ſhall be lawful for the Guardians of the Poor at any Court or Aſſembly of the Guardians if they ſhall think proper, to compound with the Landlord or Landlords, Owner or Owners of all and every or any ſuch Houſe or Houſes, Tenement or Tenements, and Hereditaments for the Payment of the Poor

Rates, at such a reduced Yearly Rental as the said Guardians at such respective Courts or Assemblies shall think reasonable, so that such Houses, Tenements, and Hereditaments be not rated at less than Two Thirds or more than Four Fifths of the Annual Value of the said Premises at which they are assessed, and whether such Premises shall be occupied or unoccupied; and the Landlord or Landlords, Owner or Owners of such Houses, Tenements, or Hereditaments, may be required to enter into such Composition with the said Guardians; and in case such Landlord or Landlords, Owner or Owners, shall object or neglect to enter into such Composition as the said Guardians shall direct, within Ten Days after Notice in Writing for that Purpose from the Clerk to the said Guardians, to enter into a Composition, or shall put an End to such Composition as he, she, or they may have entered into with the said Guardians, by giving Three Months Notice in Writing to the Clerk to the said Guardians of such his, her, or their Intention, he, she, or they shall from thenceforth be rated to and pay all Rates or Assessments charged upon such their respective Premises, according to the Annual Value of such Premises at which they are assessed; and upon Non-payment of such Composition, or Rates or Assessments as last aforesaid, upon Demand, or within Ten Days after, the Overseer or Overseers of the Poor, or Collector or Collectors to be appointed as herein-before mentioned for the Time being, may levy the same by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner or Owners of such respective Premises wherever they shall be found; and if the same shall be occupied, then by Distress and Sale of the Goods and Chattels of any Person or Persons inhabiting or occupying the same, or any Part thereof respectively, if such Overseer or Overseers, Collector or Collectors respectively shall find it expedient so to do; and if no sufficient Distress can be found of the Goods and Chattels of such Landlord or Landlords, Owner or Owners, the Payment of such Composition, or Rates, or Assessments as last aforesaid, may be enforced against the Landlord or Landlords, Owner or Owners, so offending or neglecting to pay such Composition, or Rates, or Assessments as last aforesaid, in the same Manner as is in and by the said recited Act provided for enforcing the Payment of Poor Rates, in Cases where no sufficient Distress can be found to levy the same.

Persons receiving Rents to be deemed Owners, &c.

VIII. Provided always, and be it further enacted, That the Person or Persons receiving, or claiming to be entitled to the Rents of every such House or Houses, Tenement or Tenements, Hereditaments or Premises, immediately payable by the Tenants or Occupiers thereof respectively, shall be rated and liable to the Payment of all and every such Rates as last aforesaid, until some other Person or Persons shall be rated to or pay the same, unless the real Landlord or Owner shall voluntarily compound for the same with the said Guardians, according to the Provisions herein-before contained; and in case any such Tenant or Tenants, Occupier or Occupiers, shall refuse to disclose the Name or Names of the Person or Persons receiving or claiming to be entitled to such Rents or Profits respectively, such Person or Persons so refusing shall forfeit for every such Offence a Sum not exceeding Five Pounds.

Compositions to remain in force until altered by Guardians.

IX. And be it further enacted, That from and after any Composition shall be made with the said Guardians as herein-before mentioned, the House or Houses, Tenement or Tenements, and Hereditaments therein, comprized,

comprized, ſhall be rated and aſſeſſed according to the ſame reduced Rental in every future Pariſh Rate or Aſſeſſment to be made by virtue of the ſaid recited Act and this Act, until the ſaid Guardians making ſuch Compoſition ſhall think proper otherwiſe to rate and aſſeſs the ſaid Premiſes, or the Tenants, Occupiers, Landlords, or Owners in reſpect thereof, and ſhall give Three Months Notice in Writing of ſuch their Intention to the Landlord or Landlords, Owner or Owners thereof, or leave ſuch Notice of ſuch their Intention upon the Premiſes.

Arrears of Rates to remain charged upon the Premiſes.

X. And be it further enacted, That in default or failure of Payment of the Rate or Rates, Aſſeſſment or Aſſeſſments, or of any ſuch Compoſition, or of any Part thereof as aforeſaid, not exceeding Two Rates, the ſame ſhall be and remain charged upon the Premiſes in reſpect whereof the ſame ſhall be ſo rated and aſſeſſed, and ſhall or may, after Ten Days Notice left upon the Premiſes, be levied by Diſtreſs and Sale of the Goods and Chattels of any ſuch Owner or Owners, Landlord or Landlords, or of any Perſon or Perſons inhabiting or occupying the ſame, or any Part thereof, and may alſo be ſued for, and recovered of and from ſuch Owner or Owners, Landlord or Landlords reſpectively, by Action of Debt, Bill, Plaint, or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, to be commenced and proſecuted in the Name of the Receiver of the ſaid Guardians for the Time being, in which Action no Protection, Eſſoign, or Wager of Law, nor more than One Imparlance ſhall be allowed; and if the Plaintiff ſhall recover in any ſuch Action of Debt, Bill, Plaint, or Information, he ſhall have full Coſts, to be levied and recovered as other Monies upon Judgements are now by Law levied and recovered.

Tenants may pay Rates.

XI. Provided always, and be it further enacted, That all and every ſuch Perſon or Perſons who ſhall pay any ſuch Compoſition or Compoſitions, Rate or Rates, or Aſſeſſment or Aſſeſſments, as ought to have been paid by his, her, or their Landlord or Landlords, Landlady or Landladies, or upon whoſe Goods and Chattels the ſame ſhall be levied in purſuance of this Act, ſhall and may deduct the ſame from and out of the Rent due and payable, or to become due and payable, to his, her, or their Landlord or Landlords, Landlady or Landladies, and the Receipt or Receipts for ſuch Payment ſhall be a ſufficient Diſcharge to every ſuch Perſon or Perſons for ſo much Money as he, ſhe, or they ſhall have ſo paid, or which ſhall have been ſo levied on his, her, or their Goods and Chattels in purſuance of this Act, as if the ſame had been actually paid to the Landlord or Landlords, Landlady or Landladies to whom his, her, or their Rent ſhall be or become due and payable; and all and every ſuch Landlord or Landlords, Landlady or Landladies of ſuch Houſes, Tenements, or Hereditaments is and are hereby required to allow ſuch Deductions in part or in full Payment (as the Caſe may be) of the Rent due, or to become due, to him, her, or them, from ſuch Perſon or Perſons as aforeſaid.

Agreement between Leſſors and Leſſees not to be impeached.

XII. Provided alſo, and be it further enacted, That nothing in this Act contained ſhall be conſtrued, deemed, or taken to impeach, alter, or make void any Agreement made between Landlord and Tenant in any Leaſe now granted or hereafter to be granted purſuant to any Contract or Agreement

Agreement now exiſting, any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding.

For apportioning Rates.

XIII. And be it further enacted, That in caſe any Perſon or Perſons now or hereafter renting or occupying any Meſſuage, Tenement, Land, Tithes, or Hereditaments within the ſaid City and Pariſhes, ſhall remove out or from, or quit the Poſſeſſion of any ſuch Meſſuage, Tenement, Land, Tithes, or Hereditaments, before any Rate or Aſſeſſment charged thereon ſhall be paid and diſcharged; or if any Perſon ſhall enter into the Occupation of any ſuch Meſſuage, Tenement, Land, Tithes, or Hereditaments out of or from which any other Perſon ſhall have ſo removed before ſuch Rate or Aſſeſſment ſhall have been paid and diſcharged, or which, at the Time of rating or aſſeſſing the ſame ſhall be empty or unoccupied, then, and in every ſuch Caſe, the Perſon ſo removing out of and the Perſon entering into the Poſſeſſion or Occupation of any ſuch Meſſuage, Tenement, Land, Tithes, or Hereditaments, ſhall be reſpectively liable to the Payment of every ſuch Rate or Aſſeſſment, in Proportion to the Time that ſuch Perſon or Perſons poſſeſſed or occupied the ſame reſpectively, in like Manner as if the Perſon ſo removing or quitting as aforeſaid had remained in Poſſeſſion or Occupation of ſuch Meſſuage, Tenement, Land, Tithes, or Hereditaments, or the Perſon ſo entering into the Occupation thereof had been originally rated or aſſeſſed in ſuch Rate or Aſſeſſment, which Proportion (in caſe of Diſpute) ſhall be aſcertained by the ſaid Guardians at any of their Meetings to be held purſuant to this Act and the ſaid recited Act.

Recovery of Rates from Perſons removing out of the City and Pariſhes.

XIV. And whereas it may happen that many Perſons liable to, and who may be rated and aſſeſſed for the Relief of the Poor of the ſaid City and Pariſhes, may, before the Payment of the Sum or Sums of Money which may be rated on them reſpectively, quit and leave their Lands, Houſes, Buildings, Tenements, or Hereditaments, and remove out of the ſaid City and Pariſhes, be it therefore enacted, That when any Perſon ſhall quit, or be about to quit, his, her, or their Lands, Houſes, Buildings, Tenements, or Hereditaments, before he, ſhe, or they ſhall have paid ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, and ſhall refuſe to pay the ſame or any Part thereof when due and demanded by the Overſeers of the Poor of the ſaid Pariſhes, or any Collector or Collectors authorized and appointed to receive the ſame, then, and in every ſuch Caſe, it ſhall be lawful for the ſaid Overſeers, or ſuch Collector or Collectors as aforeſaid, (Oath being made by him or them that he or they hath or have cauſe to ſuſpect that ſuch Perſon or Perſons hath or have removed, or is or are removing, or about to remove his or their Goods and Chattels), by Warrant under the Hands and Seals of any Two or more of His Majeſty's Juſtices of the Peace for the ſaid City or the County of *Kent*, in caſe the Premiſes rated ſhall be ſituate in the Part of the ſaid Pariſh of *Saint Paul* in the ſaid County of *Kent*, (which Warrant ſuch Juſtices are hereby authorized and required to grant); and in caſe ſuch Perſon or Perſons ſhall have removed, ſuch Warrant being firſt backed and counterſigned by ſome Magiſtrate of the County, City, Borough, or Liberty to which ſuch Perſon ſhall have removed, (which Warrant ſuch Magiſtrate is hereby required to back or counterſign), to diſtrain the Goods and Chattels of ſuch Perſon or Perſons ſo refuſing to pay the ſaid Rates or Aſſeſſments, or any Part thereof, and to ſell the ſame for the Payment of ſuch Sum or

Sums of Money, rendering the Overplus (if any) after having deducted the reaſonable Coſts, Charges, and Expences attending ſuch Diſtreſs and Sale, upon Demand, to the Owner or Owners of ſuch Goods and Chattels reſpectively.

Goods may be diſtrained in any other County, &c.

XV. And be it further enacted, That the Goods and Chattels of any Perſon or Perſons rated or aſſeſſed by virtue of the ſaid recited Act or this Act, and neglecting or refuſing to pay the Sum or Sums of Money by him, her, or them reſpectively payable, ſhall and may be diſtrained not only in the ſaid City and Pariſhes, but in any other County, City, Liberty, or Place; and if ſuch Diſtreſs cannot be found in the ſaid City or Pariſhes, then, and in every ſuch Caſe, it ſhall and may be lawful to and for the Overſeers of the ſaid Pariſhes reſpectively, or for the ſaid Collector or Collectors by Warrant under the Hands and Seals of Two or more of His Majeſty's Juſtices of the Peace for the ſaid City or ſaid County of *Kent*, in caſe the Premiſes rated ſhall be ſituate in the Part of the Pariſh of *Saint Paul* in the County of *Kent*; which Warrant the ſaid Juſtices ſhall, upon Oath made before them by ſuch Overſeers, Collector or Collectors, that ſuch Sum or Sums of Money payable by ſuch Perſon or Perſons as aforeſaid is in arrear and unpaid, and that no ſufficient Diſtreſs can be found for the ſame in the ſaid City or Pariſhes, are hereby authorized and required to grant ſuch Warrant, being firſt backed or counterſigned by ſome Magiſtrate of the County, City, Liberty, or Place where ſuch Diſtreſs is intended to be made, which Warrant ſuch Magiſtrate is hereby required to back or counterſign, to diſtrain the Goods and Chattels of the ſaid Perſon or Perſons ſo neglecting or refuſing to pay ſuch Sum or Sums of Money as aforeſaid in ſuch other County, City, Liberty, or Place where the ſame ſhall be found, and to ſell the ſame for the Payment of ſuch Sum or Sums of Money, rendering the Overplus, if any, after having deducted the reaſonable Coſts, Charges, and Expences attending ſuch Diſtreſs and Sale, upon Demand, to the Owner or Owners of ſuch Goods and Chattels reſpectively.

Collectors to produce Liſt of Defaulters.

XVI. And be it further enacted, That the ſaid Overſeers of the Poor, or the Collector or Collectors for the Time being to be appointed by virtue of this Act, ſhall, if required by the ſaid Guardians, or any Committee thereof, produce quarterly or oftener, to the ſaid Guardians or Committee, a true Liſt in Writing of the Names and Places of Abode of ſuch Perſons as ſhall have been rated for the Relief of the Poor of the ſaid City and Pariſhes, and ſhall not have paid ſuch Rate or Rates together with an Account of the Sum or Sums of Money which ſhall remain unpaid by each Perſon reſpectively; and ſuch Liſt and Account laſt mentioned ſuch Overſeers, Collector or Collectors, ſhall, if required, verify on Oath before the Mayor, or ſome other Juſtice of the Peace for the ſaid City, or before ſome Juſtice of the Peace of the ſaid County of *Kent*, in caſe the Premiſes in reſpect of which ſuch Default ſhall have ariſen ſhall be ſituate within the Part of the ſaid Pariſh of *Saint Paul* in the ſaid County of *Kent*, which Oath ſuch Mayor or other Juſtice is empowered to adminiſter.

Guardians may rectify Omiſſions in Rates.

XVII. And be it further enacted, That if it ſhall appear to the ſaid Guardians at any Court or Aſſembly, or to any Committee of the ſaid Guardians, at any Time after the making of any Rate or Aſſeſſment to be made

made under the Authority of the ſaid recited Act or this Act, that the Name of any Perſon or Perſons liable to be included in ſuch Rate or Aſſeſſment hath been omitted therein, it ſhall be lawful for the ſaid Guardians, or any Committee thereof, with the Privity of ſuch Juſtices as ſhall have allowed ſuch Rate or Rates, to add or cauſe to be added to ſuch Rate or Aſſeſſment the Name or Names of the Perſon or Perſons ſo omitted, together with the Sum for which he, ſhe, or they ought to be ſo rated; and the Amount of ſuch Rate or Aſſeſſment in reſpect thereof, and every ſuch Addition made to any of the ſaid Rates, ſhall be as valid and effectual in Law to all Intents and Purpoſes as if the ſame had been inſerted in the Rate at the Time the ſame was firſt made out.

Guardians may remit Rates on account of Poverty.

XVIII. And be it further enacted, That it ſhall be lawful for the ſaid Guardians, at any Court or Aſſembly, or Committee, by and with the Conſent of Two Juſtices of the Peace, and they are hereby empowered, upon the Complaint or Requeſt of any Perſon or Perſons ſubject to the Payment of any Rate or Rates, Aſſeſſment or Aſſeſſments, to be made by virtue of this Act or the ſaid recited Act, who ſhall think himſelf, herſelf, or themſelves aggrieved thereby, or incompetent to pay the ſame, to mitigate, reduce, or leſſen the ſame, as they in their Diſcretion ſhall think juſt and reaſonable, and alſo to remit or excuſe the Payment thereof on account of the Poverty or Indigence of any Perſon or Perſons liable to pay the ſame, ſo complaining or requeſting the Remiſſion of ſuch Rate or Rates, Aſſeſſment or Aſſeſſments.

Juſtices to have Power to admit Paupers into the Work-houſe.

XIX. And be it further enacted, That it ſhall and may be lawful to and for any One or more of His Majeſty's Juſtices of the Peace for the ſaid City or Pariſhes, to order and direct any poor Perſon or Perſons to be received into the Workhouſe of the ſaid City, there to be provided for until the next Court, or Aſſembly, or Committee of the ſaid Guardians; which Order or Orders the Maſter of the ſaid Workhouſe is hereby required to obey, any Bye Law or Order made by the ſaid Guardians to the contrary notwithſtanding.

Puniſhment of Perſons who buy or take in pawn Property.

XX. And be it further enacted, That if any Perſon or Perſons ſhall knowingly buy, pawn, or receive into pawn, or ſecrete any of the Clothes or Wearing Apparel of any of the Poor who are or ſhall be received into and maintained in the Workhouſe of the ſaid City, or any of the Goods or Materials carried into the Workhouſe to be wrought up, manufactured, or uſed by the Poor there, or any of the Goods and Furniture of the ſaid Workhouſe, or ſhall knowingly receive or buy any of the Proviſions allotted to or provided for the Poor in the ſaid Workhouſe, or ſhall be aiding or aſſiſting therein, every Perſon ſo offending ſhall forfeit for every ſuch Offence a Sum not exceeding Five Pounds, upon Conviction upon the Oath of One credible Witneſs, or Confeſſion of the Party offending, before Two or more Juſtices of the Peace acting in and for the ſaid City, or the County, Liberty, or Place where ſuch Offence or Offences ſhall be committed, which Penalty ſhall be levied by Warrant, under the Hands and Seals of the ſaid Juſtices, by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, and One Moiety of ſuch Penalty ſhall be paid to the Informer or Informers, and the other Moiety to the Receiver of the ſaid Guardians, to be applied by him as the ſaid Guardians ſhall direct, in aid of the Rates for the Relief of the Poor of the

ſaid

said City, and if no Goods or Chattels can be found whereon to make such Distress, or if the said Penalty shall not be forthwith paid, then and in such Case such Justices shall and may by Warrant under their Hands and Seals commit such Offender or Offenders to the Gaol or House of Correction for the said City, County, Liberty, or Place, there to be kept to Hard Labour for any Time not exceeding Three Calendar Months, unless such Penalty and all Expences shall be sooner paid and satisfied; provided that nothing in this Act contained shall prevent such Offender or Offenders from being proceeded against according to the Laws now in force, in case such Offender or Offenders shall not have been previously prosecuted to Conviction for such Offence or Offences under and by virtue of this Act.

Paupers may be removed by Beadles instead of Overseers.

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

Paupers removed from One Parish, and coming to reside in another within the same Jurisdiction, to be treated as Vagrants.

XXII. And be it further enacted, That in case any poor Person or Persons, Vagrant or Vagrants, who shall be removed from any of the said Parishes within the Jurisdiction of the said Guardians, to the Place of his, her, or their legal Settlement, shall return to, or come into or reside in any other of the said Parishes, such legal Settlement not being within any of the said Parishes, without producing a Certificate or Certificates owning him, her, or them to be a Parishioner or Parishioners of the Place or Places to which he, she, or they shall have been removed (unless the Order or Orders of Removal shall have been quashed), such Person or Persons shall be liable to be apprehended and punished in like Manner as if he, she, or they had returned to the Parish or Parishes from which he, she, or they shall have been removed, any Law, Custom, or Usage to the contrary notwithstanding.

President to have the casting Vote.

XXIII. And be it further enacted, That at every Court or Committee of the said Guardians, ordinary or extraordinary, to be holden by virtue of this Act, or of the said recited Act, the said Guardians shall vote by Ballot, in case the same is desired by any Two or more of the said Guardians then present, and in case of an equal Number of Votes upon any Question, by Ballot or otherwise, the President, or, in his Absence, the Deputy President shall have the Casting Vote, notwithstanding

ſtanding the Vote of ſuch Preſident, or Deputy Preſident, ſhall have been previouſly given upon ſuch Queſtion.

Orders to be entered in Books, and good Evidence.

XXIV. And be it further enacted, That all Bye Laws, Acts, Orders, and Proceedings of the ſaid Guardians, at their Courts or Aſſemblies or Committees, ſhall be entered in a Book or Books to be kept by their Clerk, and ſigned by the Clerk for the Time being; and all Bye Laws, Acts, Orders, and Proceedings ſhall then be deemed and taken to be Original Bye Laws, Acts, Orders, and Proceedings, and ſuch Book and Books ſhall and may be produced and read in Evidence in all Courts whatſoever of all ſuch Bye Laws, Acts, Orders, and Proceedings.

Entries of Proceedings under the former Act good Evidence.

XXV. And be it further enacted, That all and every Book and Books in which any Entries or Entry of any Bye Laws, Acts, Orders, and Proceedings of the ſaid Guardians, under the ſaid recited Act, do or doth or ſhall appear recorded, ſhall be and be deemed good and ſufficient Evidence of ſuch Bye Laws, Acts, Orders, and Proceedings in any Court whatſoever.

No Order to be revoked except at an extra General Court.

XXVI. And be it further enacted, That no Order made by the ſaid Guardians at any Court, or Extraordinary General Court of the ſaid Guardians, ſhall be revoked or altered, unleſs at ſome Extraordinary General Court to be holden for that Purpoſe (of which Seven Days Notice ſhall be given, expreſſing the Purpoſe for which ſuch Extraordinary General Court is called), and unleſs a Majority of the ſaid Guardians ſhall be preſent at ſuch Extraordinary General Court.

No Gratuity beyond 5l. to be given without an Order of Court.

XXVII. And be it further enacted, That no Sum or Sums of Money exceeding the Sum of Five Pounds ſhall be paid or allowed out of the Monies to be raiſed and levied by virtue of this Act, or the ſaid recited Act, by way of Gratuity or increaſed Salary to any Officer or Servant of the ſaid Guardians, unleſs at an Extraordinary General Court, whereof Three Days Notice ſhall be given, and in which Notice the Purpoſe for which ſuch Court is called ſhall be expreſſed.

Accounts to be entered in a Book.

XXVIII. And be it further enacted, That the ſaid Guardians ſhall cauſe Books of Account to be kept of and for the Uſe of the ſaid City and Pariſhes, containing a full and true Statement of Accounts of all Monies received and paid by them, diſtinguiſhing when, and of and to whom, and for what all and every ſuch Monies were received and paid, and an Account of all their Debts and Credits, and an Account of all the Paupers from Time to Time inhabiting the Workhouſe of the ſaid City and Pariſhes, and of all the other poor Perſons from Time to Time receiving Relief from them, and an Account of the Rates and Aſſeſſments from Time to Time made by them, and of the Monies from Time to Time collected therefrom, and the Deficiencies from Time to Time in the Collection thereof, and an Account of all other Matters and Things relating to or concerning the Receipt and Expenditure of the ſaid Guardians.

Guardians to print Accounts Yearly.

XXIX. And be it further enacted, That the ſaid Guardians of the Poor ſhall, within Two Months after the Thirtieth Day of *June* in each Year, cauſe their Receiver or ſome other fit Perſon or Perſons to tranſcribe from the Books of Account kept by them, of and for the Uſe of the ſaid City and

and Parishes, a full and true Abstract of the Accounts of all the Monies received and paid by them during the preceding Year up to the Thirtieth Day of *June*, distinguishing for what such Monies were received and paid, and shewing in what Sum the Guardians, at the Expiration of the Year, were in Debt or entitled to Credit; and which Abstract of the Accounts shall contain an Account of the Number of Paupers at the End of each Calendar Month during the Year inhabiting in the Workhouse of the said City, and of the Numbers of all other Persons relieved during such preceding Year, distinguishing casual from other Relief, and also an Account of all Rates made, and of the Deficiencies in the Collection thereof during such preceding Year; and the said Guardians shall cause such Abstract of the Accounts to be printed; and every Person rated to the Relief of the Poor of the said City and Parishes shall, on Application, receive One such Abstract of the Accounts from the Receiver to the said Guardians.

Inhabitants deemed not incompetent Witnesses.

XXX. And be it further enacted, That in all Actions, Prosecutions, Informations, Examinations, Causes, and Proceedings whatsoever relating to or concerning the Execution of this Act, or of the said recited Act, no Inhabitant of the said City or Parishes shall be deemed incompetent to give Evidence by reason of his or her being rated or assessed by virtue of this Act, or the said recited Act, any Law, Custom, or Usage to the contrary notwithstanding.

Powers of former Act extended.

XXXI. And be it further enacted, That the said recited Act and all and every the Clauses, Powers, Provisoes, Penalties, Forfeitures, Articles, Matters, and Things therein contained (save and except such Part and Parts thereof as are hereby altered, varied, or repealed, and so much thereof as authorized the Infliction of Corporal Punishment on any poor Person or Persons within the Workhouse or House or Houses of Correction of the said City), shall be in full Force and Effect, and shall be as good, valid, and effectual to all Intents and Purposes whatsoever, for carrying this Act into Execution, or otherwise in relation thereto, as if the same had been repeated and re-enacted in the Body of this Act.

Costs of Act how to be defrayed.

XXXII. And be it further enacted, That all Costs, Charges, and Expences of passing this Act, and all other Charges incident to the obtaining thereof, or incurred in relation thereto, shall be borne, paid, and defrayed out of the First Monies which shall arise or be collected out of any Rate or Assessment made, or to be made, for the Relief of the Poor of the said City and Parishes, or out of the Monies now in, or which may hereafter come into the Hands of the said Guardians of the Poor, or their Treasurer or Receiver, or any or either of them.

Public Act.

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

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