ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 104.

An Act for enabling the Juſtices of the Peace for the County of *Kent* to hold a General Seſſions annually, or oftener, for levying and applying the Rates and Expenditure of the ſaid County; and to alter and amend an Act made in the Forty-ninth Year of His preſent Majeſty, for regulating the Rates of the ſaid County. [17th *June* 1814.]

WHEREAS the General Quarter Seſſions of the Peace for the County of *Kent* are holden at or near the City of *Canterbury*, in the Eaſtern Diviſion of the ſaid County, and at *Maidſtone*, in the Weſtern Diviſion of the ſaid County: And whereas an Act was paſſed in the Forty-ninth Year of the Reign of His preſent Majeſty, intituled *An Act for repealing ſuch Part of an Act, paſſed in the Forty-third Year of His preſent Majeſty, as impoſes a certain Proportion of the County Rate for the County of* Kent *upon the Eaſtern Diviſion of the ſaid County, and certain Proportions upon the Weſtern Diviſion of the ſaid County; and alſo ſo much of an Act, paſſed in the Forty-ſeventh Year of His preſent Majeſty, for empowering the Juſtices of the Peace for the County of* Kent *to make a fair and equal County Rate for the ſaid County, as directs the Churchwardens and Overſeers therein mentioned to make certain Returns of the Rental or Value of Eſtates within their Pariſhes, at the Periods, and in the Manner therein mentioned, and impoſed a certain Penalty upon ſuch Churchwardens and Overſeers for making Default therein, and for amending the Powers and Proviſions of the ſaid Acts*; by which ſaid Act the Juſtices aſſembled at the Quarter Seſſions for the Weſtern 49 G. 3. c. 111.

Diviſion of the ſaid County, and the Juſtices aſſembled at the Quarter Seſſions for the Eaſtern Diviſion of the ſaid County, are authorized and empowered to make ſuch Rate or Aſſeſſment for raiſing ſuch Sum and Sums of Money, within each Diviſion reſpectively, as ſhould be ſufficient to anſwer the Ends and Purpoſes mentioned and contained in an Act of Parliament, 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 Occaſion might demand, and the Exigencies of each Diviſion might require: And whereas it would tend greatly to improve the general Arrangement of the Buſineſs of the ſaid County, if the Juſtices were empowered to meet in an annual General Seſſion of the Peace at *Maidſtone*, in the ſaid County, for the Regulation and Tranſaction of all public Buſineſs relating to the levying and applying the Rates and regulating the Expenditure of the County at large, and for other Purpoſes herein-after mentioned; and it is therefore expedient that certain Parts of the ſaid Act of the Forty-ninth Year of His preſent Majeſty ſhould be repealed, and other Proviſions and Regulations ſubſtituted in lieu thereof: And whereas a new Gaol and Houſe of Correction for the ſaid County are now building at *Maidſtone*, in the ſaid County, and Court Houſes for the public Buſineſs of the ſaid County are intended to be built alſo at *Maidſtone*, the Expence of which Gaol, Houſe of Correction, and Court Houſes, will be conſiderable, and the Whole of which Expence is, by the exiſting Laws now in force, borne and defrayed, excluſively, by the Occupiers of Lands and Tenements: And whereas it is expedient that a certain Proportion of the Expence of erecting and completing ſuch new Gaol, Houſe of Correction, and Court Houſes, ſhould be impoſed upon the Proprietors of Lands and Hereditaments within the ſaid County, in Aid and Diminution of the Burthen now excluſively borne by the ſaid Occupiers; but the ſeveral Purpoſes aforeſaid cannot be effected without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſeveral Courts of General Quarter Seſſion which have been heretofore holden for each Diviſion of the ſaid County reſpectively, at or near *Canterbury*, and at *Maidſtone*, ſhall continue to be holden at or near *Canterbury* and at *Maidſtone*, for the Tranſaction of all ſuch Buſineſs as is not herein-after ſpecially provided for and directed to be tranſacted at the General Seſſion of the Peace herein-after authorized to be held at *Maidſtone*, in ſuch and the ſame Manner as heretofore, and with the ſame Powers and Authorities as if this Act had not been paſſed.

Quarter Seſſions to be holden at Maidſtone and Canterbury for Tranſaction of Buſineſs, not directed to be tranſacted excluſive at Maidſtone.

II. And be it further enacted, That on the *Thurſday* next preceding the *Saint Thomas* or *Midſummer* General Quarter Seſſions in each and every Year, it ſhall and may be lawful for the Juſtices of the Peace for the ſaid County of *Kent*, or any Three or more of them, and they are hereby reſpectively authorized and required to hold an Annual General Seſſion of the Peace for the ſaid County of *Kent*, at *Maidſtone*, in the ſaid County, for the Purpoſes herein-after mentioned, and to adjourn the ſame from Time to Time as Occaſion ſhall require.

Juſtices to meet at Maidſtone for the Purpoſes of the Act.

III. And be it further enacted and declared, That all Matters and Buſineſs, lawfully, and uſually tranſacted and done by Juſtices of Peace for Counties, aſſembled at any Seſſions of the Peace by virtue of or under any

All County Buſineſs may be tranſ-

any Acts of Parliament heretofore made, or which shall hereafter be made for or concerning the erecting, building, amending, repairing, enlarging, altering, or removing any Gaols, Houses of Correction, or Court Houses belonging to the County at large, or for the Regulation and Government thereof, or for or concerning the erecting, building, amending, repairing, enlarging, altering, or removing any County Bridges, or for or concerning any other public Works of the County, and all Matters and Business relating to such Gaols, Houses of Correction, Court Houses, and County Bridges, and other such public Works, and to the defraying the Expences and Charges whereof the Rates and Assessment of the County at large now are, or shall hereafter in any Manner become by Law chargeable; and also all Matters and Business lawfully and usually transacted and done by Justices of the Peace for Counties, at any Sessions of the Peace holden for the same, in respect of the auditing, settling, and allowing of the Accounts of the Treasurer or Treasurers of the County, and all other public Accounts relative to the County at large, the electing, nominating, appointing, and removing, and paying of the County Treasurer or Treasurers, the Chaplains to County Gaols and Houses of Correction, the Keepers of such Gaols, Houses of Correction, and the Officers of such Court Houses as aforesaid, Surveyors of County Bridges, and all other public Officers that now are or hereafter shall be in the Nomination of the Justices of the Peace for the County, and whose Salaries are or shall be payable out of the County Rates or Assessments, and also all other Matters and Business, lawfully and usually transacted and done by Justices of the Peace for Counties, at any Sessions of the same, in respect to the rating, laying, and assessing of any County Rates, or other Charges upon and for the same, or the raising, levying, and collecting thereof, shall be heard, determined, and carried into Execution in and for the said County, solely and exclusively, at the said Annual General Session of the Peace so hereby authorized and appointed to be holden at *Maidstone* aforesaid, at the Time aforesaid, or at some Adjournment thereof, and at no other Session, Place, or Time whatsoever, save as herein-after mentioned, any Thing contained in any Act or Acts of Parliament, or any Law or Laws to the contrary notwithstanding.

acted at Maidstone Sessions.

IV. Provided always, and be it further enacted, That nothing in this Act contained shall authorize or empower the said Justices of the Peace, assembled at the said Annual General Session of the Peace hereby directed to be holden, or at any Adjournment thereof, to hear or determine any Appeal to be preferred by any Person or Persons against any Rate or Rates to be laid, ordered, or assessed by the said Justices assembled at any such Annual General Session, but that all such Appeals shall be heard and determined by the Justices assembled at the General Courts of Quarter Sessions of the Peace held for the said County, or at any Adjournment thereof, in the Manner herein-after mentioned.

But not to determine Appeals.

V. And be it further enacted, That it shall be lawful for the Justices of the Peace for the said County, assembled at any such Annual General Session of the Peace, or at any Adjournment thereof, to nominate and appoint One or more proper Person or Persons to be the Treasurer or Treasurers for the Whole of the said County, or for each Division thereof, and to fix and appoint such Salary or Salaries to be paid to such Person or Persons as they shall think reasonable; and every Person or Persons so appointed

Appointment of Treasurer.

appointed to be Treasurer or Treasurers for the said County of *Kent* shall give Security for the due Execution of the Trust reposed in him or them.

Salaries to Chaplains.

VI. And whereas the Amount of the Salaries now paid to the Chaplains to the common Gaols and Houses of Correction of the said County, have been found to be inadequate to the Labour attending the Execution of the Duties required of them: And whereas it would tend greatly to the Improvement of the Morals of the Prisoners confined in the said Gaols, if the said Chaplains resided therein, or had Apartments near thereunto; be it therefore further enacted, That it shall be lawful for the Justices assembled at such Annual General Session as aforesaid, or at any Adjournment thereof, to fix and appoint such Salaries to be paid to such Chaplains, as to the said Justices so there assembled shall, from Time to Time, appear reasonable; and also to allot for such Chaplain or Chaplains, in the said Gaols, or in Buildings adjoining or near such Apartments as to them shall seem fit and proper for his or their Use, and further from Time to Time to alter and vary any such Allowances or Regulations to or concerning the same Chaplains, or any of them, in such Manner as to the Justices assembled at any such Session shall seem proper.

For holding Special Sessions.

VII. And be it further enacted and declared, That if any Emergency shall at any Time hereafter arise, which may require such immediate Attention thereto, as may render the holding a Special Session in that Behalf necessary, then and in such Case the Clerk of the Peace for the said County, or his Deputy, shall, as soon as may be, upon the Order in Writing, under the Hands and Seals of any Three or more Justices of the Peace for the said County, to him for that Purpose given, wherein shall be expressed and contained the Nature and Purport of the Business intended to be brought forward at such Special Session, and the Day for holding such Session, cause an Advertisement for the holding of the same, to be inserted Twice at the least, in some one of the several Public Newspapers printed at *Canterbury* and *Maidstone*, if any such be there published and circulated, and if not, then Twice in like Manner in the *London Gazette*, thereby notifying and declaring the Order of the said Justices: Provided always, that the Time to be appointed shall not be within a less Time than Fourteen Days from the Time of first publishing such Advertisement: Provided also, that such Special Session shall and may be lawfully holden accordingly for the due Dispatch and ordering of the Business so particularly notified as aforesaid, and no other, and the same shall and may be adjourned from Time to Time.

Adjusting Accounts of the County.

VIII. And whereas the Expences of the County of *Kent* have been regulated and defrayed according to the Provisions of the said herein-before recited Act, passed in the Forty-ninth Year of His present Majesty's Reign, and it is expedient that all Accounts should be settled and adjusted, and a Balance struck between the Two Divisions of the County, previous to the holding of the First General Session of the Peace at *Maidstone*, under the Authority of this Act; be it therefore further enacted, That the Committees of Justices appointed at the Quarter Sessions held at *Maidstone*, and at *Saint Augustine*'s near *Canterbury*, in the Week next after the Close of *Easter* last past, in pursuance of the said recited Act

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of the Forty-ninth Year of His present Majesty's Reign, shall, and they are hereby required to meet at *Sittingbourn*, in the said County, within Ten Days next after the passing of this Act, for the Purpose of examining, passing, adjusting, and allowing the several Accounts of the respective Treasurers of the said County, up to the *Easter* Quarter Sessions, One thousand eight hundred and fourteen, inclusive, and apportioning the gross Expence of the said County, fairly and equally between the Two Divisions, according to the Amount of their respective Rentals.

Ascertaining the Balance from the Eastern to the Western Division of the County.

IX. And whereas upon such Apportionment of the said Accounts a Balance will be due from the Eastern to the Western Division of the County, which Balance will be the exclusive Property of the said Western Division: And whereas it is expedient that the said Balance should be thrown into the general Stock of the County, and that the said Eastern Division should contribute a proportionate Sum to be estimated on the relative Rentals to the said general Stock; be it therefore enacted, That the said Committee shall, at their Meeting at *Sittingbourn* to be holden as aforesaid, ascertain and declare the Amount of the said Balance, and the said proportionate Sum.

For raising the Balance upon the Eastern Division of the County.

X. And whereas the Amount of the aforesaid Balance and proportionate Sum are to be raised exclusively upon the Eastern Division of the County; be it further enacted, That it shall be lawful for the Justices of the said Eastern Division, assembled in Quarter Sessions at or near *Canterbury*, and they are hereby required and empowered to assess and levy a special Rate or Rates upon the said Eastern Division, exclusive of any Rate that may be granted by the General Session at *Maidstone*, for the Payment of the aforesaid Balance and proportionate Sum, and to pay the Amount of the said Rate or Rates at such Times, and by such Instalments, as to the said Justices shall seem fit, to the general County Stock; provided that the whole Amount of the said Sums as aforesaid shall be paid to the said general County Stock within Three Years from the passing of this Act.

First Meeting of Justices for executing this Act.

XI. And be it further enacted, That on the Second *Tuesday* after the Meeting of the said Committee at *Sittingbourn*, it shall be lawful for the Justices of the said County of *Kent*, and they are hereby authorized and required, to meet at *Maidstone*, in the said County, for the Purpose of holding the First General Session for the said County, under the Authority of this Act.

Repealing so much of Act 49 G. 3. as directs a Committee of 12 Justices.

XII. And be it further enacted, That so much of the said recited Act of the Forty-ninth Year of the Reign of His present Majesty, as directs that the Justices who shall be assembled at the *Easter* Quarter Sessions of the Peace to be holden for the said County in each and every Year, should appoint a Committee of Twelve Justices, that is to say, Six Justices acting in the Eastern Division, and Six Justices acting in the Western Division of the said County, shall be, and the same is hereby repealed, and declared to be null and void to all Intents and Purposes whatsoever.

Repealing so much of said Act as authorizes the Jus-

XIII. And be it further enacted, That so much of the said Act of the Forty-ninth Year of the Reign of His present Majesty, as directs that from and after the passing of that Act, it should and might be lawful for the

tices to make Rates.

Juſtices aſſembled at the Quarter Seſſions holden for the Weſtern Diviſion of the ſaid County, and for the Juſtices aſſembled for the Eaſtern Diviſion of the ſaid County, to make ſuch Rate or Aſſeſſment for raiſing ſuch Sum or Sums of Money within each ſuch Diviſion reſpectively, as ſhould be ſufficient to anſwer the Ends and Purpoſes mentioned in the ſaid Act of the Twelfth Year of the Reign of His late Majeſty King *George* the Second aforeſaid, as Occaſion might demand, or as the Exigencies of each ſuch Diviſion might require, and alſo for the Ends and Purpoſes of the ſaid Act, ſhall be, and the ſame is hereby repealed and declared to be null and void to all Intents and Purpoſes whatſoever.

And ſo much of the ſaid Act as directs the Treaſurer to tranſmit an Account of Balances.

XIV. And be it further enacted, That ſo much of the ſaid Act of the Forty-ninth Year of the Reign of His preſent Majeſty as directs, that the Treaſurer or Treaſurers for each Diviſion of the ſaid County ſhould tranſmit to the Clerk of the Peace, an Account in Writing of the Balance then remaining in the Hands of each ſuch Treaſurer reſpectively, and alſo the groſs Expenditure ſince the *Eaſter* Quarter Seſſions, and an Eſtimate of the further probable Expence to be incurred up to the ſaid *Eaſter* Quarter Seſſions incluſive, ſhall be, and the ſame is hereby repealed and declared to be null and void to all Intents and Purpoſes whatſoever.

Juſtices to aſſeſs a ſpecial County Rate.

XV. And be it further enacted, That the Juſtices of the Peace for the ſaid County, aſſembled at the General Seſſion to be holden for the ſaid County, in purſuance of this Act, ſhall yearly, and every Year, until all the Charges and Expences of building and completing the new Gaol, Houſe of Correction, and Court Houſes, incurred and to be incurred ſince the laſt *Eaſter* Quarter Seſſions, ſhall be paid and ſatisfied, aſſeſs and tax a ſpecial County Rate, for the Payment of ſuch Charges and Expences, on all and every Pariſh, Townſhip, Liberty, Precinct, Village, Hamlet, and extra Parochial and other Place, in the ſaid County, within their reſpective Diviſions, now contributing or liable to contribute to the ordinary County Rate, at a Sum not exceeding the Sum of Sixpence in the Pound, over and above the ordinary County Rate, by One or more Rates in each Year, on the Rental at which each Pariſh, Townſhip, Liberty, Precinct, Village, Hamlet, and extra Parochial or other Place, ſhall be rated, taxed, and aſſeſſed, to the ordinary County Rate; and the ſaid ſpecial Rate ſhall be collected, levied, and recovered in like Manner, and by ſuch Ways and Means, and under ſuch Penalties, as any County Rate may be collected, levied, and recovered in the ſaid County of *Kent*; and the Overſeers and Overſeer of every Pariſh, Townſhip, or Place, maintaining its own Poor, within the ſaid County of *Kent*, ſhall and may, and is and are hereby authorized and empowered to levy and raiſe ſuch Rate in like Manner, and by ſuch Ways and Means, and under ſuch Penalties, as any Poor Rate is now by Law collected: Provided always, that every Tenant or Occupier paying ſuch Rate as aforeſaid, may deduct and detain out of the Rent payable to his or her Landlord or Landlords, for the Premiſes in reſpect of which ſuch Rate is payable, One Half Part of the full Amount of ſuch Rate, it being the Intent and Meaning of this Act that the Half of ſuch Rate, except as hereafter excepted, ſhall be borne by the Landlord, and every Landlord ſhall, and is hereby required, to allow and make ſuch reſpective Deductions accordingly; and every ſuch Tenant paying, or having levied upon him or her ſuch Rate, ſhall be, and is hereby acquitted and diſcharged of and from ſo much Money as

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such Half Part shall amount to, as fully and effectually as if the same had been actually paid to any such Landlord or Landlords, in Part of the Rent due from such Tenant; and if any Person or Persons shall refuse or omit to pay the Sum or Sums of Money rated or assessed upon him, her, or them, by virtue of this Act, it shall and may be lawful for any Justice of the Peace for the County of *Kent*, upon Complaint thereof made by any such Overseer or Overseers, by Warrant under his Hand and Seal, to levy the same by Distress and Sale of the Offender's Goods and Chattels, not only in *Kent*, but in any other County, the Warrant or Warrants for recovering and levying the same, in such last-mentioned Case, being first countersigned by some Justice of the Peace for the County where any Goods or Chattels of the respective Person or Persons shall be found, returning the Overplus (if any) after such Rate and the Charges of the Distress and Sale shall be paid to the Owner and Owners of the Goods so distrained and sold: Provided always, that during the Continuance of such special Rate, no Part of the ordinary County Rate, which it may be necessary to make for other Purposes, shall be applied towards the Expence of building, completing, and finishing the said Gaol, House of Correction, and Court Houses, except for the Payment of such Bills and Expences as have been incurred previous to the last *Easter* Quarter Sessions, but that the whole Expence thereof, except as aforesaid, shall be defrayed out of the said special Rate.

Allowance by Landlord to be in Proportion to Rent.

XVI. Provided always, and be it further enacted, That in all Cases where the Messuages, Mills, Lands, Tithes, Tenements, and Hereditaments, held or occupied by any Tenant or Occupier, have been or shall be charged and assessed in or to the special County Rates or Rate directed to be levied and collected under the Provisions of this Act, at a higher Amount or Value than the Rent or Rents actually and *bonâ fide* paid or payable, or agreed to be paid or payable to his or her Landlord or Landlords thereof, for the Time being, the Deduction or Allowance in and by this Act directed to be made by every such Landlord or Landlords shall, as to the Quota or Proportion of such Landlord or Landlords thereof, be calculated upon the Amount of the Rent or Rents actually and *bonâ fide* paid or agreed to be paid to him, her, or them; and in all such Cases as last aforesaid, the rest of all such Rate or Rates exceeding and over and above the Rent or Rents actually and *bonâ fide* paid or agreed to be paid to the Landlord or Landlords aforesaid, shall be wholly borne, paid, and discharged by every such Tenant or Occupier of the Hereditaments and Premises assessed or to be assessed, at a higher Amount or Value than the Rent actually and *bonâ fide* paid, or payable by him or her as hereinbefore mentioned.

Settling Disputes between Landlord and Tenant.

XVII. And be it further enacted, That in case any Dispute shall arise between any Landlord and Tenant, touching and concerning any such Deduction to be allowed by such Landlord, the same shall be heard and determined in a summary Way, before any Two or more Justices of the Peace acting for the said County, and in case either of the Parties in such Dispute shall refuse to abide by or shall not obey the Determination of such Justices, the Party so offending shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, to be recovered by Distress and Sale of his, her, and their Goods and Chattels, by Warrant under

the Hands of such Justices, returning the Overplus (if any) to the Party or Parties whose Goods shall have been so distrained.

No Rate to be levied for Gaols or Court Houses.

XVIII. And whereas it is expedient, that the said County should be relieved and exonerated from any Taxes, in respect of any of the Gaols, Houses of Correction, and Court Houses of the said County; be it therefore enacted, That from and after the passing of this Act, no Rate, Tax, or Assessment whatsoever, Parliamentary or Parochial, shall be raised, assessed, or levied on, or be payable by the said County of *Kent*, for or on Account of the said Gaols, Houses of Correction, and Court Houses, or any or either of them, or any Part thereof.

Repealing so much of Act as directs the Revisal of the Rental of the County.

XIX. And be it further enacted, That so much of the said Act of the Forty-ninth Year of His present Majesty, as enacts, that whenever the Justices assembled at any General Quarter Sessions of the Peace to be holden for the said County, whether the same should be holden originally in the Eastern or Western Division thereof, should determine that it was necessary to revise, correct, and re-ascertain the Rental of the whole County, they should immediately signify such their Determination to the Justices to be assembled in Sessions in the other Division of the said County, in order that such Justices might appoint a Committee of Three Justices from each Division of the said County, and that such Committee should meet as soon after such Appointment as should be mutually agreed on between them, in order to revise, correct, and re-ascertain the Rental of the whole County, and the relative Rentals of each Division thereof distinctly, upon as just and equitable Principles as they could by virtue and under the Powers, Provisions, and Directions of the therein recited Act of the Forty-seventh Year of the Reign of His present Majesty, and that such Revision, Correction, and Ascertainment should take place and be made in Manner as aforesaid, saving to all such Parties as might consider themselves aggrieved, certain Powers of Appeal, shall be and the same are hereby repealed, and declared to be null, void, and of no Effect, to all Intents and Purposes whatsoever; and that all Powers, Directions, and Authorities given to the said Committee by the said Act of the Forty-ninth Year of His present Majesty shall be vested in and exercised by the Committee by this Act herein-after appointed and directed to ascertain the Rental of the County.

Appointment of Committee to ascertain the Rental of the County.

XX. And be it further enacted, That it shall and may be lawful for the Justices of the said County assembled at the said General Annual Session to be held at *Maidstone* in and for the said County, under and by virtue of this Act, or at any Adjournment thereof, as often as they shall see Occasion to revise, correct, and ascertain the Rental of the said County, to nominate and appoint Six Justices of the Peace of the said County, to form a Committee for such Purposes, of which Committee any Three shall be competent to act, and such Committee shall meet within Fourteen Days after such Appointment; and the Justices of the said Committee then present shall have full Power to adjourn such Meeting from Time to Time to such Place as they may judge convenient, and the said Committee shall revise, correct, and re-ascertain the Rental of all and every Parish, Town, Liberty, Precinct, Village, and other Place within the said County, and such Revision, Correction, and Re-ascertainment, shall be final, binding, and

and conclusive to all Intents and Purposes; saving nevertheless to all such Parties as may consider themselves aggrieved thereby, such Power of Appeal as is contained in this Act.

Compelling Parish Officers to make Returns.

XXI. And be it further enacted, That in case any Churchwarden or Overseer of the Poor of any of the several Parishes, Towns, Liberties, Precincts, Villages, Hamlets, or Places within the said County, or any Person to be specially appointed as such, shall neglect or make Default in any Returns as directed in the said recited Act of the Forty-ninth of His present Majesty, then and in every such Case, each and every such Churchwarden and Overseer of the Poor so neglecting and making Default, without sufficient Excuse, to be allowed by the said Committee so to be appointed, shall forfeit and pay such Sum or Sums of Money, not exceeding Fifty Pounds, as shall or may be ordered or adjudged by the said Committee, by way of Penalty for such Neglect or Default; and in case any such Penalty shall not be forthwith paid, it shall and may be lawful to and for the said Committee at such Meeting assembled, and they are hereby directed to issue their Warrant to the High Constable of the Division where such Parish, Town, Liberty, Precinct, Village, Hamlet, or Place shall be situated, directing him to levy such Penalty upon the respective Goods and Chattels of each and every Churchwarden and Overseer of the Poor so neglecting or making Default in like Manner, and with such Powers and Authorities as the said High Constable is, by the said Act of the Twelfth Year of the Reign of His late Majesty King *George* the Second, vested with, for levying on the Churchwardens and Overseers of the Poor the Sum assessed for the County Rate.

Returns for Parishes partly in Kent and partly in any other County, how to be made.

XXII. And whereas many Parishes, Townships, and other Places lie and are situate partly within the County of *Kent*, and partly in some adjoining County, or in some Liberty or District, having peculiar Privileges, and it is therefore difficult to ascertain by the gross Returns of the Rentals of the Whole of such Parishes, Townships, and other Places, the real Rental of such Part or Division thereof as lies or is situate within the County of *Kent*; be it therefore further enacted, That the Churchwardens and Overseers of the Poor, or other Parish Officers of all and every such Parish, Township, or other Place so situate as aforesaid, shall make a Return to the said Committee, so to be appointed as aforesaid, at such Time and Place as the said Committee shall appoint, of the real Amount of the Rental or Value of such Estates, or Parts of Estates, within the said Parishes, Townships, or other Places, as lie within the County of *Kent*, at the Time of making such Return; and shall also verify such Return upon Oath, and such Returns shall contain all the Things and Specifications required by this Act, in the Returns to be made to the said Committee, by Churchwardens and Overseers of the Poor.

Parish Officers residing out of Kent may be summoned by the Magistrates for Kent.

XXIII. And whereas it may happen, that in such Parishes, Townships, and other Places, so situate as aforesaid, the Churchwardens, Overseers of the Poor, or other Officers thereof, may reside in that Part of the Parish, Township, or other Place, which is not situate in the County of *Kent*, whereby it might be difficult for the Justices of the said Committee to oblige such Officers to attend their Meetings, and to make such Returns as aforesaid; for obviating thereof, be it further enacted, That in all Cases where the Overseers of the Poor, Churchwardens, or other Parish Officers of any Parish, Township, or other Place, partly lying in the said County of *Kent*, shall reside and dwell out of the said County, it shall and may be

be lawful for the Juſtices preſent at any Meeting of any Committee, appointed for reviſing the Rental of the ſaid County, to iſſue their Summons to ſuch Overſeers of the Poor, Churchwardens, or other Officers; and every Overſeer of the Poor, Churchwarden, or other Officer receiving the ſame, ſhall obey the ſame, according to the Exigency thereof, or in Default thereof, ſhall be ſubject to ſuch and the ſame Penalties as are impoſed upon Churchwardens, Overſeers of the Poor, and other Officers reſident in the ſaid County of *Kent*, neglecting to make Returns as aforeſaid.

Appeal.

XXIV. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act, and for which no particular Method of Relief hath been already appointed, ſuch Perſon may appeal to the Juſtices of the Peace at any General Quarter Seſſion of the Peace within the Diviſion where the Cauſe of Appeal ariſes, within Six Calendar Months after the Cauſe of ſuch Complaint ſhall have ariſen, ſuch Appellant firſt giving or cauſing to be given Fourteen clear Days Notice at leaſt, in Writing, of his or her Intention to bring ſuch Appeal, and of the ſpecific Cauſe of Appeal or Matter thereof, if againſt a Conviction, to the Juſtice or Juſtices of the Peace before whom ſuch Conviction ſhall have been made, and if againſt a Rate, to the Clerk of the Peace of the ſaid County, or his Deputy, who ſhall notify the ſame to the Committee of Juſtices who have been employed in reviſing the Rentals of the ſaid County, and ſuch Perſon or Perſons appealing ſhall, within Three Days after ſuch Notice, enter into Recognizance before ſome Juſtice of the Peace for the ſaid County, with Two ſufficient Sureties, conditioned to try ſuch Appeal, and abide the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Quarter Seſſion; and the Juſtices at ſuch Seſſion, upon the Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſes and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Party appealing, or appealed againſt, as they the ſaid Juſtices ſhall think proper; and the Determination of ſuch Quarter Seſſion ſhall be binding, final, and concluſive, to all Intents and Purpoſes.

Perſons to pay the Rate although Appeal is made.

XXV. Provided always, and be it further enacted, That notwithſtanding any ſuch Appeal, the Perſon or Perſons ſo appealing ſhall pay to the Treaſurer of the County, or of the Diviſion of the County, in which the Rate is made, ſuch Sum as would have been payable, in caſe the Rental of the Pariſh or Place in reſpect of which ſuch Perſon or Perſons Appeal had been aſſeſſed in ſuch Rate, at the ſame Amount, as in the preceding Rate, and ſuch Deduction from or Addition to ſuch Payment ſhall be made, as the Juſtices at ſuch Quarter Seſſions, after hearing ſuch Appeal, ſhall determine to be juſt, and the Account between ſuch Pariſh or Place, and the Treaſurer of the County, ſhall be ſettled accordingly; and ſuch Determination of the Juſtices, at ſuch Quarter Seſſions, ſhall be final and concluſive, ſo far as relates to the Amount at which ſuch Pariſh or Place ſhall be in future aſſeſſed to the County Rate, until the Rentals of the ſeveral Pariſhes and Places within the County, ſhall be again generally reviſed and re-aſcertained.

Proceedings not to be quaſhed for Want of Form.

XXVI. And be it further enacted, That no Order made touching or concerning any of the Matters, in this Act contained, or any Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders againſt this Act, ſhall be quaſhed for want of Form, or be removed

or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*; and that where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto, nor ſhall ſuch Party or Parties be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage (if any) in an Action upon the Caſe, but no Plaintiff or Plaintiffs ſhall recover in any Action for ſuch Irregularity as aforeſaid, if Tender of ſufficient Amends hath been made, by or on behalf of the Party diſtraining, before ſuch Action brought.

General Iſſue may be pleaded.

XXVII. And be it further enacted, That if any Suit or Action ſhall be proſecuted againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Perſon or Perſons may plead the General Iſſue, and give this Act and the ſpecial Matters in Evidence at any Trial to be had thereupon, and that the ſame was done by Authority of this Act; and if a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuit, or ſhall diſcontinue his, her, or their Action or Actions, after Iſſue joined, or if on Demurrer, or otherwiſe, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover Treble Coſts, and have the like Remedy for the ſame as any Defendants have by Law in any other Caſes; and though a Verdict ſhall be given for any other Plaintiff, in any ſuch Action or Suit as aforeſaid, ſuch Plaintiff ſhall not have Coſts againſt the Defendant, unleſs the Judge before whom the Trial ſhall be, ſhall certify his Approbation of the Action, and of the Verdict obtained therefrom.

Limitation of Actions.

XXVIII. And be it further enacted, That all Actions, Suits, and Proſecutions, to be commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, ſhall be laid and tried in the County and Place where the Facts were committed, and ſhall be commenced within Six Calendar Months after the Fact committed, and not otherwiſe.

Expence of Act.

XXIX. And be it further enacted, That the Expences incident to the ſoliciting, obtaining, and paſſing of this Act, ſhall be paid out of the County Rates of and for the ſaid County, by and under the Order of the Juſtices aſſembled at their Firſt Annual General Seſſion to be holden as aforeſaid.

Public Act.

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

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