appointed or to be appointed, under this Act or under any Act or Acts now in force, to keep Order in the Court of the Vice Chancellor to be appointed under the Authority of this Act, shall be of such Amount, not exceeding the yearly Sum of Eighty Pounds, as the Lord Chancellor may think reasonable; and such Salary shall be paid to each such Person so to be appointed, out of the same Funds, and at the same Time, and in like Manner as the Salaries of like Persons have heretofore been paid.

Rights and Establishments of the present Masters to continue until released in pursuance of this Act.

LVIII. Nothing herein contained shall in anywise prejudice or affect the Title of the present Masters in Ordinary of the said Court to the Salaries payable to them as such Masters unless and until they shall be respectively released under this Act or the Power of the Lord Chancellor to order a Retiring Allowance to any of them or any of their Clerks who may be or become afflicted with some permanent Infirmity disabling him from the due Execution of his Office, and who shall be desirous of resigning the same; and every of the present Masters in Ordinary of the said Court, until released under this Act, shall have the same Establishment of Clerks, whose Salaries and Compensations shall be payable out of the same Funds as the Salaries and Compensations of their Clerks are now payable; and all the Expenses attending the Establishment of the Masters Offices shall be paid in like Manner as such Expenses are now paid.

Nothing to affect Rights, &c. of Accountant General as Master in Ordinary.

LIX. Nothing herein contained shall prejudice or affect the Rights, Duties, or Privileges of the Accountant General of the said Court of Chancery as a Master in Ordinary of the said Court, or any Salary or other Payment payable to the said Accountant General as such Master in Ordinary, or his Right or Title to any Retiring Allowance under any Act or Acts of Parliament now in force, nor shall the said Accountant General be called upon or required to do or perform any Duties or Services as such Master in Ordinary, other than such as are now usually performed by him.

The retiring Lord Chancellor may deliver written Judgments within Six Weeks after his Resignation.

LX. 'Whereas it has frequently happened that after Cases have been fully heard by the 'Lord Chancellor in the Court of Chancery and are standing for Judgment, the Lord 'Chancellor has delivered up the Great Seal without being able, by reason of other urgent 'public Business, to deliver Judgment therein, and much Inconvenience and Expense to the 'Parties has been thereby occasioned:'

For Remedy thereof be it enacted, That in every such Case it shall be lawful for the Person who has so delivered up the Great Seal, within Six Weeks after he shall have delivered up the same, to give in to the Registrar of the said Court a written Judgment therein, signed by him; and a Decree or Order, as the Case may require, shall be drawn up in pursuance of such Judgment; and every such Decree or Order shall have the same Force and Effect as if the Judgment in pursuance whereof it is drawn up had been given in open Court the Day before he shall have so delivered up the Great Seal.

Construction of Terms.

LXI. In the Construction of this Act the Expression "Her Majesty" shall mean the Sovereign for the Time being; and the Expression "Lord Chancellor" shall mean also and include the Lord Chancellor, Lord Keeper and Lords Commissioners for the Custody of the Great Seal of the United Kingdom for the Time being.

CAP. LXXXI.

An Act to consolidate and amend the Statutes relating to the Assessment and Collection of County Rates in *England* and *Wales*. [30th *June* 1852.]

'WHEREAS it is expedient that the Laws relating to the assessing and Collection of 'County Rates should be amended, and that the Statutes now in force relating to that 'Subject should be consolidated into One Act:' Be it therefore enacted by the Queen'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,

I. That

Repeal of 12 G. 2. c. 29. 13 G. 2. c. 18. 37 G. 3. c. 65. 55 G. 3. c. 51. 56 G. 3. c. 49. 57 G. 3. c. 94. 1 & 2 G. 4. c. 85. 1 W. 4. c. xlviii. 4 & 5 W. 4. c. 48. 8 & 9 Vict. c. 111. 12 & 13 Vict. c. 65.

I. That from and after the passing of this Act so much of an Act passed in the Twelfth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for the more easy assessing, collecting, and levying of County Rates*, as provides the Mode of assessing and collecting County Rates, and so much of an Act passed in the Thirteenth Year of His said late Majesty, intituled *An Act to continue several Laws therein mentioned, for punishing such Persons as shall wilfully or maliciously pull down or destroy Turnpikes, for repairing Highways, or Locks or other Works erected by Authority of Parliament for making Rivers navigable*, and for other Purposes, as extended the Powers of Justices of the Peace of Counties touching County Rates to the Justices of the Peace of such Liberties and Franchises as have Commissions of the Peace within themselves, and an Act passed in the Thirty-seventh Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for empowering the Justices of the Peace for the County of* Middlesex, *at their General or Quarter Sessions of the Peace, to make a fair and equal County Rate for the said County*, and an Act passed in the Fifty-fifth Year of the Reign of His said Majesty, intituled *An Act to amend an Act of His late Majesty King* George *the Second, for the more easy assessing, collecting, and levying of County Rates*, except as to the Provision in the said Act, Clause Seventeen, relating to the Allowance to the County Treasurer, and an Act passed in the Fifty-sixth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to explain and amend an Act passed in the last Session of Parliament, for the more easy assessing, collecting, and levying of County Rates*, and an Act passed in the Fifty-seventh Year of His said late Majesty, intituled *An Act to amend an Act of the last Session of Parliament, for the more easy assessing of County Rates*, and an Act passed in the Session of Parliament holden in the First and Second Years of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to explain and amend several Acts relating to the assessing, levying, and collecting the County Rates*, and an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to alter and amend the several Acts now in force for the assessing, collecting, and levying of County Rates, so far as the same relate to the County of* Middlesex, and an Act passed in the Session of Parliament holden in the Fourth and Fifth Years of the Reign of His said late Majesty King *William* the Fourth, intituled *An Act to regulate the Expenditure of County Rates and Funds in aid thereof*, and an Act passed in the Session of Parliament holden in the Eighth and Ninth Years of the Reign of Her present Majesty Queen *Victoria*, intituled *An Act to amend the Laws relating to the assessing of County Rates*, and also so much of the Act passed in the Session of Parliament held in the Twelfth and Thirteenth Years of Her Majesty, intituled *An Act to provide a more convenient Mode of levying and collecting County Rates, County Police Rates, and District Police Rates in Parishes situated partly within and partly without the Limits of Boroughs which are not liable to such Rates*, as provided that the Overseers of Parishes or Places separately maintaining its own Poor, and divided in the Manner in the said Act mentioned, should collect the County Rates leviable on the Part of the Parish or Place not comprised within the Borough, shall be and the same are hereby repealed, save and except so far as they or any of them repeal any other Act, and save also so far as they or any of them provide for or relate to any Matter or Thing other than the County Rate.

Justices at Sessions to appoint Committees for preparing a Basis or Standard for assessing County Rates.

II. From and after the passing of this Act, it shall be lawful for Her Majesty's Justices of the Peace of every County in *England* and *Wales*, assembled at their General or Quarter Sessions of the Peace or at any Adjournment thereof, from Time to Time, as often as they may deem it necessary, to appoint any Number of Justices, not exceeding Eleven in Number nor less than Five, to be a Committee for the Purpose of preparing a Basis or Standard for fair and equal County Rates, such Basis or Standard to be founded and prepared rateably and equally according to the full and fair annual Value of the Property, Messuages, Lands, Tenements, and Hereditaments rateable to the Relief of the Poor in every Parish, Township, Borough, or Place, whether parochial or extra-parochial, within the respective Limits of the said Justices Commissions, or which in any Place within such Limits not maintaining its own Poor would be liable to be rated for the Relief of the Poor if such last-mentioned Place were a Parish, or of altering and amending such Basis or Standard from Time to Time as Circumstances may require; provided that in Counties containing or which may hereafter contain more than Eleven Petty Sessional Districts or Divisions, the Committee so appointed

may be extended to a Number equal to the Number of Petty Sessional Divisions, in order that One Justice may be selected from the Justices usually acting in each such Petty Sessional Division, if the same shall appear convenient in the Opinion of the Justices appointing such Committee.

Meetings of Committee.

III. The Committee so appointed shall hold their First Meeting after their Appointment at such Time and Place as shall be fixed by the said Court of General or Quarter Sessions, and their subsequent Meetings at such Times and Places as they shall themselves appoint for carrying this Act into execution; and at every Meeting of the said Committee, if Three or more Members thereof are present, they shall be competent to act, as fully and effectually as if all the Members of the said Committee were present.

Committee may appoint a Clerk.

IV. Such Committee may from Time to Time, as they may see fit, appoint a Clerk to assist them in the Execution of their Duties under the Provisions of this Act, and may at any Time remove such Clerk, and appoint another in his Stead.

Committees may require Returns of the annual Value of the Property in any Parish liable to be assessed, with the Date of the last Valuation.

V. For the Purpose of preparing such Basis or Standard for fair and equal County Rates the said Committee, by their Order in Writing, to be signed by their Clerk, may from Time to Time, as often as they may deem it necessary, direct the Overseers of the Poor, Constables, Assessors, and Collectors of public Rates of or for any Parish, Township, Borough, or Place within the County, and all other Persons having the Custody or Management of any public or parochial Rates or Valuations of any such Parish, Township, or Place, to make Returns in Writing to the said Committee, at such Times and Places as they may appoint, of the Amount of the full and fair annual Value of the whole or of any Part of the Property within the Parish, Township, or Place liable to be assessed toward the County Rate, together with the Date of the last Valuation for the Assessment of such Parish, and the Name of the Surveyor, or if no Surveyor, then the Name or Names of the Person or Persons by whom and the Manner in which the said Valuation was made; and the Overseers of the Poor required to make any such Return in respect of any Parish, Township, or Place maintaining its own Poor, and the Constable or other Person required to make any such Return in respect of any Place not maintaining its own Poor, shall, before they present the same to the said Committee, lay the same before a Vestry Meeting of the Parish, Township, or Place for which they act, or, where no Vestry Meeting is held, before some other Meeting of the Inhabitants of such Place, if any such there be, at which the public Business of such Place is commonly transacted.

Such Returns to be laid before a Vestry Meeting previous to their being presented to the Committee.

Meaning of "full and fair annual Value."

VI. For the Purposes of preparing any such Basis or Standard for assessing any County Rate, the Words "full and fair annual Value" shall be taken to mean the net annual Value of any Property as the same is or may be required by Law to be estimated for the Purpose of assessing the Rates for the Relief of the Poor.

Committees empowered to inspect Rates, Assessments, Valuations, &c.

VII. The said Committee may from Time to Time, as often as they may deem it necessary, by their Order in Writing, signed as aforesaid, require the said Overseers of the Poor, Constables, Assessors, Collectors, and any other Persons whomsoever, to appear before them, when and where and as often as the said Committee may deem expedient, and to produce all parochial and other Rates, Assessments, Valuations, Apportionments, and other Documents in their Custody or Power relating to the Value of or Assessment on all or any of the Property within the several Parishes and Places aforesaid which may be liable to be assessed toward the County Rate, and to be examined on Oath, and answer such Questions as the said Committee may put to them respectively touching the said Rates, Assessments, Valuations, or Apportionments, or the Value of the Property aforesaid; and the said Commitee shall be authorized and empowered to administer such Oath, and to examine the Parties upon Oath as aforesaid; and moreover it shall be lawful for such Committee in the like Cases from Time to Time to cause Copies of the total Amount assessed in each Parish, Township, or Place in respect of any Aids or Taxes payable to Her Majesty, Her Heirs or Successors, and the total Amount of the Valuation of the Property on which such Assessments were made in any Year then elapsed, to be made out by the Clerk to the Commissioners of each District within the Limits of the Jurisdiction of such Justices.

55 G. 3. c. 51.

VIII. Every

VIII. Every Overseer of the Poor, Constable, Assessor, Collector, or other Person so required to make Returns, or to appear as aforesaid, who shall, without any reasonable Excuse, neglect to make such Returns in Writing as aforesaid, or wilfully make any false Return, and every Person who shall neglect or refuse to appear when required so to do as aforesaid, or to be sworn or examined, or to produce such Documents as herein-before provided, shall forfeit a Sum not exceeding Twenty Pounds, to be prosecuted for and recovered by Order of the said Committee before any Two of Her Majesty's Justices of the Peace.

Penalty on Overseers or others refusing to attend or produce Documents.

IX. That the said Committee may from Time to Time, and so often as they may think fit, by their Order in Writing, to be signed as aforesaid, direct that the whole or any Part of any Parish, Township, or Place within the County shall be valued, and may appoint One or more Person or Persons to make such Valuation; and the Person or Persons so appointed may at all reasonable Times, and with or without Assistants, enter upon, view, examine, survey, and measure all and any Lands, Houses, or other Property within such Parish, Township, or Place liable to be assessed toward the County Rate, in order to ascertain the Value at which the same ought respectively to be charged.

Committees may cause new Valuations to be made.

X. If any Overseers or other Persons neglect to make any such Return in Writing as aforesaid, or wilfully make any false Return or Statement of the Amount of the full and fair annual Value of the Property within the Parish, Township, or Place liable to be assessed towards the County Rate, any Court of General or Quarter Sessions of the Peace, upon the Report of the said Committee, may order that the whole of the Expenses incurred by the said Committee in ascertaining the Amount of the full and fair annual Value of the same shall be charged upon the Parish, Township, or Place of which the Overseers or other Persons have been guilty of such Neglect or Misconduct as aforesaid, in addition to the Proportion of the County Rate to be paid by such Parish, Township, or Place; and such Expenses shall be raised, levied, and collected by such and the like Ways and Means as County Rate can or may be raised, levied, and collected, and shall be paid therewith, due Distinction being made, in the Case of every such additional Assessment, between the Sum or Sums charged for any such Expenses and the Sum or Sums assessed for the County Rate.

If Parish Officers, &c. neglect to make Returns, or make false Returns, Expenses of Valuations to be paid by Parishes.

XI. In any Case where any Committee appointed as aforesaid have directed the whole or any Part of any Parish, Township, or Place to be valued, and where in the Basis or Standard of Rate afterwards allowed and confirmed by any Court of Quarter Session upon the Report of such Committee, such Parish, Township, or Place is rated on a Sum greater than the Sum set forth in the Returns made to such Committee by the Overseers of the Poor, Constable, or other Person required to make such Return in any Place not maintaining its own Poor, if there be no Appeal made, and prosecuted with Success, against the Basis or Standard for the Rate on such Parish, Township, or Place, at the Quarter Session holden next after such Confirmation or Allowance of such Basis or Standard, the Justices of the Peace at such Session shall order the Overseers, Constable, or other Person as aforesaid of such Parish, Township, or Place, to pay the Amount of the Expenses incurred in making such Valuation; and in any such Case as aforesaid, if there be an Appeal to the Justices of the Peace at any Quarter Session against such Basis or Standard, on the Ground that such Parish, Township, or Place is rated on a Sum beyond the fair annual Value of the Property therein, and if on such Appeal, such Basis or Standard is confirmed as to such Parish, Township, or Place, or if it be not reduced to or below the Sums set forth in the Returns made to such Committee as aforesaid, the Justices of the Peace at such Session shall order the Overseers, Constable, or other Person as aforesaid of such Parish, Township, or Place to pay the Amount of the Expenses incurred in making the Valuation under the Direction of the Committee; and such Expenses shall be raised, levied, and collected by such and the like Ways and Means as County Rate can or may be raised, levied, and collected, and shall be paid therewith, due Distinction being made, in the Case of every such additional Assessment, between the Sums charged for or on account of any such Expenses and the Sum or Sums assessed as and for the County Rate.

Costs of Valuations directed by Committee.

Allowances and Compensation to Persons employed in the Execution of this Act.

XII. The said Committee from Time to Time may make such Allowances and Compensations to their Clerk, and to the Overseers, Constables, Collectors, Surveyors, and other Persons employed in the Execution of this Act, as to them shall appear reasonable and proper, which, together with the Costs of printing and other Expenses necessarily incurred by the said Committee in or about the preparing or amending any such Basis or Standard for County Rates, shall be paid, by an Order of the Court of General or Quarter Sessions of the Peace, out of the County Stock.

When Committee have prepared a Basis for a County Rate differing in Value from the preceding, they shall cause it to be printed and distributed to the acting Justices, Overseers, &c.

Overseers to submit proposed Basis to Vestry Meeting.

XIII. When and so soon as the Committee appointed as aforesaid have prepared any such Basis or Standard of County Rate in which the total Amount of the annual Value of the Property in any Parish or Place within the County is estimated at a greater or less Amount than in the last-preceding Basis or Standard, they shall cause such last-prepared Basis or Standard to be printed in such Form as they may think proper, and shall forthwith cause to be sent, by the General Post or otherwise, One Copy of the same to every acting Justice of the Peace for the County, and to the Overseers of the Poor, Constables, or other Persons charged with the Collection or Levy of the County Rate in every Parish and Place within such County; and such Overseers of the Poor, Constables, or other Persons shall within Twenty-one Days after the Receipt of such Copy, call a Vestry or other Meeting of such Parish or Place, and shall submit the said Copy to such Meeting; and any Person rated to the Relief of the Poor, or liable to contribute to the County Rate, in such Parish or Place, may at all reasonable Times inspect and examine the said Copy whilst the same remains in the Custody of any such Overseer, Constable, or other Person, and take Extracts or Copies therefrom, without the Payment of any Fee for the same.

Notice of the Time within which Objections may be made to the proposed Basis to be sent to the Overseers.

XIV. Together with a Copy of such proposed Basis or Standard there shall also be sent by the said Committee to the Overseers of the Poor or Constable of every such Parish or Place, or other Person as aforesaid, a Notification of a reasonable Time, not less than One Calendar Month after the Date of such Notice, within which any Objections to the proposed Basis or Standard may be forwarded to the said Committee by such Overseers or Constable or other Person as aforesaid, or by any Person affected by such Basis or Standard; and the said Committee shall fix and give due Notice of a Time and Place when and where such Objections will be taken into consideration by the said Committee, and for hearing the Parties making such Objections.

Notice to be given when Basis will be taken into consideration by Court of General or Quarter Sessions.

XV. When any proposed Basis or Standard for a County Rate has been finally corrected and approved of by the said Committee, they shall lay the same before the Court of General or Quarter Sessions holden next thereafter, and such Court shall thereupon order public Notice to be given, in One or more of the Newspapers usually circulated within the County, that such Basis or Standard will be taken into consideration at the then next General or Quarter Sessions of the Peace to be held for the said County; and at such last-mentioned General or Quarter Session of the Peace the Court shall proceed to take the same into consideration, and to alter and amend the same as to them may seem proper, and, if they think fit, to allow and confirm the said Basis or Standard, or, instead of making any Alteration in the said Basis or Standard, or of allowing and confirming the same, to refer back the said Basis or Standard for Amendment to the said Committee, and to adjourn the Consideration thereof to some future General or Quarter Session of the Peace, or any adjourned Quarter Session; and in such last-mentioned Case the said Committee shall have the same Powers and Authorities for requiring Returns and ascertaining the Value of Property liable to be assessed toward the County Rate, in order to the revising or amending of the said Basis or Standard so referred, as are herein-before given to them for preparing the same; and all the Clauses and Provisions herein-before contained for preparing any Basis or Standard shall be applicable in every respect to the Revision or Amendment of the same; and any Amendment or Alteration by the said Committee of such Basis or Standard so referred shall be reported and taken into consideration at the General or Quarter Session of the Peace, or any adjourned Quarter Session to which the Consideration thereof was adjourned; but before any such Alteration or Amendment made by the said Committee of the said Basis or Standard so referred be allowed or confirmed by the Court of General or Quarter Session of the Peace or adjourned Quarter Sessions, the said Committee shall send at least Fourteen Days previous Notice

Notice thereof, by Post or otherwise, to every Parish and Place with respect to which such Alteration or Amendment is made.

Basis to be deemed valid after Confirmation by Court of General or Quarter Sessions.

XVI. When the Court of General or Quarter Session or Adjourned Quarter Session of the Peace have so allowed and confirmed any Basis or Standard for a County Rate, the same shall be taken to be made and established, and shall be valid, legal, and effectual, to all Intents and Purposes, notwithstanding any Irregularity may have arisen in the making thereof, and notwithstanding the Officers of any Parish or Place may have omitted to make the Returns herein-before mentioned, subject nevertheless at all Times to Appeals against the same, as herein-after provided; and the said Court shall cause Copies of the said Basis or Standard, after Allowance and Confirmation, to be printed, and shall direct One of such Copies to be sent to every acting Justice of the Peace for the County, and One Copy to the Overseers of the Poor, Constable, or other Person charged with the Collection and Levy of the County Rate in every Parish and Place within the said County; and such Basis or Standard, so confirmed, shall be deemed and taken to be the Basis or Standard and the Proportion in which all Assessments of the County Rate shall thenceforth be made, subject to such Alterations as may be necessary in consequence of any Appeal, or the Recommendation of the County Rate Committee, as herein-after enacted: Provided always, that any Basis or Standard now in force or hereafter to be allowed and confirmed shall continue to be in force and to be acted upon, subject to any Alteration to be made by reason of any Appeal or otherwise, as in this Act provided for such Alteration, until a new Basis or Standard for a County Rate shall have been made and established under this Act.

Appeal against Basis.

XVII. If at any Time after the said Basis or Standard has been allowed, confirmed, and made as aforesaid, any Overseer or Overseers of the Poor, or other Person charged with the Collection and Levy of County Rate in any Parish or Place, or Inhabitant or Inhabitants thereof, have Reason to think that such Parish, Township, or Place is aggrieved by any such Basis or Standard, whether it be on account of some One or more of such Parishes, Townships, or Places being without sufficient Cause omitted altogether from the said Basis or Standard, or on account of such Parish, Township, or Place being rated on a Sum beyond the full and fair annual Value of the Property therein liable to be assessed toward the County Rate, or on account of some other Parish or Parishes, Township or Townships, Place or Places, being rated on a Sum less than the full and fair annual Value of the Property therein liable to be assessed toward the County Rate, such Overseer or Overseers of the Poor, Constable, or other Person, or Inhabitant or Inhabitants, may appeal to the Justices of the Peace for the County at any Quarter Sessions to be holden after the Sessions at which such Basis or Standard was allowed and confirmed, against such Part only of the said Basis or Standard as may affect the Parish or Parishes, Township or Townships, Place or Places which appear to be over-rated or under-rated, or omitted altogether from the said Basis or Standard as aforesaid (subject to the Provisions herein-after contained); and if in any Case where any Overseer or Overseers, Constable, or other Person as aforesaid of One Parish or Place appeals against the Basis or Standard of Rate on any other Parish or Place, on account of the same being altogether omitted from such Basis or Standard, or on account of the same being rated at less than the full and fair annual Value thereof as aforesaid, such Overseer or Overseers, Constable, or other Person shall give Twenty-one Days Notice in Writing previous to the First Day of the said Session at which such Appeal shall be made, of the Intention to appeal, and of the Cause and Matter thereof, to the Overseers of the Poor, or where there are no such Overseers to the Person charged with the Collection and Levy of County Rate in such other Parish or Place, and if in any Case where any such Overseer or Overseers, Constable, or other Person appeal against the said Basis or Standard on the Ground that any Parish, Township, or Place is rated on a Sum beyond the full and fair annual Value of the rateable Property therein, such Overseer or Overseers, Constable, or other Person shall give Twenty-one Days Notice thereof in Writing, with the Cause and Matter thereof, to the Clerk of the Peace of the County, the said Justices shall be empowered to hear and determine such Appeal in manner by this Act directed, and either to confirm such Parts of the Basis or Standard as have been appealed against, or to correct such Inequalities or Omissions as shall be proved to exist therein, in such Manner as to them the said Justices may appear fair, just, and equitable; but no such Basis or Standard shall upon any Appeal be quashed or destroyed, in

Notice of Appeal.

regard

regard to any other Parish, Township, or Place, unless in Cases where the Justices of the Peace in Quarter Sessions assembled, or the major Part of them, deem it necessary to proceed to the making of an entire new Basis or Standard, and where they proceed therein according to the Provisions of this Act.

Hearing and determining Appeals.

XVIII. It shall be lawful for the Court of Quarter Session of the Peace, upon any such Appeal, instead of hearing the said Appeal, to adjourn the same, and to order, upon the Application of the Appellant or Respondent in such Appeal, a Survey and Valuation of any of the Parishes, Townships, or Places, or any Parts thereof, in respect of or relating to which any such Appeal shall be made, and to fix the next or some subsequent Session for receiving such Survey and Valuation, and for hearing and determining the said Appeal, and such Court shall also thereupon appoint a proper Person or Persons to make such Survey and Valuation; and the Person or Persons so appointed shall for that Purpose have full Power, with or without Assistants, to enter upon, view, and examine, survey, measure, and value all and any Lands, Houses, and Property liable to be assessed toward the County Rate within the Parishes, Townships, and Places mentioned in such Order; and such Survey and Valuation shall be reported to the Quarter Session, or Adjournment, fixed as aforesaid for receiving the same; and the Court then and there assembled shall hear and determine the said Appeal in the Manner herein-before set forth.

Sessions to determine Costs of Appeal and of Valuation ordered by Sessions.

XIX. The Charges and Expenses of and attending any Survey and Valuation ordered to be made by any Court of Quarter Sessions in such Appeal as aforesaid shall be deemed Costs in such Appeal, and abide the Event thereof; and the Court before which any such Appeal is heard and determined may order the Costs in and about such Appeal to be paid by either Party, Appellant or Respondent, as they in their Discretion may think fit; but where any Appeal is made on the Ground that any Parish, Township, or Place is rated on a Sum beyond the full and fair annual Value of the Property therein, if the Court before which such Appeal is heard determine in favour of the Appellants, such Court shall ascertain the Costs and Charges incurred by such Appellants in and about such Appeal, and shall order the Treasurer of the County Rates to pay the same to such Appellants out of the public Stock of the County in his Hands.

Committee may revise Basis or Rate from Time to Time.

XX. Although no Appeal shall be made as aforesaid, it shall be competent to any Committee appointed as herein-before provided, and upon being so required by the Court of General or Quarter Sessions, from Time to Time to revise any such Basis or Standard for a County Rate being then in force in any County, for the Purpose of meeting any partial Changes that may have occurred in the rateable Value of Portions of the Property liable to be assessed, and to call for Information, and to exercise all the Powers herein-before authorized, and if, after due Inquiry and Investigation, it shall seem fit to such Committee to alter such Basis or Standard, they shall forthwith give Notice in Writing of such Alteration to any Parish or Place whose Basis or Standard they propose to alter, whether by diminishing or increasing it, and shall, upon some Day to be named in such Notice, hear and decide upon any Objection that may be made by any Person on behalf of such Parish or Place: and upon the Decision of such Committee as aforesaid to alter such Basis or Standard, they shall report such Alteration to the next or some subsequent General or Quarter Sessions, having given to each Parish or Place whose Basis or Standard is altered by such Report Notice thereof in Writing not less than Ten Days previous to such Sessions, and the Justices assembled thereat, after hearing the Objections, if any, that may be made by any Person duly authorized to represent any such Parish or Place, may make such Order as to them shall appear just for ascertaining and deciding upon such proposed Alteration, and any Order so made shall be binding upon all Parties concerned.

Justices in General or Quarter Sessions to make a fair and equal County Rate, whenever Circumstances appear to require it.

XXI. From and after the passing of this Act, it shall be lawful for the Justices of the Peace of the several Counties, or Divisions of Counties in *England* and *Wales*, assembled at their General or Quarter Sessions, or at any Adjournment or Adjournments thereof, and they are hereby authorized and empowered, whenever Circumstances shall appear to require it, to order and direct a fair and equal County Rate to be made, for all the Purposes to which the County Stock or Rate is now or shall hereafter be made liable by Law, according to the Basis or Standard for the Time being in force in such County or Division of a County; and for

for that Purpose to assess and tax every Parish, Township, and other Place, whether parochial or extra-parochial, within the respective Limits of their Commissions, or within such Divisions, rateably and equally, according to a certain Pound Rate (to be from Time to Time fixed and publicly declared by such Justices), upon the Basis or Standard hereinbefore mentioned, of the full and fair annual Value of the Property, Messuages, Lands, Tenements, and Hereditaments rateable to the Relief of the Poor therein, or which in any Place not maintaining its Poor would be liable to be rated for the Relief of the Poor if the said last-mentioned Place were a Parish, any Law or Statute to the contrary thereof notwithstanding; and the Justices of the Peace shall in all Cases where the same may be necessary appoint proper Persons within such extra-parochial or other Places for the assessing, taxing, and rating such Extra-parochial Property, Messuages, Lands, Tenements, and Hereditaments, and levying, collecting, and paying over such Assessment, Taxes, or Rates.

Parishes aggrieved may appeal.

XXII. If the Churchwarden or Churchwardens, Overseer or Overseers of the Poor, or other Inhabitant or Inhabitants of any Parish, Township, or Place, whether parochial or otherwise, where there is no Churchwarden or Overseer, or Person appointed to act as such, shall at any Time thereafter have Reason to think that such Parish, Township, or Place is aggrieved by any Rate or Assessment now existing, or hereafter to be made upon the Basis or Standard herein-before mentioned, either in pursuance of this Act or of any Act or Acts now in force, whether it be on account of the Proportions assessed upon the respective Parishes, Townships, or Places being unequal, or on account of some One or more of them being without sufficient Cause omitted altogether from the Rate, or on account of such Parish, Township, or Place being rated at a higher Proportion of the Pound Sterling according to the fair annual Value of the rateable Property therein, or on account of some other Parish or Parishes, Township or Townships, Place or Places being rated at a lower Proportion of the Pound Sterling according to the fair annual Value of the rateable Property therein than has been fixed and declared by the Justices of the Peace of the said County in Sessions assembled as the Basis of the Rate of the said County, or on account of the altered State of the Value of the Property assessed, or any Part thereof, or shall have any other just Cause of Complaint whatsoever, it shall be lawful for such Churchwarden or Churchwardens, Overseer or Overseers of the Poor, or other Inhabitant or Inhabitants where there is no Churchwarden or Overseer, or Person appointed to act as such, to appeal to the Justices of the Peace for the County at the next Quarter Sessions of the Peace after such Cause of Appeal shall have arisen, against such Part of the Rate only as may affect the Parish or Parishes, Township or Townships, Place or Places which are unequally rated, or which shall appear to be over-rated or under-rated, or omitted altogether from the Rate: Provided always, that Fourteen clear Days Notice in Writing previous to the First Day of such last-mentioned Quarter Sessions shall be given by the Parties intending to appeal to the Parties against whose Rate the Appeal is to be made, also to the Clerk of the Peace of the County, and the Hundred Constable, of the Grounds of such Appeal and the Intention to try such Appeal at such Quarter Session of the Peace; and the said Justices are hereby empowered to hear and finally determine the same, and either to confirm such Parts of the Rate as have been appealed against, or to correct such Inequalities, Disproportions, or Omissions as shall be proved to exist therein, as well in respect of the Basis or Standard as in the Assessment of the Rate made thereon, in such Manner as to them the said Justices shall appear fair, just, and equitable, anything in this Act, or any former Act or Acts, or any Law, Usage, or Custom, to the contrary thereof notwithstanding: Provided nevertheless, that upon such Appeal no such Rate shall be quashed or destroyed in regard to any other Parish, Township, or Place, unless in Cases where the Justices of the Peace of any County in Quarter Sessions assembled, or the major Part of them, shall deem it necessary to proceed to the making of an entire new Rate, and shall proceed therein, according to the Provisions of this Act.

Rate to be raised, notwithstanding Appeals, until Determination of Justices. 57 G. 3. c. 94. s. 2.

XXIII. From and after the passing of this Act, the County Rate or Rates made upon any Parish, Township, or Place (whether extra-parochial or otherwise) shall be paid, and shall and may be levied, recovered, and received, notwithstanding any Appeal or Appeals may have been made to the Quarter Sessions of the Peace against any such Rate or Rates, and such Rate or Rates shall continue to be raised, levied, and received until the Decision

In case Justices order Rate to be set aside, decreased, or lowered;

Decision of the Justices shall be made upon such Appeal or Appeals: Provided always, that if upon the Hearing of any such Appeal or Appeals the Court of Quarter Sessions of the Peace shall order any Rate or Assessment to be set aside, decreased, or lowered, and it shall appear to the said Court that any Parish, Township, or Place have or hath, previously to the Determination of such Appeal or Appeals, paid any Sum or Sums of Money in consequence of such Rates or Assessments which ought not to have been paid or charged therein, then and in every such Case the said Court shall order such Proportion of such Sum or Sums of Money as shall have been so paid by any Person or Persons, Parish, Township, or Place, subsequently to the Notice which shall have been given of such last-mentioned Appeal or Appeals, to be repaid and returned to the Person or Persons, Parish, Township, or Place which have or hath paid the same respectively, out of the General Rate of the County in which the Cause of Appeal shall have arisen.

Money paid subsequent to the Time of Appeal to be returned out of the General County Rate.

Expenses of Appeals or Proceedings at Law shall be paid in such Proportions as the Justices or Courts of Law shall award.

XXIV. Save as herein-before otherwise provided, in case of any Appeals, Actions, Suits, or Proceedings at Law respecting anything done in pursuance of this Act, or any other Act or Acts relating to the County Rate, the Expenses of all such Appeals, Actions, Suits, or Proceedings at Law shall be borne and paid by such respective Parishes, Townships, Places, and Persons, or such of them, and in such Proportions, as the said Justices shall, as they are hereby authorized to do, upon any Appeal, in their Quarter Sessions award and order, or as such Courts wherein such Actions, Suits, or Proceedings shall be instituted shall, as they are hereby authorized to do, adjudge and order.

Costs may be awarded upon Notices of Appeal not prosecuted.

XXV. And for the more effectual preventing of frivolous Appeals, be it enacted, That the Justices of the Peace in their Quarter Sessions assembled, upon Proof before them there to be made of Notice of any Appeal having been given as herein-before authorized by any Churchwarden or Churchwardens, Overseer or Overseers, or other Person or Persons (though he or they did not afterwards prosecute such Appeal), shall and may at the same Sessions award and order to the Party to whom such Notice shall appear to have been given, such Costs and Charges as by the said Justices in their Discretion shall be thought reasonable and just to be paid by the Churchwardens, Overseers, or any other Person by whom such Notice shall have been given.

Justices of the Peace shall send Precepts directly to Guardians of Unions for the Payment of County Rates.

XXVI. When and as often as the Justices of the Peace within the respective Limits of their Commissions in *England* have made a County Rate, a printed List of the Parishes and Places assessed to such Rate, and the Amount of the rateable Value upon which each such Parish and Place shall have been respectively assessed, shall be sent to the Overseers of the Poor, Constables, or other Persons charged with the Collection or Levy of the County Rate in every Parish and Place within the County, and such Justices, assembled at their General or Quarter Sessions or at any Adjournment thereof, shall order Precepts in the Form shown in the Schedule annexed to this Act, or as near thereto as may be, to be issued to the Guardians of every Union of Parishes, of which Union any Parish is situate within such Limits, stating the Sum or Sums assessed and charged for each such Rate on each Parish in the Union, the whole of which Parish is situate within such Limits, and to the Guardians of every single Parish situate within such Limits, stating the Sum or Sums assessed and charged on such Parish for each such Rate, and requiring the Guardians of such Union or Parish respectively, within such Time as may be limited in such Precepts, to cause the aggregate of the said several Sums so stated to be paid by them, out of the Monies held by them on behalf of each such Parish, to the Treasurer of the County or Place for which such Justices act, and may cause such Precepts to be sent, by Post or otherwise, to such Guardians; and such Precepts shall have Force in every such Union, so far as concerns such Parishes as are within the Limits of the Commission of the said Justices, notwithstanding that the Place of Meeting of such Guardians may not be situated within such Limits, and without being endorsed with the Signature of any Justice of the Peace having ordinary Jurisdiction in the Place of Meeting of the Guardians; and such Guardians shall raise the Monies required by such Precepts to be paid in like Manner as the Money required by such Guardians for the Relief of the Poor, and shall pay such Monies at the Time limited and in the Manner prescribed by such Precepts; and if the Treasurer of such Guardians, or any Person on his or their Behalf, tender to the Treasurer of the County or Place for which such Justices

Guardians to pay such Rates.

County Treasurer to receive the same.

Justices act the aggregate of the said several Sums, or if he so tender the whole Sum assessed on any such Parish or Parishes in respect of any such Rate or Rates, together with a Copy of such Precept in which are specified the Parish or Parishes and the Rate or Rates in respect of which the same is so tendered, the Treasurer of the County shall receive the Sum so tendered, notwithstanding that the Sums required to be paid on behalf of other of such Parishes or of other of such Rates be not then tendered, and shall give a Receipt for the Sum or Sums received by him accordingly, but he shall not receive any Sum on behalf of any such Parish less than the whole of the Sum assessed and charged thereon in respect of One such Rate; and the Receipt of the Treasurer of such County or Place shall be a good Discharge for the Payment of the Sum specified in any such Precept or of any of them.

If the Guardians fail to pay such Rates, the Justices may issue Warrants to Overseers of Parishes, &c. to pay the same.

XXVII. In case Guardians do not pay within the Time limited in such Precept the Sum or Sums of Money therein required to be paid on behalf of any Parish, the said Justices assembled as aforesaid may cause to be issued and sent, by Post or otherwise, to the Overseers of the Poor of such Parish, or to the Petty Constable or Peace Officer, or other Person or Persons empowered in any Place to rate and levy the Monies assessed as such County Rate, Warrants to collect and pay to the Treasurer of the County or Place in which such Justices act, within a Time to be named and limited in such Warrants, the Rate or Rates charged on such Parish or Place respectively, together with an Addition to such Rate or Rates in the Proportion of One Shilling to every Ten; and such additional Sum shall be applied and disposed of in like Manner as the County Rate; and such Overseers of the Poor, Petty Constables, Peace Officers, or other Persons may reimburse themselves, as well for such additional Sums as for the original Amount of Rate or Rates, out of the Monies which they are respectively empowered to rate and levy for the Purpose of such County Rate, but shall not receive or take from the County Rate, or any other Rate, any Allowance or Compensation for their Trouble or Expenses incurred in collecting, levying, or paying such County Rate.

If the Overseers, &c. fail to pay, the Justices may levy the Rate by Distress and Sale.

XXVIII. If any Overseer, Petty Constable, Peace Officer, or other Person as aforesaid refuse, make default, or neglect to pay to the Treasurer of the County or Place within the Time limited as aforesaid, the Sum or Sums of Money specified in the said Warrants, and if the Clerk of the Peace or Treasurer of the County or Place make Complaint thereof, then any Justice of the Peace of such County or Place may by Warrant under his Hand levy the same by Distress and Sale of the Goods of the Offender; and the Justices assembled as aforesaid may pay to any Clerk, Constable, Messenger, or other Person who may have been employed in making such Complaint, or in obtaining, drawing, or executing such Warrant, such reasonable Compensation out of the County Stock as to the said Justices may seem fit.

Parishes not in arrear with Contributions to be reimbursed by those which ar in arrear.

XXIX. In every Case where any Parish comprised in an Union has, on or before the Day on which any Precept as aforesaid should be obeyed, contributed Money sufficient to enable the Guardians of the Union to pay any Sum or Sums required by such Precept in respect of such Parish, as well as to provide for the immediate Relief of the Poor of such Parish, and to satisfy all other Obligations of the said Guardians in respect of such Parish in force on that Day, and where, through the Default of any other Parish or Parishes in the same Union in contributing Money to such Guardians, or through the Neglect of such Guardians to demand sufficient Contributions from any other Parish or Parishes in the same Union, the said Guardians have applied the Money of such first-mentioned Parish to the Use of such other Parish or Parishes, and are thereby rendered unable to pay any Money so required by such Precept on behalf of such first-mentioned Parish, and such Parish is by reason thereof compelled to pay the additional Sum of One Shilling in every Ten, as herein-before provided, in every such Case the Guardians of the Union shall reimburse such first-mentioned Parish such additional Sum, and all Costs incurred by reason of the Premises, out of the Monies of such other Parish or Parishes which may next thereafter come into the Hands of such Guardians; and in case more than One Parish be in default as aforesaid the said Guardians shall charge such additional Sum and Costs to every such Parish, in proportion to the Amount of the Deficiency of the Contribution of each Parish respectively on the Day on which the said Precept should have been obeyed.

Justices may issue Precepts to Overseers of Parishes, &c. not comprised in Unions or only partly within the Jurisdiction of the Justices.

XXX. In the Case of every Parish not comprised within any Union, and in which the Laws for the Relief of the Poor are not administered by a Board of Guardians, and in the Case of every Parish comprised in a Union the Guardians of which are not empowered to relieve the Poor, and in the Case of any Parish comprised within a Union, or in which the Laws for the Relief of the Poor are administered by a Board of Guardians, of which Parish a Part only is situated within the Limits of the Commission of any Justices, for which Part no separate Rate is levied for the Relief of the Poor, or where there are no separate Churchwardens or Overseers of the Poor, or where no separate or distinct Rate is made and collected for the Relief of the Poor of any Division or Part of any Parish, Township, or Place situated in and extending into Two or more Counties, Ridings, or Divisions, and in the Case of every Place not maintaining its own Poor, but liable to the Payment of County Rates as aforesaid, the Justices assembled as aforesaid may, so soon as any Vacancy occurs in the Office of High Constable, issue their Warrant to the Overseers, Petty Constables, Peace Officers, or other Persons empowered by Law to rate and levy County Rates in such Parish, Part of a Parish, or Place, to pay to the County Treasurer, or to transmit to him in such Manner as the said Justices may from Time to Time direct, within a Time limited in such Warrant, the County Rate, as aforesaid charged on them, without the Agency or Intervention of any High Constable, and such Justices may cause such Warrant to be sent by Post or otherwise; and in case the said Overseers, Petty Constable, Peace Officer, or other Person refuse or neglect to pay any such Rate within the Time limited in such Warrant, the same Remedy may be had against them as is herein-before provided against Overseers, Petty Constables, Peace Officers, or other Persons refusing, making default, or neglecting to pay to the Treasurer of the County or Place, within the Time limited, the Rate or Rates charged upon any Parish in Union, and omitted to be paid by the Guardians of such Union, in compliance with the Precept issued by the Justices as aforesaid.

Powers of Act to extend to Places where there are no separate Churchwardens, &c., or where no separate or distinct Poor Rate is made for any Place extending into Two or more Counties, &c.

XXXI. 'Whereas there are several Parishes, Townships, Hamlets, and Places situated 'in and extending into Two or more Counties, Ridings, or Divisions having separate and 'distinct Commissions of the Peace, Part of such Parishes, Townships, Hamlets, and other 'Places being situated in One County, Riding, or Division, and other Part or Parts thereof 'in another County or other Counties, Riding or Ridings, Division or Divisions, and the 'Messuages, Lands, Tenements, and Hereditaments, situated in such Parishes, Townships, 'Hamlets, or other Places are rateable to the Relief of the Poor therein, and to the County 'Rates of the respective Counties, Ridings, or Divisions in which such Messuages, Lands, 'Tenements, and Hereditaments are respectively situated, but the Constables, Churchwardens, and Overseers are appointed for the whole of such Parishes, Townships, Hamlets, 'or Places, and it frequently happens that such Constables, Churchwardens, and Overseers 'are resident in One Division of such Parishes, Townships, Hamlets, or other Places, and 'that there are no Constables, Churchwardens, or Overseers residing in the other Division 'thereof, or within the Limits of the Jurisdiction of the Justices making such County 'Rate or Rates, whereby considerable Difficulties have in such Cases arisen in raising the 'County Rates in such Divisions:' For Remedy whereof, be it enacted, That from and after the passing of this Act all and every the Powers and Provisions, Clauses, Pains, Penalties, and Forfeitures, given, granted, provided, made, or imposed by this Act, shall extend, and be deemed, construed, and taken to extend, to all Cases and Places as aforesaid where there are no separate Churchwardens or Overseers of the Poor, or where no separate or distinct Rate is made and collected for the Relief of the Poor of any such Division or Part of any Parish, Township, or Place situated in and extending into Two or more Counties, Ridings, or Divisions as aforesaid; and that all and every the Constables, Churchwardens, and Overseers of any such Parishes, Townships, Hamlets, or other Places as are situated in and extend into Two or more Counties, Ridings, or Divisions having separate and distinct Commissions of the Peace as aforesaid shall be subject to the Precepts, Warrants, Orders, and Directions of the several Justices of the Peace for the respective Divisions or Parts of such Parishes, Townships, Hamlets, or other Places, so far as the same may relate to the making of the Returns herein-before required, and the assessing, levying, and collecting of the Proportion of the County Rate for such respective Divisions or Parts of such Parishes, Townships, Hamlets, or other Places, or otherwise to the Execution of this Act,

Act, within the Parts of such Parishes, Townships, Hamlets, or other Places as shall be situated within the Limits of the Jurisdiction of the Justices making and issuing such Precepts, Orders, Warrants, and Directions, and shall be subject to the same Fines, Penalties, and Forfeitures for Neglect and Disobedience of the Precepts, Warrants, Orders, and Directions of such Justices, so far as the same shall relate to the Matters aforesaid or any of them, or otherwise to the Execution of this Act as such Constables, Churchwardens, and Overseers, or other Officers would by the Laws now in force be subject and liable to if such Constables, Churchwardens, Overseers, or other Officers had resided within the Limits of the Jurisdiction of the Justices making and issuing such Precepts, Warrants, Orders, and Directions: Provided always, that nothing herein contained shall extend, or be construed, deemed, or taken to extend, to authorize any Justice or Justices of the Peace to act in the Cases aforesaid or any of them beyond the Limits of the Jurisdiction within which he or they shall be generally appointed and authorized to act as such Justices.

Justices not to act beyond their Jurisdiction.

XXXII. That where any Parish or Place separately maintaining its own Poor shall be divided, so that a Part is comprised in a Borough not subject to contribute to the County Rate, while the Part out of the Borough is liable to contribute thereto, and any County Rate shall be assessable upon the Part of the Parish or Place which is comprised within the County and excluded from the Borough, the Overseers of such Parish or Place shall, on Receipt of any Precept or other lawful Demand from the Justices of the County, or other due Authority in that Behalf, demanding the Payment of any Sum of Money as the Contribution of the Part of such Parish or Place out of the Borough towards any such Rate as aforesaid, with all convenient Speed assess the Sum so required upon the Persons liable within such Part of the Parish or Place to pay the Poor Rate therein, by means of a separate Rate, to be made, allowed, and published in like Manner as the Poor Rate, and either by themselves or by the Collector of Poor Rates for the Time being appointed for the said Parish or Place shall collect the same separately or with the Poor Rate payable by the Parties assessed thereto, and for the Purposes of assessing and collecting the same shall have all such Powers, Authorities, Privileges, Protections, and Incidents as belong to them in the assessing and Collection of the Poor Rate; and all Provisions of the Law for enforcing the Collection of the Poor Rate, and recovering the Costs of the Proceedings therein, shall be applicable to the Collection of the Rate or Rates herein last above mentioned and provided for.

The Overseers of Parishes situated partly within Boroughs and partly without to collect the County Rates leviable on the Part of the Parish not comprised within the Borough.

XXXIII. That any Person assessed to any Rate made under the Authority of the Provisions last herein-before contained may appeal against the same, in like Manner, and with the like Consequences in all respects, and subject to the same Provisions and Regulations, as in Appeals against the Poor Rate; and that every Overseer and Collector shall account for the Money levied, collected, and expended under the Authority of this Act to the Auditor of the District comprising such Parish or Place, in like Manner as for the Poor Rate, and if any Balance be found to be in his Hands shall apply the same towards the next County Rate required for the like Purpose of this Act, or shall pay the same to his Successor in Office; and in default of his so applying the same while in Office, or making Payment to his Successor within Seven Days after the Balance shall have been found, such Auditor shall proceed to recover the same from the Person holding the same, in like Manner as Sums certified by him to be due from Persons accounting shall from Time to Time be recoverable, and he shall be paid his Costs and Expenses, when not recovered from the Defendant, by the then Overseers of the Parish or Place, who shall be reimbursed out of the Balance of such Rate, or, if need be, out of the next Rate.

Appeal against the Rate, and Audit of the Accounts.

XXXIV. That where a Precept shall be issued to the Guardians of the Union comprising any such Parish or Place, under the Provisions in that respect herein-before contained, and such Precept shall contain a Sum to be assessed and charged in respect of any such Rate as is herein provided for upon a Part of such Parish or Place as aforesaid, the said Guardians may require the Overseers of such Parish or Place to pay to their Treasurer a Sum of Money sufficient to enable the said Guardians to pay the Sum so assessed, with the other Sums mentioned in the said Precept, to the Treasurer of the County or other Person lawfully authorized to receive it; and the said Overseers shall pay the Amount out of

Mode of procuring the Funds when the Precept is sent to the Guardians of the Union comprising the divided Place.

of any Monies in their Possession belonging to the Parish or Place, or to the Part of such Parish or Place respectively, and reimburse themselves, if necessary, by a Rate, to be levied as herein-before described, upon the Persons liable thereto, or, if they have no such Monies, shall forthwith proceed to levy and collect the requisite Amount by such Rate, and pay the same over to the Treasurer of the said Guardians: Provided nevertheless, that if such Overseers make default, and do not make the requisite Payment within the appointed Time, they shall be subject to be proceeded against in like Manner as the Overseers of a Parish wholly situated within the County are subjected to under the Provisions of this Act.

Where the Amount required for the County or other Rate is small, the making of the Rate for Reimbursement may be postponed.

XXXV. That where the Amount required in respect of any such County Rate from any Part of such Parish or Place as last aforesaid shall, in the Judgment of such Overseers, be so small as to render the levying and collecting of a separate Rate for it inconvenient, the Overseers may postpone the Reimbursement of themselves for any such Advance as aforesaid, and they or their Successors may afterwards, on the Recurrence of the next Precept or other lawful Demand, or of that next but One, levy and collect such a Rate as aforesaid to raise the whole Amount so previously advanced and unsatisfied out of the Poor Rates of the Parish, as well as the Amount required by the then Precept or Demand, and shall apply the Sum so collected in Reimbursement of the previous Payments, and the Satisfaction of such Precept or Demand, and shall apply the Balance, if any, towards the Discharge of the next Precept or Demand.

Mode of Collection where the Office of High Constable has not become vacant.

XXXVI. Provided always, That in any County in which the Office of High Constable of any Hundred shall be held for Life, or during good Behaviour, the Collection of the County Rate shall continue to be collected by means of such High Constable, until any Vacancy occurs in the Office by the Expiration of his Appointment, or otherwise; and the Precepts herein-before provided for the Collection of such Rate shall, as to the Districts within which such High Constable shall act, be directed to such High Constable, ordering and requiring him to issue his Warrants to the respective Overseers of the Poor within his Division, to levy, collect, and pay to the said High Constable, within the Time to be named and limited in the Warrant to be issued from the Sessions as aforesaid, all such Rate or Rates, Assessment or Assessments so ordered to be paid, which each High Constable shall and he is hereby directed and required to pay, at such Time as shall be specified in such Warrant, to the Treasurer of the County for the Time being, to be applied and disposed of in such Manner and for such Purposes as the County Stock or Rate is now applicable or may hereafter be made applicable by Law; and in case any Overseer or Overseers of the Poor, or other Person appointed to act as such, under the Provisions of this Act, in any of the several Parishes, Townships, or Places, whether parochial or otherwise, within the Hundred or Division for which the said High Constable shall act, liable to pay the same, shall neglect, make default, or refuse to pay the same, within the Time to be specified and limited as aforesaid, to the High Constable of the Division within which such Overseer or Overseers or other Person or Persons so liable and neglecting to pay shall reside or be appointed to act, it shall and may be lawful for any Justice of the Peace of the said County, upon Complaint thereof made by any such High Constable, by Warrant under the Hand and Seal of any such Justice, to levy the same by Distress and Sale of the Offender's Goods; and the Overseer or Overseers of any Parish, Township, or Place, whether parochial or otherwise, or other Person or Persons appointed to act as such Overseer or Overseers, shall and may and is and are hereby empowered to levy and raise, by an equal Rate or Assessment upon all and every the several Estate and Property rateable to the Relief of the Poor within their respective Parishes, Townships, or Places, whether parochial or otherwise, such Sum and Sums of Money as shall be required and necessary in order to raise the several Sums assessed upon such Parishes, Townships, or Places respectively, or to reimburse such Overseer or Overseers or other Person or Persons as aforesaid such Sum or Sums of Money as they shall respectively have paid on account of the same, such Rate or Assessment to be paid by the Occupier or Occupiers for the Time being of such Estates and rateable Property as aforesaid.

High Constable to give Security.

XXXVII. That the Justices of the Peace of the said several Counties are hereby authorized and empowered to demand and take, whenever they shall think fit, good and sufficient Security, to be approved of by the said Justices in General or Quarter Sessions assembled,

assembled, from the High Constables employed in the Collection and levying the Rates; and that if any such High Constable, upon being so called upon by the said Justices, shall neglect or refuse to give such Security as shall be approved by them, it shall then be lawful for the said Justices of the Peace in General or Quarter Sessions assembled to order and direct the Churchwardens and Overseers of the Poor, or other Persons appointed to collect and levy the Rates of any Parish, Township, or Place, to pay the Quota which shall be assessed thereupon toward the County Rate to the Treasurer of the County, Division, or Place in which such Parish, Township, or Place shall be situate; and the Receipt of such Treasurer shall be a sufficient Discharge for the same.

Mode of enforcing Repayment by Borough Treasurers of Money expended by Counties out of the County Rates as provided by 5 & 6 W. 4. c. 76. ss. 114. & 117.

XXXVIII. 'Whereas by an Act passed in the Fifth and Sixth Years of the Reign 'of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation 'of Municipal Corporations in* England *and* Wales, it is thereby enacted, that the Treasurer 'of every County in *England* and *Wales* should keep an Account of all Costs arising out of the 'Prosecution, Maintenance, and Punishment, Conveyance and Transport of all Offenders com-'mitted for Trial to the Assizes in such County from any Borough in which a separate Court 'of Quarter Sessions of the Peace should be holden, and likewise of all Sums received in aid 'or on account of the County Rate, and expended out of the County Rate for other Purposes 'than the Costs before mentioned, and should, not more than Twice in every Year, send a 'Copy of the said Accounts to the Council of every such Borough, and should make Orders 'on the Council of every such Borough for the Payment of the Sums chargeable upon the 'same, and the Council of such Borough should forthwith order the same, with all reasonable 'Charges of making and sending the said Account, to be paid to the Treasurer of such 'County out of the Borough Fund: And whereas it is expedient to provide, as near as 'may be, one uniform Remedy to recover County Rates, and the Orders of the County 'Treasurer upon the Councils of Boroughs from the Guardians or Overseers and Councils 'of Boroughs respectively, when the same are not paid within a Time limited:' Be it therefore enacted, that it shall and may be lawful for any Two Justices of the Peace for the County, upon the Complaint or Information of the Treasurer of the same County, to be made or taken One Calendar Month after the Issue of any Order or Orders upon the Council of any Borough by the same County Treasurer, to cause to be issued and sent to the Treasurer of any such Borough a Warrant ordering such Borough Treasurer to pay to the Treasurer of the same County, over and besides the Sum or Sums mentioned in the first-named Order or Orders, the additional Sums named in such Warrant, the same being calculated in the Proportion of One Shilling to every Ten on the respective Sums named in the said original Order or Orders; and until Payment thereof the County Treasurer shall have, in respect of such Warrants, all the Powers for the Recovery thereof, as are given against any Guardian or Overseer for the Recovery of County Rates and Surcharges under and by virtue of this Act: Provided always, that nothing in this Act contained shall extend to render any such Borough, or any Property situated therein, liable to be assessed or to contribute to County Rate, save as in the said recited Act is mentioned and contained, and as herein-before expressly provided.

Delivery of Precepts, &c. by Post, and Evidence thereof.

XXXIX. Whenever Precepts or Warrants, as provided by this Act, are to be sent by Post, the Clerk of the Peace shall send every such Precept or Warrant by Post as a registered Letter, according to the Regulations of the Postmaster General in force for the Time being in that Behalf; and every Precept or Warrant delivered or tendered as a registered Letter at the Address of the Person to whom it is addressed, whether a Receipt be given for the same or not, shall be deemed to have been served on the Person to whom the same was so delivered or tendered; and if delivered or tendered to the Clerk or other like Officer acting for any Guardians, shall be deemed to have been served on the whole of such Guardians; and if delivered or tendered to any One Overseer of a Parish, shall be deemed to have been served on the whole of the Overseers of such Parish.

Justices in General or Quarter Sessions to appoint Justices to fix and de-

XL. The Justices of the Peace of Counties, and Ridings and Divisions and Parts of Counties, and other Places of distinct and separate Jurisdiction, in that Part of *Great Britain* called *England*, assembled at their several and respective General or Quarter Sessions of the Peace, or at any Adjournment thereof, shall be and they are hereby authorized and required,

in

termine Boundaries between Counties, Ridings, Divisions, or Parts of Counties, and other Places of distinct and separate Jurisdiction.

in any Case in which any Question or Doubt does or shall exist or shall have arisen, or may in the Judgment of the said Justices be likely to arise, as concerning any Boundary between any Counties, Ridings, Divisions, or Parts of any County, or other Places of distinct and separate Jurisdiction for which they respectively act as such Justices, to nominate and appoint Two Justices of the Peace of each such County, Riding, Division, or Parts of any County, or other Places of distinct and separate Jurisdiction between which the Boundary is required to be ascertained, for the Purpose of fixing and determining such Boundary, and the Clerks of the Peace, Town Clerks, and other proper Officer of the several and respective General or Quarter Sessions of the Peace at which such Justices shall be appointed, shall forthwith give Notice to each other and to such Justices of such Appointment, and the Justices so appointed shall in every such Case, as soon as may be after their Appointment, meet and proceed to ascertain the Boundary upon such Evidence as can be obtained by them, or as they shall deem necessary for that Purpose, either by Examination of Witnesses upon Oath (which Oath any One of the said Justices is hereby empowered to administer), or of any Maps, Plans, Surveys, or any other Records, or Documents, or in such other Manner as they the said Justices so appointed shall think requisite, and it shall be lawful for such Justices, or for any Person authorized under the Hand of any Three or more of such Justices, to enter upon any Lands, Grounds, or Premises, for the Purpose of examining the same, or making any Measurement, Maps, or Plans thereof, for the Purposes aforesaid; and it shall be lawful for the said Justices to summon any Witnesses to be examined in that Behalf, and to impose any Penalty or Forfeiture not exceeding Ten Pounds upon any Witness who shall, without reasonable Excuse, refuse or neglect to attend to be examined upon any such Summons; and such Justices shall thereupon fix, ascertain, and determine the Boundary so referred to them to be ascertained, and shall cause the Boundary so fixed and determined to be laid down on Two Maps or Plans, to be signed by the said Justices so appointed as aforesaid, which shall be deposited with the Clerks of the Peace, Town Clerks, or other proper Officer for the Counties, Ridings, Divisions, or Parts of Counties, or other Places of distinct and separate Jurisdiction between which such Boundary shall be so fixed and determined, and which Maps and Plans shall be kept amongst the Records of their respective Sessions, and shall be received as Evidence of such Boundaries; and such Boundaries so fixed and determined shall be and be deemed the Boundaries between the respective Counties, Ridings, Divisions, or Parts of Counties, or other Places of distinct and separate Jurisdiction, for which the same shall have been so ascertained, for all the Purposes of this Act, and the carrying the Provisions thereof into execution, anything contained in any other Act or Acts of Parliament relating to such Counties, Ridings, Divisions, or Parts of such Counties, or other Places of distinct and separate Jurisdiction, or any Law, Usage, or Custom, to the contrary notwithstanding.

Appointment of new Justices.

XLI. If any of the Four Justices so appointed as aforesaid, or who shall be appointed in manner herein-after mentioned, shall, before the Execution of all the Powers and Authorities hereby in them respectively vested, die, decline, or refuse to act, or become incapable of acting, the Justices of the Peace of Counties, Ridings, Divisions, and Parts of Counties, and other Places of distinct and separate Jurisdiction, assembled at their several and respective General or Quarter Sessions of the Peace or at any Adjournment thereof from which such Justice so appointed or to be appointed shall die, decline, refuse to act, or become incapable of acting, shall and they are hereby authorized and required to appoint another Justice in the Room of him so dying, declining, refusing to act, or becoming incapable of acting as aforesaid, and so from Time to Time as often as any Justice so to be appointed as last aforesaid shall die, decline, or refuse to act, or become incapable of acting; and every Justice to be appointed as aforesaid shall have the like Power and Authority as the Justice in whose Place he shall be appointed was invested with by virtue of this Act; and that Notice shall be given by the Clerks of the Peace, Town Clerks, or other proper Officer to such Justice of his Appointment, in manner herein-before directed.

In case of Difference between Justices, a Referee to be appointed to

XLII. If it shall happen that the Justices so appointed to fix, ascertain, and determine the Boundaries as aforesaid shall disagree in Opinion touching the Boundary between any County, Riding, Division, or Parts of any County, or other Place of distinct and separate Jurisdiction, so referred to them under and by virtue of this or the said recited Act, and

there

there shall be an Equality of Votes, so that the said Justices cannot make any Determination thereon, then and in such Case the said Justices, or the major Part of them, shall forthwith appoint under their Hands such Person as they may think proper to act as Referee, which Person so appointed as Referee shall, within Twenty-one Days from the Receipt of such Appointment, fix a Time and Place to meet such Justices; and at such Meeting the said Person so to be appointed as Referee as aforesaid shall, together with the said Justices to whom any Boundary shall be referred to be ascertained as aforesaid, proceed to fix, ascertain, and determine the Boundary about which such Disagreement shall take place amongst them the said Justices, in such and the same Manner and with such and the like Powers in all respects as herein-before expressed, and that the Determination and Decision of the said Justices, and of the Person whom they shall appoint as Referee as aforesaid, or of the major Part of them, shall be for ever binding and conclusive; and that the said Justices, and the Person whom they shall appoint as Referee as aforesaid, or the major Part of them, shall cause the Boundary so fixed and determined to be laid down on Two Maps or Plans, to be signed by the said Justices and the Person so appointed as Referee as aforesaid, or by the major Part of them, which shall be deposited with the Clerks of the Peace, Town Clerks, or other proper Officer as herein-before directed, and kept amongst the Records of their respective Sessions, and shall be received as Evidence of such Boundaries; and such Boundaries so fixed and determined shall be and be deemed the Boundaries between the respective Counties, Ridings, Divisions, or Parts of Counties, or other Places of distinct and separate Jurisdiction for which the same shall have been so ascertained, for all the Purposes of this and of the said recited Act, and the carrying the Provisions thereof respectively into execution, anything contained in any other Act or Acts of Parliament relating to such Counties, Ridings, Divisions, or Parts of such Counties, or other Places of distinct and separate Jurisdiction, or any Law, Usage, or Custom, to the contrary notwithstanding.

meet them, and determine Boundary.

XLIII. Nothing in this Act contained, nor any Proceedings under the same, shall extend or be construed to extend to determine any Question of Boundary for any Purpose except for the Purpose of assessing, collecting, and levying Rates according to the Provisions of this Act and of the said recited Act.

Not to determine Boundary Question, except for Purposes of rating.

XLIV. No Action or Suit shall be brought, commenced, or prosecuted against any Person or Persons for anything done or to be done by virtue of or in pursuance of this Act after Three Calendar Months next after the Fact committed; and every such Action shall be brought and laid in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit shall and may plead, at his, her, or their Election, this Act specially, or the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance or by the Authority of this Act.

Limitation of Actions.

XLV. Every Person who in any Manner wilfully resists or obstructs any Overseer, Collector, Surveyor, or other Person in the Execution of his or their Duty under this Act shall forfeit and pay any Sum not exceeding Five Pounds, to be prosecuted and recovered before any Two or more of Her Majesty's Justices of the Peace for the County wherein the Offence is committed.

Penalty on Persons obstructing Overseers, &c.

XLVI. All Penalties and Forfeitures by this Act authorized to be imposed for any Offence against the same shall, upon Proof and Conviction of the Offences respectively before any Two Justices, as herein-before directed, either by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses (which Oath such Justices are hereby authorized to administer), be levied, together with the Costs attending the Information, Summons, and Conviction, by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hands of the Justices before whom the Party may have been convicted, or, on Proof of such Conviction, by a Warrant under the Hands of any Two Justices (which Warrant such Justices are hereby empowered and required to grant); and the Overplus (if any), after such Penalties and Forfeitures, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner of such Goods and Chattels; and if upon the Return of such Warrant it appear that no sufficient Distress can be had thereupon, then it shall be lawful for any such Justices as aforesaid, by Warrant under

Penalties and Forfeitures, Costs and Charges, may be levied by Distress and Sale of Offender's Goods.

Committal.

under their Hands, to cause such Offender to be committed to the Common Gaol or House of Correction of the County where the Offender may be or reside, there to remain without Bail or Mainprize for any Term not exceeding Three Calendar Months, unless such Penalties and Forfeitures, and all reasonable Charges attending the same, be sooner paid and satisfied; and the said Penalties and Forfeitures, when recovered, shall be paid to the Treasurer of the County in which such Offence may have been committed or Forfeiture incurred, to be applied in aid of the Rates of the said County.

Application of Penalties.

Counties where Rates have been regulated by particular Acts authorized to make use of the Provisions of this Act.

XLVII. 'And whereas several Acts have passed and are now in force empowering the 'Justices of the Peace of certain Counties to make fair and equal County Rates within their 'respective Counties:' Be it hereby enacted, That it shall and may be lawful to and for the said Justices respectively, and they are hereby empowered, at any Time and at all Times after the passing of this Act, to proceed in the assessing, levying, and collecting and enforcing the Payment of the County Rate, and in all Matters relating to the equalizing the same, either under the Authority and according to the Provisions and Enactments of this Act, or under the Authority and according to the Provisions and Enactments of the particular Acts affecting their respective Counties, as to them shall seem fit and proper, in all Cases in which the Provisions and Enactments of this Act are not inconsistent with the Provisions and Enactments of such particular Acts.

All Business relating to the Assessment and Application of County Rate shall be transacted in open Court.

XLVIII. That from and after the passing of this Act all Business appertaining to the Assessment, Application, or Management of the County Stock or Rate, or of any Fund or Funds used or applied in aid thereof or contributory thereto, or to any Matter or Things whereby or in respect whereof the said County Stock or Rate is or may be chargeable by Law, which by any Statute or Statutes now in force the Justices of the Peace for that Part of *Great Britain* called *England* are authorized and directed to do and transact at the General or Quarter Sessions, or at any Adjournment thereof, shall be done and transacted publicly and in open Court at such General or Quarter Sessions, or Adjournment thereof, and not otherwise; and that no Order of such Justices relating to the Matters aforesaid shall be binding or effectual unless the said Order shall have been made and the Business relating thereto shall have been done and transacted publicly and in open Court as aforesaid.

Notice thereof to be given.

XLIX. That public Notice shall be given, in Two Newspapers generally circulating in the County, of the Time of holding the General or Quarter Sessions, or any Adjournment thereof, at least Two Weeks before the Time of holding the same, and also of the Day and Hour at which the Business relating to the Assessment, Application, or Management of the County Stock or Rate will commence at such Sessions.

Treasurers of Counties or of Divisions of Counties to publish once in every Year an abstract Account of their Receipts and Expenditures.

L. That the several Treasurers of Counties or of Divisions of Counties shall and they are hereby required, on or before the First Day of *January* in every Year, to send to the several Clerks of the Guardians of every Union of Parishes within the County or Division of the County, and also to publish, in One or more of the Newspapers usually circulating in the County or Division of the County in which they respectively act, a true and accurate Abstract of the Account of their Receipts and Expenditures, under their several Heads, for the Year ending on the Twenty-ninth Day of *September* immediately preceding the Publication of such Abstract, signed by the Justices of the Peace who shall have audited the same; and the Abstracts of such Accounts, made out according to a Form to be settled by One of Her Majesty's Principal Secretaries of State, shall, after they have been submitted to and approved by the several Courts of Quarter Sessions respectively, be transmitted by the Clerks of the Peace of the respective Counties or Divisions of Counties to such Secretary of State; and a Copy of every such Abstract shall be laid before both Houses of Parliament within Six Weeks after the Receipts of the same by such Secretary of State, if Parliament be then sitting, or if Parliament be not sitting, then within Six Weeks of the Meeting thereof.

The Act extended to all Places having separate Commission of the

LI. In the Construction of this Act the Word "County" shall mean and include any Riding or Division having a separate Commission of the Peace, or separate County Treasurer, and any Liberty, Franchise, or other Place in which Rates in the Nature of County Rates may be levied, having a separate Commission of the Peace, and not subject to the

the Jurisdiction of the County or Counties at large in which such Liberty, Franchise, or Place may lie, nor contributing or paying to the County Rates made for such County or Counties at large; and that the Words "County Rate" shall mean and include every Rate or Tax assessed in any County or any Division of a County as aforesaid for all or any of the Purposes to which County Rate or Stock is or may hereafter be made liable.

Peace, and to all Rates of the Nature of County Rates.

LII. The Word "Parish" shall be construed to include any Township, Vill, or Place maintaining its own Poor, whether parochial or extra-parochial, or any Part of a Parish, Township, Vill, or other Place for which a separate Poor Rate may be made; the Word "Union" shall be construed to mean and include any Number of Parishes united under the Act passed in the Fifth Year of the Reign of His late Majesty King *William* the Fourth, "for "the Amendment and better Administration of the Laws relating to the Poor in *England*," or under an Act passed in the Twenty-second Year of the Reign of His late Majesty King *George* the Third, "for the better Relief and Employment of the Poor," or under any Local Act; and the Word "Guardians" shall mean and include any Board of Guardians acting under the Provisions of the said Act passed in the Fifth Year of His late Majesty King *William* the Fourth, and empowered to relieve the Poor of any Parish or Union, and the Visitors, Guardians, Directors, Managers, Acting Guardians, Vestrymen, or other Officers in a Union appointed to act in the ordering of Relief of the Poor from the Poor Rate under any General or Local Act of Parliament; and the Word "Hundred" shall mean and include any Hundred, Wapentake, Ward, or other District in the Nature of a Hundred, by whatever Name denominated.

Construction of the Words "Parish," "Union," "Guardians."

SCHEDULE to which this Act refers.

Form of Precept.

County of to wit. } To the Guardians of the Union.

THESE are to require you, the Guardians of the Union, from and out of the Monies paid into the Hands of the Treasurer of your Union for the Uses and Purposes of the said Union, to pay or cause to be paid, on or before the Day of into the Hands of *A.B.*, Treasurer of the said County, appointed to receive the same, the Sum of being the Amount of the several and respective Sums of Money hereunder set down and expressed opposite to and against the Names of the several Parishes, Townships, or Places comprised within your said Union, the said several Sums being respectively charged and assessed thereon as the Proportion of the several Parishes, Townships, or Places towards the general County Rate, at in the Pound, made at the last Quarter Sessions [*or* General Sessions] of the Peace held at in and for the said County.

[*Signature of the Clerk of the Peace.*]

Names of Parishes.	County Rate, at in the Pound.
	£ s. d.