ANNO NONO

GEORGII IV. REGIS.

****

Cap. xliii.

An Act for repealing an Act of the Twenty-sixth Year of the Reign of King *George* the Second, for the better Relief and Employment of the Poor in the Parish of *East Greenwich* in the County of *Kent*, and for repairing the Highways and cleansing the Streets thereof; and for making more effectual Provisions in lieu of the said Act.

[13th *May* 1828.]

WHEREAS an Act was passed in the Twenty-sixth Year of the Reign of His Majesty King *George* the Second, intituled *An Act for the better Relief and Employment of the Poor in the Parish of* East Greenwich *in the County of* Kent, *and for repairing the Highways, and cleansing the Streets thereof:* And whereas some of the Provisions of the said Act have become unnecessary, and Doubts have arisen as to the Construction of some of the Provisions of the said Act; and it is expedient that the said Act should be repealed, and that other Provisions should be substituted in lieu thereof: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act

26 G.2.c.100.

Recited Act repealed.

the said Act of the Twenty-sixth Year of the Reign of His Majesty King *George* the Second shall be and the same is hereby repealed.

Present Governors and Directors of the Poor continued.

II. And be it further enacted, That from and after the passing of this Act, the Governors and Directors of the Poor of the said Parish of *Greenwich*, appointed by virtue of the Act hereby repealed, shall and may, until Governors and Directors of the Poor be appointed by virtue of this Act, exercise, in conjunction with the Churchwardens and Overseers of the Poor of the said Parish for the Time being, the Powers and Authorities by this Act given to such Governors and Directors, in conjunction with the said Churchwardens and Overseers, and also the Powers and Authorities given to them by an Act passed in the Fourth Year of the Reign of His present Majesty, intituled 4 G. 4. c. 70. *An Act for lighting and watching the Parish and Town of* Greenwich *in the County of* Kent, *and removing and preventing Nuisances therein*, in the same Manner as they might have done if such Governors and Directors appointed by virtue of the said Act hereby repealed had been appointed under this Act; and the Rules, Orders, and Regulations made by virtue of the said Act hereby repealed shall, notwithstanding the Repeal of the said Act, be in force and effect until the same be varied or repealed in pursuance of the Powers given by this Act; and all Estates and Effects which immediately before the passing of this Act were vested in the said Churchwardens, Overseers, and Governors and Directors, for the Purposes of the said Act hereby repealed, and the said Act of the Fourth Year of the Reign of His present Majesty, shall immediately after the passing of this Act be and continue to be vested in the said Churchwardens and Overseers, and in the said Governors and Directors appointed by this Act, and their Successors, for the Purposes of this Act and the said Act of the Fourth Year of the Reign of His present Majesty.

Officers (except the Treasurer) under the repealed Act to continue in Office.

III. And be it further enacted, That nothing in this Act contained shall extend to remove from his Office any Clerk, Collector, or other Officer appointed by virtue of the said Act hereby repealed (except the Treasurer), but every such Clerk, Collector, or Officer shall continue in such Office, and shall discharge the Duties thereof, and shall have as ample Power and Authority to carry this Act into Execution, so far as regards his respective Office, and shall be liable to the same Penalties and Regulations as if he had been appointed by virtue of this Act.

Clerk not to act as Treasurer, and vice versâ.

IV. Provided always, and be it further enacted, That it shall not be lawful for the said Churchwardens, Overseers, and Governors and Directors of the Poor, to continue or appoint the Person who hath been or who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to continue or appoint the Person who hath been or who may be appointed Treasurer, or the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such

Treasurer, to be the Clerk to the Churchwardens, Overseers, and Governors and Directors of the Poor; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk or any Person in the Service or Employ of any such Clerk, or the Clerk or any Person in the Service or Employ of the Partner of any such Clerk, shall act as Treasurer, or shall act as Deputy of such Treasurer, or shall in any Manner officiate for such Treasurer, or being the Partner of any such Treasurer, or the Clerk or any Person in the Service or Employ of any such Treasurer, or the Clerk or any Person in the Service or Employ of the Partner of any such Treasurer, shall act as Clerk in the Execution of this Act, or shall act as Deputy of such Clerk, or shall in any Manner officiate for such Clerk, or if any such Treasurer shall hold any Place or Office of Profit or Trust under the said Churchwardens, Overseers, and Governors and Directors of the Poor, other than that of Treasurer, every such Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Officers under the former Act to account.

V. And be it further enacted, That all Persons who are or have been employed by virtue of the said Act hereby repealed, or of the said Act of the Fourth Year of the Reign of His present Majesty, or who shall have in their Possession any Money, Books, Writings, or other Things relating to the Execution of the same Acts or either of them, or belonging to the said Churchwardens, Overseers, and Parishioners of the said Parish, or to the said Churchwardens, Overseers, and Governors and Directors, shall account for, pay, and deliver over the same, in like Manner and under the like Penalties as are by this Act inflicted upon Persons receiving any Monies, or having the Possession of any Books, Writings, or other Things, by virtue of this Act or the said Act hereby repealed, or the said Act of the Fourth Year of the Reign of His present Majesty.

Contracts and Securities to continue in force.

VI. And be it further enacted, That all Deeds, Contracts, Agreements, and Securities made or entered into for executing the said Act hereby repealed, or any other Act or Acts of Parliament, according to the Provisions of the said Act or Acts, shall remain in full Force and Effect until the same are fully satisfied and performed, notwithstanding the Repeal of the said Act of the Twenty-sixth Year of the Reign of King *George* the Second.

Arrears of Rates under former Act to be recoverable under this Act.

VII. And be it further enacted, That every Person from whom or by whom any Rates or any Arrears of Rates assessed, or any Sum or Sums of Money payable, by virtue of the Act hereby repealed, are due and unpaid at the Time of the passing of this Act, shall remain liable to the Payment thereof in all respects as such Person was liable before the passing of this Act, or would have been liable if the Act hereby repealed had remained in force; and all such Rates and Arrears of Rates, or Sum or Sums of Money, shall be payable and recoverable in

in the same Manner and by the same Means as if such Rates and Arrears of Rates, Sum or Sums of Money, had been assessed or become due by virtue of this Act, and as the Rate, or Sum or Sums of Money, by this Act authorized to be made and received may be recovered by virtue of this Act.

Meetings of Churchwardens, Overseers, and Parishioners.

VIII. And be it further enacted, That from and after the passing of this Act the Churchwardens and Overseers of the Poor for the Time being, and the Parishioners of the said Parish of *Greenwich*, may, for the Execution of their Duty under this Act or any other Act or Acts of Parliament, meet from Time to Time, as often as Occasion may require, in the Vestry Room of the Parish Church, or in some other convenient Place within the said Parish; and they are hereby required to hold One such Vestry Meeting annually upon the Twenty-fifth Day of *March*, or within Fourteen Days next after the said Twenty-fifth Day of *March*, and another such Vestry Meeting on the *Tuesday* in *Easter* Week in each Year, due Notice whereof being given in the Parish Church after Morning Service on the *Sunday* next before such Meeting.

Number of Persons to constitute a Meeting.

IX. Provided always, and be it further enacted, That no Meeting of the said Churchwardens, Overseers, and Parishioners, shall be competent to transact any Business, unless Seven Persons entitled to vote be present at such Meeting.

Adjourned Meetings.

X. And be it further enacted, That any Vestry Meeting of the said Churchwardens, Overseers, and Parishioners, may be adjourned to a future Day; but in case the Adjournment of any Meeting be made to a Day later than the ensuing *Sunday*, Three Days Notice of such Adjournment shall be given in the Parish Church, as is required for ordinary Meetings of the said Churchwardens and Parishioners.

Chairman of Vestry Meetings to be appointed, and to have a casting Vote.

XI. And be it further enacted, That at all Vestry Meetings of the said Churchwardens, Overseers, and Parishioners, where the Vicar of the Parish for the Time being shall be absent, or at which Meetings he, being present, shall decline to take the Chair, the said Churchwardens, Overseers, and Parishioners shall appoint a Chairman; and in every Case where there shall be an Equality of Votes, including the Vote of the Chairman at such Meeting, it shall be lawful for the Chairman to give the casting Vote: Provided always, that it shall be lawful for the Chairman to decline giving any Vote, except when, there being an Equality of Votes, his Vote shall be necessary to the Decision of the Meeting.

Manner of voting in Vestry Meetings.

XII. And be it further enacted, That the Right and Manner of voting in all such Vestry Meetings of the said Churchwardens, Overseers, and Parishioners, shall be regulated and determined in the Manner prescribed by an Act passed in the Fifty-eighth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for the Regulation of Parish Vestries.*

Inhabitants from whom

XIII. Provided always, and be it further enacted, That no Person who shall have refused or neglected to pay any Rate made in pursuance

suance of this Act, or the said Act of the Fourth Year of His present Majesty, which shall be due from and shall have been demanded of him, shall be entitled to vote or to be present at any of such Vestry Meetings, until he shall have paid the said Rates.

Rates are due not to vote.

XIV. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, and Parishioners to appoint from Time to Time such Vestry Clerk, or other Clerks, Treasurers, Collectors, Street Keepers, Scavengers, and other Officers and Servants, as the said Churchwardens, Overseers, and Parishioners think necessary for carrying into Effect any of the Purposes of this Act, or of the said Act of the Fourth Year of the Reign of His present Majesty; and also to remove all or any of such Officers or Servants, and appoint others from Time to Time; and out of the Monies to be received by virtue of the said Acts respectively, to give such Officers, Servants, and other Persons so employed, such Salaries and Allowances as the said Churchwardens, Overseers, and Parishioners may think reasonable, such Allowance to Collectors not to exceed Sixpence in the Pound upon any Monies collected by virtue of this Act, or the said Act of the Fourth Year of His present Majesty: Provided always, that no Election of any such Officer or other Person shall take place at any such Meeting of the Churchwardens, Overseers, and Parishioners, unless there be present at such Meeting Seven Persons at the least qualified to vote.

Officers to be appointed.

Not fewer than Seven Persons to be present at Appointment of Officers.

XV. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, and the Governors and Directors to be appointed in pursuance of this Act, and they are hereby required to take such Security from Time to Time as they may think proper, and that for One Year, or for such other Time as may be thought expedient, from the Treasurer and every Collector to be appointed by virtue of this Act, for the due Execution of his Office; and in case any such Treasurer or Collector, for the Space of Seven Days after his Appointment, shall neglect or refuse to tender such Security as shall be satisfactory to the said Churchwardens, Overseers, and Governors and Directors, then the Appointment of every such Person so neglecting or refusing shall be void, and the said Churchwardens, Overseers, and Governors and Directors, shall forthwith appoint some fit Person to the Office of Treasurer or Collector (as the Case may be) instead of the Person so neglecting or refusing as aforesaid; and the Expences of taking such Securities, and also the Expences of taking any other Securities for the due Execution of any Parochial Office in *Greenwich* aforesaid, may be defrayed out of the Monies authorized by this Act to be raised for maintaining the Poor of the said Parish.

Securities to be taken from Treasurer and Collector.

XVI. And be it further enacted, That the Collector or Collectors for the Time being shall pay over from Time to Time the Monies received by him or them, as such Collector or Collectors, to the Treasurer for the Time being of the said Churchwardens, Overseers, and Parishioners.

Collector to pay over the Monies received to the Treasurer.

Collector not to retain more than 25*l.* in his Hands above Seven Days.

XVII. And be it further enacted, That every Collector shall pay the Money by him collected, as the same shall from Time to Time come to his Hands, to the said Treasurer, and take a Receipt from such Treasurer for every Sum so paid; and no such Collector shall at any Time keep or retain in his Hands more than the Sum of Twenty-five Pounds of the Money arising by any of the said Rates, for any longer Time than Seven Days, on pain of forfeiting Five Pounds for every Day that he shall retain the same beyond the Space of Seven Days.

Proceedings against Officers making default in rendering Accounts.

XVIII. And be it further enacted, That every Officer or other Person appointed or continued by virtue of this Act shall, at such Time and in such Manner as shall be directed by the said Churchwardens, Overseers, and Governors and Directors, deliver to them, or as they may appoint, true and perfect Accounts in Writing under his Hand of all Matters and Things committed to the Charge of such Officer or Person by virtue of this Act or the said Act hereby repealed, or the said Act of the Fourth Year of the Reign of His present Majesty, and also of all Monies which shall have been received by him or them respectively by virtue of or for the Purpose of the same Acts, or either of them, and of his Disbursements, together with proper Vouchers for the same, and shall pay all such Monies as remain due, from Time to Time, to such Persons as the said Churchwardens, Overseers, and Governors and Directors, shall appoint to receive the same; and if any such Officer or other Person shall refuse or neglect to make and render such Account, or to produce and deliver such Vouchers, or to make Payment as aforesaid; or shall refuse or neglect to deliver to the said Churchwardens, Overseers, and Governors and Directors, or to such Person as they may appoint to receive the same, within Fourteen Days after being thereunto required by the Resolution of a Meeting of the said Churchwardens, Overseers, and Governors and Directors, such Requisitions being signified in Writing under the Hands of the Chairman of such Meeting, given or left at the last or usual Place of Abode of such Officer or other Person, all Books, Papers, and Vouchers in his Custody or Power, relating to the Execution of this Act or the said Act hereby repealed, or the said Act of the Fourth Year of the Reign of His present Majesty, or to give Satisfaction to the said Churchwardens, Overseers, and Governors and Directors, or to such other Person as aforesaid, respecting the same, then and in every such Case, upon Complaint made by the said Churchwardens, Overseers, and Governors and Directors, or by such Person as they may appoint for that Purpose, of any such Refusal or Neglect as aforesaid, to any Two or more Justices of the Peace of the County, City, Liberty, or Place wherein such Officer or other Person so refusing or neglecting may be or reside, such Justices shall issue a Summons under their Hands and Seals for the Appearance of the Officer or Person so refusing or neglecting before such Justices; and upon the said Officer or Person appearing, or failing to appear, and not alleging a sufficient Excuse for his Non-appearance, it shall be lawful for the said Justices to hear and determine the Matter in a summary Way; and if, upon Confession of the Party, or by the Testimony of any Witness upon Oath, which Oath such Justices are hereby empowered to administer, it should

appear

appear to such Justices that any Monies remain due from such Officer, such Justices shall, upon Nonpayment thereof, by Warrant under their Hands and Seals cause such Monies to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods and Chattels of such Officer or Person be found sufficient to satisfy the said Monies, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justices that such Officer or Person has refused or neglected to render and give such Accounts, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of the said Act hereby repealed, or this Act, or the said Act of the Fourth Year of the Reign of His present Majesty, or any other Papers or Writings, being the Property of the said Parish, remain in the Hands or in the Custody or Power of such Officer or Person, and that he has refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in every such Case such Justices shall commit such Offender to the Common Gaol or House of Correction for the County, City, Liberty, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he shall give and make a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or shall have compromised for such Monies, or, as the Case may be, until he shall have delivered up such Books, Papers, and Writings as aforesaid, or given Satisfaction in respect thereof to the said Churchwardens, Overseers, and Governors and Directors; but no such Offender shall be detained in such Common Gaol or House of Correction, by virtue of this Act, for want of a sufficient Distress, for any longer Space than Three Calendar Months: Provided always, that no Prosecution or Commitment under the Provisions of this Act, of any such Officer or Person, shall discharge any Surety or Security that shall have been taken by the said Churchwardens, Overseers, and Governors and Directors, for the due and faithful Execution of his Office, or for the Payment of Monies.

Such Proceedings not to discharge Sureties.

XIX. And be it further enacted, That in case of the Death of any Treasurer, Collector, Officer, or other Person, before he shall have paid and fully satisfied all the Monies which he shall have received by virtue of this Act, or the said Act hereby repealed, or the said Act of the Fourth Year of the Reign of His present Majesty, or made such Composition for the same as aforesaid, then and in every such Case the Executors or Administrators of such Treasurer, Collector, Officer, or other Person so dying, shall pay and satisfy the same, in the due Course of Administration, out of the Estate and Effects of such Treasurer, Collector, Officer, or other Person, unto the said Churchwardens, Overseers, and Governors and Directors, or any Person appointed by them in that Behalf, and also shall deliver up all Books, Papers, Writings, and other Things concerning his Office, or relating to the Execution of this Act, or the said Act hereby repealed, or the said Act of the Fourth Year of the Reign of His present Majesty, which shall have come to the Hands of such Executors or Administrators, who shall and may plead such Payment in any Action or Suit which may be brought against them on account of the said Estate and Effects, and give the same in Evidence; and in case of the Non-

For Recovery of Monies from Estates of Treasurers and Collectors dying.

payment

payment of such Monies, or the Non-delivery of such Books, Papers, Writings, and Things, for the Space of Twenty-one Days after Demand made thereof in Writing, by or on the Behalf of the said Churchwardens, Overseers, and Governors and Directors, it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, to commence and prosecute an Action or Actions in any of His Majesty's Courts of Record at *Westminster* against such Executors or Administrators, for the Recovery of the said Monies, or for the Recovery of Damages for the Detention of such Books, Papers, Writings, and Things, in which Action or Actions full Costs of Suit shall be recoverable by the said Churchwardens, Overseers, and Governors and Directors.

Power to make Rates.

XX. And be it further enacted, That Once in every Year, or oftener, it shall be lawful for the said Churchwardens, Overseers, and Parishioners, assembled at a Vestry Meeting, to make Rates upon all Persons who shall occupy, hold, or use any Houses, Buildings, Lands, Tenements, or Hereditaments, or possess any rateable Property within the said Parish; that is to say, One Rate for defraying the Expences of maintaining and employing the Poor of the said Parish, and all other Expences relating thereto, and One other Rate upon the Annual Rent or Value of such Houses, Buildings, Lands, Tenements, or Hereditaments, for the maintaining of the Highways and cleansing the Streets within the said Parish (in lieu of all Rates, Statute Work, and Monies directed by any Law or Laws in being); which Rates shall be entered in a proper Book or Books to be provided for that Purpose.

Rate Books to be kept.

Rates to be allowed by Justices.

XXI. And be it further enacted, That all the Rates made in pursuance of this Act shall be allowed by Two or more Justices of the Peace for the County of *Kent*.

Notice to be given of the Allowance of Rates.

XXII. And be it further enacted, That when any of the Rates to be made by virtue of this Act shall be allowed, the said Churchwardens, Overseers, and Parishioners shall cause Notice thereof to be given on the ensuing *Sunday*, in the Parish Church of the said Parish, immediately after Morning Service.

Omission in Rates may be supplied.

XXIII. And be it further enacted, That when any Omission of or Error in the Name of any Person liable to be rated for any of the Purposes of this Act shall be discovered by the said Churchwardens, Overseers, and Parishioners, or the said Churchwardens, Overseers, and Governors and Directors, or when any Person shall, after the making of the said Rates, become Owner or Occupier of any House, Building, Land, Tenement, or Hereditament within the said Parish, it shall be lawful for the said Churchwardens, Overseers, and Parishioners, although the Rates for the then current Year, or any Part thereof, shall have been made and allowed as aforesaid, to cause the Name of every such Person to be added to or corrected in the Assessment.

Collector to receive and enforce Payment of Rates.

XXIV. And be it further enacted, That it shall be lawful for every Person appointed a Collector of the Rates to be made in pursuance of this Act, or the said Act of the Fourth Year of the Reign of His present

present Majesty, to receive, levy, and collect such Rates, together with all Arrears of former Rates, quarterly or otherwise; and every Person who by virtue of this Act, or the said Act of the Fourth Year of the Reign of His present Majesty, is charged or chargeable with any of the said Rates, shall and is hereby required to pay such Rates and Arrears of Rates to such Collector accordingly; and for the better enabling such Collector so to receive, levy, and collect the said Rates, it shall be lawful for the said Collector to execute all such Warrants of Distress as shall be granted from Time to Time by any Justice of the Peace, against any Person neglecting or refusing to pay such Rates, in the same Manner as Overseers of the Poor by Law may execute such Warrants.

For apportioning Rates between outgoing and incoming Occupiers.

XXV. And be it further enacted, That in case any Person shall remove from or quit the Possession of any House, Building, Land, Tenement, or Hereditament, before the whole of any Rate charged or to be charged thereon by virtue of this Act, or the said Act hereby repealed, or the said Act of the Fourth Year of the Reign of His present Majesty, shall be paid, and if any Person enter into the Occupation of any House, Building, Land, Tenement, or Hereditament, from which any other Person shall have so removed, before the whole of such Rate or Rates has been paid, then and in every such Case the Person so removing from or quitting the Possession of, and the Person entering into the Occupation of any such House, Building, Land, Tenement, or Hereditament, shall be respectively liable to the Payment of such Rate or Rates, in proportion to the Time that such Person shall have respectively been in Possession, and such respective Proportion shall be recoverable in the same Manner as if the Person so removing or quitting as aforesaid had remained in the Possession of such House, Building, Land, Tenement, or Hereditament, and the Person so entering into the Occupation thereof had been originally rated, which Proportion shall, in case of Dispute, be settled by any one Justice of the Peace for the County of *Kent*, whose Determination shall be final.

In certain Cases Landlords may be rated.

XXVI. And be it further enacted, That the Owner or Owners, Landlord or Landlords, of any House, Building, Land, Tenement, or Hereditament within the said Parish, the Rent or yearly Value of which House, Building, Land, Tenement, or Hereditament shall not exceed Fifteen Pounds, or which, whatever the yearly Rent or Value may be, shall be let to weekly or monthly Tenants, and which House or Building shall be let furnished, or in Lodgings or separate Apartments, or which House, Building, Land, Tenement, or Hereditament shall be let at a Rent which shall become or be made payable at Periods shorter than quarterly, shall be deemed to be the Occupier of such House, Building, Land, Tenement, or Hereditament, and shall and may be rated for the same accordingly; and the Person letting such House, Building, Land, Tenement, or Hereditament, or being in Receipt of or entitled to the Rent thereof, may be deemed to be the Owner thereof; and every such Owner or Owners, Landlord or Landlords, may be rated to all or any of the Rates authorized to be made by this Act, or the said Act of the Fourth Year of the

Reign of His present Majesty, unless the said Churchwardens, Overseers, and Parishioners shall judge it proper to rate the actual Occupier of such House, Building, Land, Tenement, or Hereditament; and the Person so rated, whether the Owner or Occupier, shall pay or cause to be paid all such Rates in respect of such House, Building, Land, Tenement, or Hereditament: Provided always, that no Owner or Person shall, in respect of any increased Rent which may be made payable to him by any Agreement, in consideration of his taking upon himself the Payment of Rates, be liable to pay any higher Rate than he would otherwise be liable to.

Owners not to be charged with any increased Rent.

Owners of Houses may compound.

XXVII. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, to compound with any such Owner or Person for Payment of the Rates in respect of any such House, Building, Land, Tenement, or Hereditament, at such reduced yearly Rental as the said Churchwardens, Overseers, and Governors and Directors, may think reasonable, and to vary, discontinue, or renew any such Composition, so that such Houses, Buildings, Lands, Tenements, or Hereditaments be not rated at less than One Half of the yearly Rent when such yearly Rent shall not exceed Ten Pounds, and at not less than Two Thirds of the yearly Rent when such yearly Rent shall be more than Ten Pounds and shall not exceed Fifteen Pounds.

Rating of Landlords not to alter Agreements with Tenants.

XXVIII. Provided always, and be it further enacted, That the Provisions contained in this Act in regard to the rating of Owners or Landlords, shall not, as between Landlord and Tenant, alter or make void any Agreement between them.

Determining who shall be considered Landlord or Owner.

XXIX. And (in order to prevent Disputes touching the Designation of the Landlord or Owner intended to be made liable by this Act) be it further enacted, That the Person or Persons receiving or claiming to be entitled to the Rents of every such House, Building, Land, Tenement, or Hereditament, immediately payable by the Tenants or Occupiers thereof respectively, shall be deemed and taken to be the Landlord or Owner of the same for the Purposes of this Act, and to be the Person or Persons to enter into such Composition as aforesaid, and shall continue to be rated to and liable to the Payment of all and every such Rates as aforesaid, until some other Person or Persons shall be rated to or pay the same, unless the real Landlord, Owner, or Lessee is or shall be known to the said Churchwardens, Overseers, and Governors and Directors.

How Rates may be recovered from Persons who may have removed.

XXX. And be it further enacted, That when any Person so rated as aforesaid shall quit Possession of the House, Building, Land, Tenement, or Hereditament in respect of which he shall have been so rated, before he shall have satisfied the Rates payable in respect of the same, and shall refuse or neglect to pay such Rates when demanded by the Collector appointed to receive the same as aforesaid, it shall be lawful for the said Collector, having a Warrant under the Hand and Seal of any Justice of the Peace for the said County of *Kent*, which Warrant such Justice is hereby required to grant, to distrain

train the Goods and Chattels of such Person so refusing or neglecting to pay the said Rates, or any of them, wheresoever such Goods and Chattels may be found, and to sell the same, rendering the Overplus, if any, after having deducted the reasonable Costs, Charges, and Expences attending such Distress and Sale, upon Demand, to the Owner of such Goods and Chattels.

For Recovery of Rates.

XXXI. And be it further enacted, That in case any Person or Persons liable to pay any Rate made by virtue of this Act, or of the said Act hereby repealed, or of the Fourth Year of the Reign of His present Majesty, shall refuse or neglect to pay the Money which is or shall be so rated upon or made payable by such Person, or the Amount of any Composition or Compositions, for the Space of Fourteen Days next after Demand made at his or her Dwelling House, or at his or her last or usual Place of Abode, it shall be lawful for any One of His Majesty's Justices of the Peace for the County of *Kent*, and he is hereby authorized and directed, by Writing under his Hand, on Complaint made by the said Churchwardens, Overseers, and Governors and Directors, or any Two or more of them, or by the Collector or Collectors of the said Rates, to issue a Summons for all and every the Person and Persons (who shall have refused or neglected to pay as aforesaid) to appear at a Time and Place to be mentioned in such Summons before such Justice, or before any Justice or Justices of the Peace for the said County, who shall be then and there present, the Collector or Collectors of such Rates having previously made Oath that he or they had duly demanded the said Rates, and that the same were then in arrear and unpaid; and it shall be lawful for the said Collector or Collectors, or for any Beadle or Constable of the said Parish of *Greenwich*, or for any other Person authorized by the said Churchwardens, Overseers, and Governors and Directors, to serve a Copy or Copies of every such Summons upon all and every the Person and Persons so refusing or neglecting to pay as aforesaid, either by delivering the said Copy or Copies to the Person or Persons intended to be summoned, or by leaving the same at his or their last or usual Place of Abode, or at or on the Premises for or in respect whereof the Rate or Rates, Assessment or Assessments, mentioned in such Summons, shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he or they shall attend, and not show good and sufficient Cause to such Justice or Justices as may be then and there present, that he or they is or are not chargeable with such Rate or Rates, then and in every such Case every such Person or Persons shall pay the Rate or Rates in respect of which such Summons was issued, and also the Costs and Charges incurred thereon; and in all Cases where such Rate or Rates, or any of them, shall not be paid upon the Return of such Summons, it shall be lawful for the Justice who shall have signed and issued, or shall have directed to be signed and issued, such Summons as aforesaid, or for any other Justice of the Peace for the said County, and he is hereby authorized and required, upon Oath made before him of the due Service of a Copy of such Summons as aforesaid, by the Person or Persons who shall have served the same, and Proof on Oath that such

such Rate or Rates is or are actually due and owing, to grant a Warrant, under his Hand and Seal, authorizing or directing the said Collector or Collectors to levy such Rate or Rates, and all Arrears thereof, together with all Costs and Charges incidental to and attending such Complaint, by Distress and Sale of the Goods and Chattels of the Person or Persons so neglecting or refusing; and in case sufficient Goods and Chattels of such Defaulter cannot be found whereon to levy such Distress, it shall be lawful for any such Justice to commit such Defaulter to the Common Gaol or House of Correction, there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months, unless the Money so directed to be levied as aforesaid be sooner paid.

Warrant of Distress.

XXXII. And be it further enacted, That every Warrant of Distress for the Nonpayment of Rates may include Ten or more Persons, and shall be in the Words or to the Effect following; (that is to say,)

'To the Collectors of the Rates for the Parish of *Greenwich* 'in the County of *Kent*, and to all Constables and other 'Peace Officers of the same Parish:

'WHEREAS the undermentioned present or late Inhabitants, 'Landlords, Tenants, or Occupiers of Houses, Buildings, Lands, 'Tenements, or Hereditaments within the said Parish of *Greenwich*, 'were and are rated to and are liable to pay the Rates made by 'virtue of an Act passed in the Ninth Year of the Reign of His 'Majesty King *George* the Fourth, intituled [*here set forth the Title 'of this Act*]; or an Act [*setting forth the Title of any other Act 'under the Authority of which the Rates may have been made*], for '[*here set forth the Rates in arrear*]: And whereas the said Persons 'have refused or neglected to pay the several Sums of Money set 'opposite to their respective Names hereunder written, in discharge 'of Money due from them for the said Rates, for [*state the Rates*]; 'and the said several Sums are still remaining unpaid, as appears 'upon Oath to me one of His Majesty's 'Justices of the Peace for the said County; and the said several 'Persons having been summoned before me to answer the Premises, 'as also appears to me the said Justice, by Information upon Oath, 'and the said several Persons so summoned having neglected to 'appear, or not having shown sufficient Cause why such Sums of 'Money should not be paid; These are therefore in His Majesty's 'Name to require you or any One or more of you to levy from the 'several Persons whose Names are hereunder written the several 'Sums of Money set opposite to their Names respectively, by Distress 'and Sale of their respective Goods and Chattels, such Goods and 'Chattels being kept for the Space of Days before the 'same are sold, and the Overplus (if there be any) to be rendered to 'them respectively, after deducting the reasonable Charges of such 'Distress, Sale, and Keeping; and if no sufficient Distress can be had 'or taken, then you are to certify the same to me, to the end that 'further Proceedings may be had according to Law: And I do hereby 'charge and command all Constables and other His Majesty's Peace 'Officers for the said County to be aiding and assisting in all things 'relating

'relating to the Premises. Given under my Hand and Seal, this
'Day of in the Year of our Lord

	Sums due. £	s.	d.
'*A. B.*			
'*C. D.*			
'*E. F.* (the Landlord for divided Tenements,)			
'*G. H.* (Landlord *or* Receiver,) [*as the Case* '*may be*,]			
'*I. J.* (Tenant,)'			

And all or any of such Rates may be included in any such Warrant as aforesaid.

Distress not to be unlawful for Want of Form, nor Party distraining to be deemed a Trespasser.

XXXIII. And be it further enacted, That when any Distress shall be made under the Authority of this Act, or any Warrant of Commitment shall be executed by virtue of this Act, such Distress or Commitment shall not be deemed unlawful, nor the Party making or executing the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in any Proceeding relating thereto; nor shall the Party distraining be deemed a Trespasser or Trespassers from the Beginning, on account of any Irregularity which may be done afterwards by the Party; but the Person aggrieved by such Irregularity may recover full Satisfaction for the special Damage by an Action on the Case; and it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall be depending, at any Time before Issue joined, to pay into Court such Sum of Money as he may think fit, and such Proceedings, Order, and Adjudication may be had and made in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Satisfaction may be recovered for special Damage.

Summons may include Ten Persons.

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

Power to remit the Rates of Poor Persons.

XXXV. Provided always, and be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, Governors and Directors, to exonerate and relieve any poor Person assessed to the said Rates, or any of them, from the Payment of all or any Part of such Rates, for such Time and to such Extent as the said Churchwardens, Overseers, and Governors and Directors, shall believe such poor Person to be incapable of paying.

Appointment of Governors and Directors.

XXXVI. And be it further enacted, That the said Churchwardens, Overseers, and Parishioners, assembled at the Vestry Meeting directed to take place annually on the Twenty-fifth Day of *March*, or within Fourteen Days after the said Twenty-fifth Day of *March*, shall nominate and appoint Twenty-one substantial and discreet Persons, residing, having Property in, and being assessed to the Rates in, the said Parish of *Greenwich*, to be Governors and Directors of the Poor in the said Parish for the Year ensuing, for carrying into Execution, in conjunction with the Churchwardens and Overseers of the said

Parish for the Time being, the several Powers given by this Act and the said Act of the Fourth Year of the Reign of His present Majesty, to the Churchwardens, Overseers, and Governors and Directors of the Poor of the said Parish.

No Nomination to take place unless 15 Persons are present.

XXXVII. Provided always, and be it further enacted, That no Nomination and Appointment of Governors and Directors of the Poor shall take place at any Meeting of the said Churchwardens, Overseers, and Parishioners, unless there be present at such Meeting Fifteen Persons at the least qualified to vote.

Vestry Clerk to be Clerk to Churchwardens, &c.

all other Officers to assist in the Execution of the Act.

XXXVIII. And be it further enacted, That the Person for the Time being holding the Office of Vestry Clerk, under the Appointment of the Churchwardens, Overseers, and Parishioners of the said Parish of *Greenwich*, shall be and he is hereby declared to be Clerk to the said Churchwardens, Overseers, and Governors and Directors; and all the other Officers for the Time being of the said Churchwardens, Overseers, and Parishioners shall assist the said Churchwardens, Overseers, and Governors and Directors, and obey their Orders relative to the Execution of this Act, so far as the Execution thereof is committed to the said Churchwardens, Overseers, and Governors and Directors; and in case any such Officer shall neglect or refuse to obey any such Order, such Officer so neglecting or refusing shall forfeit and pay any Sum not exceeding Five Pounds.

Meetings of the Churchwardens, Overseers, &c.

XXXIX. And be it further enacted, That from and after the passing of this Act the said Churchwardens, Overseers, and Governors and Directors, shall, for the Execution of their Duty under this Act, or any other Act or Acts of Parliament relating to the said Parish, meet at the Workhouse of the said Parish, or at some other convenient Place within the said Parish, on *Wednesday* in every Week, or on some other Day in every Week, to be appointed by the said Churchwardens, Overseers, and Governors and Directors.

Not fewer than Five to be present.

XL. Provided always, and be it further enacted, That no Meeting of the said Churchwardens, Overseers, and Governors and Directors, shall be competent to transact any Business, unless Five Persons entitled to vote be present at such Meeting.

Meetings may be adjourned.

XLI. Provided always, and be it further enacted, That the said Churchwardens, Overseers, Governors and Directors may, if they think proper, adjourn their Meetings to a future Day, not being later than the ordinary Day of meeting in the ensuing Week.

At all such Meetings a Chairman to be appointed, and to have a casting Vote.

XLII. And be it further enacted, That at all Meetings of the said Churchwardens, Overseers, Governors and Directors, a Chairman shall be appointed; and in case of an Equality of Votes (including the Vote of the Chairman) it shall be lawful for the Chairman to give the casting Vote: Provided always, that it shall be lawful for the Chairman to decline giving any Vote, except when, there being an Equality of Votes, his Vote shall be necessary to the Decision of the Meeting.

XLIII. And

Treasurer to pay Monies upon receiving an Order from the Churchwardens and Governors, &c.

XLIII. And be it further enacted, That the said Churchwardens, Overseers, and Governors and Directors shall, and they are hereby empowered, by an Order or Orders in Writing under the Hands of any Seven or more of them, at any of their Meetings to be held as aforesaid, to direct the Treasurer or Treasurers from Time to Time to pay such Sum or Sums of Money out of the several Monies to be raised, levied, and recovered by virtue of this Act, or the said Act hereby repealed, or the said Act of the Fourth Year of the Reign of His present Majesty, and paid to or received by such Treasurer or Treasurers, to such Person or Persons, and in such Manner as they the said Churchwardens, Overseers, and Governors and Directors shall think necessary and expedient for the Purposes of this Act; and upon the Receipt of such Order or Orders, such Treasurer and Treasurers is and are hereby authorized and required to pay from Time to Time the Sum or Sums of Money expressed in such Order or Orders, which Sum or Sums so paid shall be allowed to the said Treasurer and Treasurers in his and their Accounts.

Churchwardens, &c. may contract for keeping the Poor, and may subscribe to Hospitals.

XLIV. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, if they think fit, to contract from Time to Time with any Person, for the lodging, keeping, maintaining, and employing of all or any of the Poor of the said Parish; and the said Churchwardens, Overseers, and Governors and Directors may, if they think fit, subscribe annually, or otherwise, to any Hospital, and may send any of the said poor Persons, who may be afflicted with any Complaint or Disorder, to any such Hospital, or to any House or Place the said Churchwardens, Overseers, and Governors and Directors may think proper, for the Benefit of such poor Person, and may defray the Monies which may become due upon any such Contracts, or on account of any such Subscription, out of the Monies to be raised for the Relief of the Poor.

Churchwardens, &c. may appoint a Clergyman to visit Sick in the Workhouse.

XLV. And be it further enacted, That the said Churchwardens, Overseers, and Governors and Directors, may appoint a Clergyman of the Church of *England* to visit the Sick and perform other clerical Duties in the Workhouse of the said Parish, and may make an Allowance, not exceeding Thirty Pounds *per Annum*, to such Clergyman, out of the Monies to be raised for the Relief of the Poor of the said Parish, and may from Time to Time displace such Clergyman, and appoint any other in his Stead: Provided always, that every such Appointment shall be subject to the Approval of, or Rejection by, the Vicar of the said Parish for the Time being.

Donations and other Monies to be paid to the Treasurer.

XLVI. And be it further enacted, That all Donations, Benefactions, and all Sums of Money whatsoever, given for the Benefit of the Poor of the said Parish, and not being directed to be applied for the Support of any private or particular Object, and not being Money collected at the Sacrament, shall be paid into the Hands of the Treasurer to the Churchwardens, Overseers, and Parishioners of the said Parish for the Time being, and shall be subject to the Disposal of the said Churchwardens, Overseers, and Governors and Directors, for the Relief of the Poor of the said Parish.

XLVII. And

For the Punishment of Paupers misbehaving.

XLVII. And be it further enacted, That if any poor Person maintained in the Workhouse of the said Parish shall neglect or refuse to work, or be guilty of profane Cursing or Swearing, or otherwise misbehave himself or herself, then and in every such Case it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, to cause such poor Person or Persons to be taken before any Justice or Justices of the Peace for the said County; and if such poor Person or Persons shall be convicted of any such Offence, then and in such Case such Justice or Justices is and are hereby authorized to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding Twenty-one Days, and during such Time to be kept to hard Labour.

Cases of Bastardy.

XLVIII. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, to accept and receive a Bond or other Security from any Person or Persons, for defraying the Costs, Charges, and Expences of any pregnant single Woman chargeable or likely to become chargeable to the said Parish, and also for the Maintenance and Support of any Bastard Child, born or to be born, chargeable or likely to become chargeable to the said Parish; and any such Bond or Security may be made either to the said Churchwardens, Overseers, and Governors and Directors, or to their Clerk.

Poor Laws to be in force where not altered by this Act.

XLIX. And be it further enacted, That the several Laws relating to the Office of Overseer of the Poor, and for the Relief and Employment of the Poor, shall still continue in force within the said Parish, so far as is consistent with the Provisions of this Act.

Fire Engines to be provided.

L. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, to provide and keep up Fire Engines, with Pipes and other Utensils proper for the same, for the Use of the said Parish of *Greenwich*, and to provide a proper Place or Places for the keeping of the same, and to place such Engines under the Care of some proper Person or Persons, and to make him or them such Allowance for his or their Trouble, as may be thought reasonable; and the Expences attending the providing and keeping of such Engines shall be paid out of the Money authorized by this Act to be raised for the Relief of the Poor.

Churchwardens, &c. may contract for paving, &c.

LI. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, from Time to Time to enter into any Contract with any Persons for paving, making, and repairing, with Stone, Granite, Flint, Gravel, or other Material, or for cleansing the Carriageways and Footways of the Roads, Highways, Streets, Squares, and other public Passages or Places within the said Parish, or any of them, or any Part thereof, or for the doing of any other Works which the said Churchwardens, Overseers, and Governors and Directors may lawfully do, or for providing Stone, Granite, Flint, Gravel, or other Material for Roads, or any other Things which may be required for the Purpose of main-

taining the Highways within the said Parish of *Greenwich*, or for any of the other Purposes, the carrying of which into Effect is intrusted to the said Churchwardens, Overseers, and Governors and Directors.

Contracts to be advertised.

LII. Provided always, and be it further enacted, That Fourteen Days Notice of any Meeting of the said Churchwardens, Overseers, and Governors and Directors, at which it shall be proposed to enter into any Contract, shall be published in such Two or more Newspapers as the said Churchwardens, Overseers, and Governors and Directors, may think fit, expressing the Intent of such Contract, in order that any Person willing to undertake the same may make proposals for that Purpose, to be presented to the said Churchwardens, Overseers, and Governors and Directors, at the Time and Place in such Notice to be mentioned: Provided also, that the said Churchwardens, Overseers, and Governors and Directors, shall not be bound to accept the lowest nor any of the Proposals which may be made touching such Contract, unless they deem it expedient so to do.

The lowest Tender not necessarily to be accepted.

Contracts not to be for more than Three Years.

LIII. Provided always, and be it further enacted, that no Contract to be entered into by the said Churchwardens, Overseers, and Governors and Directors, shall be deemed valid, if the same be made for a longer Term than Three Years from the Time of entering into such Contract.

Churchwardens, &c. empowered to cancel or enforce Contracts, or compound or sue for Penalties.

LIV. And be it further enacted, That in case the Person entering into any such Contract should make any Breach of or not fully perform any such Contract, it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, in case they deem it proper, to declare such Contract to be void, and such Contract shall be thenceforth void accordingly; or it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, to compound with the Person so entering into such Contract, for the Breach or Non-performance of such Contract, and all Costs, Charges, and Expences occasioned thereby, upon such Terms, and for such Sum or Sums of Money as to the said Churchwardens, Overseers, and Governors and Directors, at any of their Meetings, may appear reasonable; or it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, to recover the Penalty or Penalties which shall be imposed by such Contract, by Action of Debt or on the Case in any of His Majesty's Courts of Record at *Westminster*, in which Action no Essoign or Protection, nor more than One Imparlance, shall be allowed.

Churchwardens, &c. may make Regulations respecting of Carriages plying for Hire.

LV. And be it further enacted, That it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, from Time to Time to make such Rules and Orders as they may deem expedient, as to the standing of Coaches or other Carriages plying for Hire or for Passengers, in any of the Highways, Streets, or other public Places within the said Parish, (not being Turnpike Road); and in case any Owner or Driver of any such Coach or other Carriage do not conform to or obey such Rules and Orders as the said Churchwardens, Overseers, and Governors and Directors may so make, then and in every such Case such Owner or Driver shall forfeit any Sum

not exceeding Twenty Shillings: Provided always, that all such Rules and Orders shall be subject to Appeal in Manner herein-after directed by this Act touching any Matter or Thing done in pursuance of this Act.

Power to lodge Materials for the Repair of Streets.

LVI. And be it further enacted, That during the Time any Road not being Turnpike Road, Highway, Street, Square, or other public Passage or Place within the said Parish, is being paved, made, formed, or repaired, or any other Works are being executed under the Direction of the said Churchwardens, Overseers, and Governors and Directors, it shall be lawful for the said Churchwardens, Overseers, and Governors and Directors, or the Surveyor of the Highways for the Time being, to order the necessary Materials to be lodged in that or any adjoining Road not being Turnpike Road, Highway, Street, Square, or other public Passage or Place, at their Discretion; and also to stop the Way through that or any adjoining Road not being Turnpike Road, Highway, Street, Square, or other public Passage or Place, so long as shall be necessary; and all Persons acting under their Direction as aforesaid are hereby indemnified from any Prosecution or Action whatsoever, for or in respect of such lodging of Materials or stopping of Ways; but no such Materials shall be lodged upon nor within Six Feet of any Fire Plug, nor be deposited in any Street or Place so as to prevent the Admission of Fire Engines, or stop the Current of Water along the regular Channels: Provided always, that nothing in this Act contained shall extend or be construed to extend to alter, diminish, or interfere with the Powers of the Trustees or Commissioners of any Turnpike Road situate within the said Parish, or to give any Power or Authority to the said Churchwardens and Overseers of the Poor, or Governors and Directors, or Surveyor of Highways of the said Parish, over any Part of the Turnpike Roads situate within the said Parish.

Nothing herein to interfere with the Powers of the Trustees of the Roads.

In whose Name Actions and Suits shall be brought.

LVII. And be it further enacted, That the said Churchwardens, Overseers, and Parishioners, and the said Churchwardens, Overseers, and Governors and Directors respectively, may sue or be sued for or concerning any thing relating to the Purposes or Provisions of this Act, or the Act hereby repealed, or the said Act of the Fourth Year of the Reign of His present Majesty, in the Name of their Clerk respectively; and that no Action or Suit which may be brought, commenced, or prosecuted by or against the said Churchwardens, Overseers, and Parishioners, or the said Churchwardens, Overseers, and Governors and Directors, by virtue or on account of the same Acts or any of them, shall abate or be discontinued by the Death, Suspension, or Removal of such Clerk, or by any Act or Default of such Clerk, or by any thing done or suffered without competent Direction; such Clerk being deemed Plaintiff or Defendant, as the Case may be, in every such Action or Suit: Provided always, that in all Cases in which such Clerk shall, under the Authority of this Act, be Plaintiff or Defendant on the Record in any Action or Suit, such Clerk, although appearing as Plaintiff or Defendant on the Record, shall nevertheless be a competent Witness in such Action or Suit; and all Affidavits of Debt or Service which may be necessary or expedient to be made preparatory to or in the Prosecution or Defence of

of any such Action or Suit, may lawfully be made by such Clerk: Provided also, that the Clerk in whose Name any Action or Suit may be commenced, prosecuted, or defended in pursuance of this Act, shall be indemnified by the said Churchwardens, Overseers, and Governors and Directors, out of the Funds in their Hands as such Churchwardens, Overseers, and Governors and Directors, all such Costs, Charges, and Expences as he shall be put to or become chargeable with by reason of his being so made Plaintiff or Defendant as aforesaid, and shall not be personally liable for the Payment of such Costs, Charges, and Expences, unless such Action or Suit should have arisen in consequence of his own wilful Neglect or Default, or have been brought or commenced or defended without the Order or Direction of the said Churchwardens, Overseers, and Governors and Directors.

Clerk to be indemnified.

LVIII. And be it further enacted, That the Minutes of all Proceedings of Meetings, as well of the said Churchwardens and Parishioners, as of the said Churchwardens, Overseers, and Governors and Directors, which Minutes are hereby required to be entered by the Clerk for the Time being in Books provided for that Purpose, and to be signed by the Chairman of the next ensuing or some subsequent Meeting, shall be received in Evidence in all Courts whatsoever, in all Proceedings, whether Civil or Criminal, touching anything done in pursuance of this Act, or the said Act hereby repealed, or of the said Act of the Fourth Year of the Reign of His present Majesty.

Minutes of the Proceedings of Meetings to be received in Evidence.

LIX. And be it further enacted, That all Fines, Penalties, and Forfeitures inflicted or imposed by this Act, (the Manner of levying and recovering whereof is not herein-before particularly directed,) may, in case of Nonpayment thereof, be recovered in a summary Way by the Order and Adjudication of some Justice or Justices of the Peace for the said County of *Kent*, on Complaint to him or them for that Purpose exhibited, and afterwards be levied, as well as the Costs (if any) of such Proceedings on Nonpayment, by Distress and Sale of the Goods and Chattels of the Offender or respective Offenders, or Person or Persons liable to pay the same, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, who is and are hereby authorized and required to summon and examine any Witnesses upon Oath or Affirmation of and concerning such Offences, Matters, and Things, and to hear and determine the same; and the Overplus (if any) of the Money raised and recovered, after discharging the Fine, Penalty, or Forfeiture for which such Warrant shall be issued, and the Costs and Expences of recovering and levying the same (if any such there shall be), shall be rendered to the Owner or Owners of the Goods and Chattels so seized and distrained; all which Penalties, not herein directed to be otherwise applied, shall be paid to the said Churchwardens, Overseers, and Governors and Directors, or their Treasurer or Clerk, to be applied for the Purposes of this Act, as the said Churchwardens, Overseers, and Governors and Directors shall order and direct; and it shall be lawful for the said Justice or Justices to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made

Recovery and Application of Penalties.

made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security, to the Satisfaction of such Justice or Justices, for his, her, or their Appearance before the said Justice or Justices on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security the said Justice or Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant or Warrants it shall appear that no sufficient Distress can be had whereupon to levy the said Penalty or Penalties, and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear, to the Satisfaction of any such Justice or Justices, upon the Confession of the Offender or Offenders, or otherwise, that he, she, or they hath or have not sufficient Goods and Chattels whereupon such Penalties, Forfeitures, Costs, and Expences can be levied if a Warrant of Distress were issued, such Justice or Justices shall not be required to issue such Warrant of Distress; and thereupon it shall be lawful for such Justice or Justices, and he and they is and are hereby required and empowered, by Warrant or Warrants under his Hand and Seal or their Hands and Seals, to commit such Offender or Offenders to the Common Gaol or House of Correction for the said County, there to remain without Bail or Mainprize for any Time not exceeding Six Calendar Months, or until such Offender or Offenders shall have paid such Penalty or Penalties, and all Costs and Charges attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or shall otherwise be discharged by due Course of Law.

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

LX. And be it further enacted, That where by this Act any Damages or Charges are directed or authorized to be paid or recovered, in addition to any Penalty or Penalties for any Offence or Offences, the Amount of such Damages or Charges, in case of Dispute respecting the same, shall be settled, ascertained, and determined by the Justice or Justices of the Peace by or before whom any Offender shall be convicted of any such Offence or Offences, who is hereby authorized and required, on Nonpayment thereof, to levy such Damages or Charges by Distress and Sale of the Offender's Goods and Chattels, in manner hereby directed for the levying of any Penalties or Forfeitures.

Justices may proceed by Summons without Information in Writing.

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

Convictions to be drawn up in the following Form.

LXII. And for the more easy Conviction of Offenders against this Act, or the said Act of the Fourth Year of the Reign of His present Majesty, be it further enacted, That every Justice of the Peace before whom any Person shall be convicted of any Offence against the said Acts, or either of them, shall and may cause the Conviction to be drawn up in the Form following, or in other Words to the same Effect, as the Case may require; (that is to say,)

'County of Kent.' BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me One of His Majesty's Justices of the Peace for the said County, of having [*here specify the Offence, Time and Place when and where committed, as the Case may be*], and I do adjudge the said *A. B.* to forfeit for the same the Sum of together with the further Sum of which I have ascertained and fixed as the reasonable Costs attending this Conviction. Given under my Hand and Seal, the Day and Year first above written.'

Persons aggrieved may appeal to the Church-wardens, &c. who may grant Relief.

LXIII. Provided always, and be it further enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any Rate, or any Rule or Order, or other Matter or Thing to be made or done by the said Churchwardens, Overseers, and Governors and Directors, or by the said Churchwardens, Overseers, and Parishioners, by virtue of this Act, or of the Act hereby repealed, or the said Act of the Fourth Year of the Reign of His present Majesty, such Person or Persons may apply for Relief to the said Churchwardens, Overseers, and Governors and Directors, at any of their Meetings, provided that such Appeal be made within One Calendar Month next after Payment of such Rate shall have been demanded, or next after such Rule or Order, or other Matter or Thing, shall have been made or done; and the said Churchwardens, Overseers, and Governors and Directors, may examine such Persons, or any Witness, upon Oath or Affirmation, touching the Matter of such Appeal, and (if they think such Person aggrieved) give such Relief, or make such Order in the Matter, as to them shall seem meet.

Rates nevertheless to be paid.

LXIV. Provided also, and be it further enacted, That if such Person be dissatisfied with the Determination of the said Churchwardens, Overseers, and Governors and Directors, in regard to any Rate complained of, such Person shall nevertheless pay the said Rate; and after Payment of the said Rate, but not otherwise, such Person may within Three Calendar Months next after the Determination of the said Churchwardens, Overseers, and Governors and Directors, appeal as herein-after provided.

Appeal to Justices of the Session.

LXV. And be it further enacted, That it shall be lawful for any Person or Persons dissatisfied with the Determination of the said Churchwardens, Overseers, and Governors and Directors, in regard to any Rate, or any Rule or Order, or other Matter or Thing as aforesaid, or for any Person or Persons who may feel himself, herself, or themselves aggrieved by any Order or Conviction of any Justice of the Peace under this Act, to appeal to the Justices of the Peace

at some General Session of the Peace or General Quarter Session of the Peace to be holden for the County of *Kent* within Four Calendar Months next after the Determination of the said Churchwardens, Overseers, and Governors and Directors, or next after such Matter of Complaint or Appeal shall have arisen: Provided always nevertheless, that the Payment of any Rate which may be the Subject of Appeal shall not be suspended by reason of any Appeal: Provided also, that the Person so appealing shall give or cause to be given Twenty-one Days Notice in Writing, at least, of his Intention of appealing as aforesaid, and of the Matters of such intended Appeal, to the Clerk of the said Churchwardens, Overseers, and Governors and Directors, and within Two Days after such Notice shall enter into Recognizance before some Justice of the Peace for the same County, with Two sufficient Sureties, conditioned to try such Appeal, and to abide the Order of the Justices at such Session, and to pay such Costs as may be awarded by them; and such Justices, upon Proof of the Appellant having given such Notice to the Clerk to the said Churchwardens, Overseers, and Governors and Directors as aforesaid, and having entered into such Recognizance as aforesaid, shall hear and determine such Appeal in a summary Way, and award such Costs to the Party appealing or appealed against as such Justices may think proper; and the Determination of the said Justices in the Matter shall be conclusive; and no Proceeding to be had touching the Conviction of any Offender against this Act, or touching any Order made, or any other Matter or Thing done or transacted in or relative to the Execution of this Act, shall be vacated or quashed for Want of Form, nor be removed or removable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*.

Notice to be given of Appeal.

Proceedings not to be quashed for Want of Form.

Rates may be amended without quashing.

LXVI. And be it further enacted, That on Appeal from or against all or any of the Rates made under this Act, or the Act hereby repealed, or the said Act of the Fourth Year of the Reign of His present Majesty, the Justices at such General Session of the Peace or General Quarter Session of the Peace shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rates with respect to other Persons mentioned in the same; but if upon Appeal from the whole of any Rate it shall be found necessary to set aside the same, then and in such Case the said Justices shall and may order a new Rate to be made.

Penalty on Witnesses not attending or refusing to give Evidence.

LXVII. And be it further enacted, That if any Person summoned to appear as a Witness, either on behalf of the Complainant or Informant, or on behalf of the Person complained against or accused, before any Justice of the Peace touching or concerning any Complaint or Information exhibited to such Justice under the Provisions of this Act, or the said Act of the Fourth Year of the Reign of His present Majesty, shall refuse or neglect to attend and appear at the Time and Place mentioned and appointed for that Purpose in and by the Summons, after having been paid or tendered a reasonable Sum for his Costs and Expences in giving such Attendance, without a reasonable Excuse for such Refusal or Neglect, or shall, after attend-

ing and appearing, refuse to be sworn, or in case of a Quaker, to make Affirmation, or shall, after having been so sworn, or after having made an Affirmation, refuse to give Evidence before such Justice of the Peace touching or concerning the Subject or Matter of the said Complaint or Information, or upon any Matter or Thing incidental or relating thereto, then and in every such Case every Person so refusing shall forfeit and pay any Sum not exceeding Ten Pounds.

Limitation of Actions.

LXVIII. And be it further enacted, That no Action or Suit shall be brought or commenced against any Person or Persons for any thing done under colour or in pursuance of this Act, but within Six Calendar Months next after the Fact shall have been committed out of which the Cause of such Action shall have arisen; and every such Action shall be laid and brought in the County where the Cause of Action shall have arisen, and not elsewhere: Provided also, that no Plaintiff or Plaintiffs shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding, unless Notice in Writing shall have been given to the Person or Persons against whom the same is intended to be brought, or left at his, her, or their last or usual Place of Abode, Ten Days before such Action shall be commenced, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action, if Tender of sufficient Amends shall be made, by or on behalf of the Party or Parties who shall have committed or caused to be committed the said Fact, before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall be depending, to pay into Court such Sums of Money as he, she, or they shall think fit, whereupon such Proceedings or Order and Judgment shall be had, made, or given in and by such Court as in other Actions where the Defendant is allowed to pay Money into Court: Provided also, that the Defendant or Defendants in all and every such Action or Actions may plead the General Issue, and give this Act and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if upon the Trial of such Action or Suit it shall appear to be so done, or that such Action or Suit shall have been brought before the Expiration of Ten Days next after such Notice shall have been given as aforesaid, or after a sufficient Satisfaction made, tendered, or paid into Court as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought or laid in any other County than as aforesaid, then and in such Case the Jury shall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Actions, or if a Verdict shall be found against the Plaintiff or Plaintiffs, or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, Defendant or Defendants, then and in every such Case the Plaintiff or Plaintiffs, Defendant or Defendants, shall and may recover Treble Costs, and shall have the like Remedy for the same as any Plaintiff or Plaintiffs, Defendant or Defendants, hath or have for Costs of Suit in other Cases in Law.

LXIX. And

Proof of Debts in Bankruptcy.

LXIX. And be it further enacted, That in case of the Bankruptcy of any Person indebted to the said Churchwardens, Overseers, Governors and Directors, and Parishioners, against whom the said Churchwardens, Overseers, Governors and Directors, and Parishioners, may have any Claim or Demand, it shall be lawful for the Clerk to the said Churchwardens, Overseers, Governors and Directors, and Parishioners, to appear and act on behalf of the said Churchwardens, Overseers, Governors and Directors, and Parishioners, in respect of any such Debt, Claim, or Demand, before the Commissioners under any Commission of Bankruptcy, and to make Affidavit in order to prove any such Debt, Claim, or Demand; and such Clerk shall have such and the same Powers and Privileges as to Proof, voting in the Choice of Assignees, and signing Certificates, and otherwise, in respect of any Debt so admitted to be proved, as any other Person, being a Creditor in his own Right, would have in respect of any Debt proved by him under such Commission; and any Petition or Proceeding had or preferred by Order of the said Churchwardens, Overseers, Governors and Directors, and Parishioners respectively, in respect to any such Commission, may be had and preferred in the Name of such Clerk, on behalf of the said Churchwardens, Overseers, Governors and Directors, and Parishioners respectively.

Inhabitants may be Witnesses.

LXX. And be it further enacted, That no Inhabitant of the said Parish of *Greenwich* shall be deemed an incompetent Witness in any Suit, Action, Information, Complaint, Appeal, Prosecution, or Proceeding, to be had, made, prosecuted, or carried on in or about any Matter or Thing concerning the said Parish of *Greenwich*, by reason of any such Person being rated or liable to be rated under or by virtue of this Act, or the said Act hereby repealed, or the said Act of the Fourth Year of the Reign of His present Majesty.

Expences of Act.

LXXI. And be it further enacted, That all the Costs, Charges, and Expences of passing this Act, and all other Charges incidental to the obtaining thereof, shall be defrayed out of the Monies received by virtue of the Act hereby repealed, or which shall be raised under the Authority of this Act.

Public Act.

LXXII. 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.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's most Excellent Majesty. 1828.