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respect of such Dwelling House, Building, or Tenement, instead of the actual Occupier thereof.

Owners may compound for Rates.

II. And be it enacted, That if the Owner of any Dwelling House, Building, or Tenement within the said Parish, the yearly Rent or Value whereof shall not amount to Ten Pounds, shall be desirous of paying a reduced Rate by the Year for the same, whether occupied or not, the Overseers of the Poor of the said Parish as regards Poor Rates and lighting and watching Rates, and the Surveyors of the Highways of the said Parish as regards Highway Rates, may respectively compound with such Owner for the Payment of the Rates charged or chargeable on such Dwelling House, Building, or Tenement at any Sum not less than Two Thirds of the Amount of the Rate in respect of which such Composition shall be made; and all such Compositions and reduced Rates shall be entered in the Rate Books of the said Overseers or Surveyors, as the Case may require, and shall be recoverable in like Manner as Rates of the like Nature within the said Parish are now by Law recoverable.

Meetings to be held for compounding with Owners for Rates.

III. And be it enacted, That Meetings shall be held annually by the several Officers herein-after mentioned of the said Parish of *Kettering* for the Purpose of compounding with the Owners of such Dwelling Houses, Buildings, and Tenements in respect of the said Rates; that is to say, by the Overseers of the Poor of the said Parish in respect of Rates for the Relief of the Poor, and for lighting and watching, and by the Surveyors of Highways of the said Parish in respect of Rates for the Repairs of the Highways; and the said Overseers and Surveyors respectively shall give Seven Days Notice of the Time and Place of every such Meeting, in the same Manner as Notices of Vestry Meetings are now required to be given, the first yearly Meeting for each such Purpose to be held within Ten Days after the Publication of the first Rate which shall be made for the Relief of the Poor, for the lighting and watching or for the Repairs of the Highways of the said Parish, after the passing of this Act, and the Meeting in all future Years to be held within Ten Days after the Publication of the first of each of such Rates which shall be so made next after the Twenty-fifth Day of *March* in every Year.

Rates or Compositions may be recovered by Distress or by Action.

IV. And be it enacted, That upon Nonpayment of any Rate, or of any Composition for any Rate, by such Owner as shall be liable to the Payment thereof, the same, together with the Costs and Charges of recovering and levying the same, shall and may be recovered from and levied upon him and his Goods and Chattels, wherever the same may be found, in like Manner as other Rates of a like Nature within the said Parish may by Law be levied and recovered upon and from the Occupier, or the same may be recovered from such Owner by Action of Debt, at the Suit of the Party authorized to make or recover such Rate, with Costs, in any Court of Law having competent Jurisdiction.

How Action may be brought.

V. And be it enacted, That in any such Action or other Proceeding it shall be sufficient to sue by the Name of the Officer respectively authorized to make or collect the Rate, and whether the same shall

have become due during his own Tenure of Office, or that of any of his Predecessors, and without specifying the Name of such respective Officer for the Time being; and no such Action or other Proceeding shall abate or be discontinued by the Death, Removal, or Retirement of such Plaintiff in such Action or Proceeding.

Notice of Action to be given.

VI. Provided always, and be it enacted, That before any such Action shall be commenced a Notice, signed by the Person or Persons intending to bring such Action, or by his or their Attorney, shall be sent by the Post to or left at the Dwelling House or last known Place of Abode of the Person so made liable to the said Rates or Compositions, or if such Person have no Dwelling House, or his last reputed Place of Abode cannot be discovered, then such Notice shall be left at or upon the Premises in respect of which he shall be assessed to the Rate, which said Notice shall state that certain Rates or certain Compositions for Rates (describing them) are due from such Person, and that at the Expiration of Fourteen Days from the Posting or Delivery of the said Notice an Action at Law will be commenced for the Recovery of such Rates or for such Compositions (as the Case may be) unless the same shall in the meantime be discharged: Provided also, that no such Action shall be commenced under the Authority of this Act after the Expiration of Twelve Calendar Months from the Time when such Rate or Composition (as the Case may be) shall have been due.

Persons receiving Rents to be deemed the Owners.

VII. And in order to prevent Disputes touching the Designation of the Parties intended to be made liable by this Act to the Payment of Rates as Owners, be it enacted, That the Person actually receiving the Rent of any Dwelling House, Building, or Tenement from the Tenant or Occupier thereof, whether for his own Benefit as the Owner or Mortgagee in receipt of such Rent, or as Trustee, Agent, or Receiver for any other Person or Purpose, shall be deemed and taken to be the Owner of the same for the Purposes of this Act.

Penalty on Tenant or Occupier refusing to disclose, &c. Name of Owner.

VIII. And be it enacted, That if, on the Request of the said Overseers or Surveyors respectively, or of the Collector of the said Rates, or any or either of them, the Tenant or Occupier of any Dwelling House, Building, or Tenement within the said Parish shall refuse or wilfully omit to disclose, or shall wilfully mis-state to the said Overseer, Surveyor, or Collector making such Request, the Name of the Owner of such Dwelling House, Building, or Tenement, or of the Person receiving or authorized to receive the Rents of the same, or the Amount of Rent payable in respect of such Dwelling House, Building, or Tenement, or the Amount of such Rent which may be due at the Time of such Request, it shall be lawful for any Justice of the Peace for the said County of *Northampton*, on Oath made before him of such Request, and of such Refusal or wilful Omission or Mis-statement, to summon the Person who shall have so refused or wilfully omitted or mis-stated as aforesaid to appear, at the Time and Place to be mentioned in such Summons, before Two or more Justices of the Peace for the said County; and if the Person so summoned shall neglect or refuse to attend at the Time and Place mentioned in the Summons, or if he shall attend, and not show good Cause to the

Justices then present for such his Refusal or wilful Omission or Mis-statement, it shall be lawful for such Justices forthwith, or in case of the Refusal or Neglect to attend as aforesaid, upon Proof of the due Service of the said Summons, to impose a Penalty upon such Person who shall have so refused, or wilfully omitted, or have made such wilful Mis-statement, not exceeding the Sum of Five Pounds, to be recovered as the Rates or Compositions are by this Act made recoverable; the said Penalty to be payable to the said Overseers for the Use of the Poor, in aid of the Poor Rates of the said Parish.

When Name of Owner is not known, the Word "Owner" a sufficient Description.

IX. And be it enacted, That whenever the Name of any such Owner shall not be known to or cannot be ascertained by the Officers making any such Rate, it shall be sufficient to rate such Owner as the Owner of the Property to be rated by the Description of "Owner," without stating his Name.

Tenants under existing Leases or Agreements to repay the Owner.

X. Provided always, and be it enacted, That when any Owner shall be rated in respect of any Dwelling House, Building, or Tenement which shall be in the Occupation of any Tenant under any Lease or Agreement made prior to the passing of this Act, such Tenant shall repay to the Owner all Sums which shall be paid by the Owner on account of any Rates under this Act during the Continuance of such Lease payable by the Occupier, unless it shall have been agreed that the Owner shall pay all Rates in respect of such Property; and every such Sum of Money payable by the Tenant to the Owner under the Provisions herein contained may be recovered, if the same be not paid upon Demand, as Arrears of Rent could be recovered from the Occupier by the said Owner.

Occupier may deduct the Amount of Rates paid from his Rent.

XI. And be it enacted, That in all Cases where the Owner is absent and cannot be found, or refuses or neglects to pay the Rate or Composition to which he is by this Act liable, such Rate or Composition may be paid by the Occupier of the Premises in respect of which such Rate or Composition shall be due, and the Goods and Chattels of every such Occupier shall be liable at all Times to be distrained and sold for Payment of so much of the said Rates, or of any Compositions for the same, and of all Arrears thereof, as shall be due in respect of the same Premises during the Time of his Occupancy only after such Rate shall have been demanded from such Occupier, in such and the same Manner as Rates for the Relief of the Poor may by Law be levied or recovered: Provided always, that no such Occupier shall at any Time be required to pay any greater Sum for or towards the Discharge of any such Rate, Composition, or Arrears than the Amount of the Rent actually due by such Occupier to the Owner of the Premises so occupied by him at the Time when the said Rate shall be demanded: Provided also, that every such Occupier who shall pay any such Rate, Composition, or Arrears, or any Part thereof, or upon whose Goods and Chattels the same shall be levied, may from Time to Time deduct the Amount of such Rate which shall be so paid or levied, and the Costs and Charges of recovering and levying the same, from the Rent then due or at any Time thereafter to become due from him to the Owner of the Premises, and the Receipt for such Payment shall be a good and sufficient

Discharge

Discharge to such Occupier against the Owner for so much Money as he shall have paid in the Manner directed by this Act, or shall have sustained the Loss of by reason of any Distress made under this Act.

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

XII. And be it enacted, That in all Cases where any Person shall cease to be the Owner of any Dwelling House, Building, or Tenement in respect whereof he shall be rated or be liable to be rated by virtue of this Act, such Person shall be liable to pay so much of such Rate as shall be in proportion to the Time he shall have possessed the same; and in all Cases where any Person shall come into the Possession of any such Tenement, and which any other Person shall have ceased to be the Owner of, or which at the Time of making any such Rate was unoccupied, the Person so coming into possession shall be liable to pay such Rate (although his Name may not be inserted in such Rate) in proportion to the Time that he shall have been the Owner thereof, or that the same shall be occupied, and which said Proportion in case of Dispute shall be settled by Two Justices of the Peace for the County of *Northampton*.

Rate Books to be open for Inspection.

XIII. And be it enacted, That the respective Rate Books of the Officers authorized to make or collect any of the said Rates shall be open for the Inspection of such Owners as aforesaid, without Fee or Reward, in the same Way and Manner to all Intents and Purposes whatsoever as such Rate Books are now by Law required to be open to the Inspection of other Rate-payers.

Power of Appeal to Persons rated.

XIV. And be it enacted, That every Person rated as the Owner of any such Dwelling House, Building, or Tenement as aforesaid, who shall think himself aggrieved by any such Rate, shall have such and the like Remedy by Appeal against the same as any other Person thereby rated.

Summonses or Warrants may include several Persons.

XV. And be it enacted, That every Summons or Warrant of Distress for Nonpayment of any Rate or Composition payable by virtue of this Act may include several Persons as well as One Person, and several Sums in respect of Tenements of which the same Person may be Owner, or the same Person may be Occupier.

Justices may order Rates to be remitted or reduced in certain Cases.

XVI. And be it enacted, That in case the Owner of any Dwelling House, Building, or Tenement, who, under the Provisions herein-before contained, shall be rated for such Dwelling House, Building, or Tenement, (and who shall not have compounded with the said Overseers or Surveyors as aforesaid,) shall make it appear to the Satisfaction of any Two or more of Her Majesty's Justices of the Peace of the said County of *Northampton* that he has been unable, by reason of such Dwelling House, Building, or Tenement having remained void and unoccupied for the whole or any Part of the Year for which he shall have been rated in respect thereof, to obtain Payment of the Rent which would otherwise have been paid for the same, or some Part thereof, it shall be lawful for such Justices, and they are hereby authorized and required, having first duly summoned the Overseers or Surveyors (as the Case may be), and having in the Presence of such

Overseers

Overseers or Surveyors, or in their Absence if they shall neglect or refuse to attend at the Time and Place mentioned in such Summons, duly inquired into and investigated the Matter on Oath, and thereby ascertained to their Satisfaction that such House, Building, or Tenement was void and unoccupied during the whole or some Part of the said Year, to remit to such Owner the whole or such Portion of the Rate charged upon the said Premises as shall have accrued due for the Period during which such House, Building, or Tenement remained void or unoccupied, and make such Order therein as such Justices may deem expedient.

Expenses of Act.

XVII. And be it enacted, That all the Costs, Charges, and Expenses of passing this Act, and all preliminary and other Charges and Expenses incident to or attending the obtaining thereof, or in any Manner relating thereto, shall be borne, paid, and defrayed in manner following; that is to say, one Half Part thereof out of any Monies to be received for the Relief of the Poor of the Parish of *Kettering*, and the remaining Half Part thereof out of Monies to be received for the Repairs of the Highways of the Parish of *Kettering*.

Interpretation of Act.

XVIII. And be it enacted, That in construing this Act Words importing the Singular Number shall include the Plural Number and Words importing the Plural Number shall be understood to include the Singular Number; and the Word "Person" shall be understood to include Corporation; and Words importing the Masculine Gender shall be understood to include Females as well as Males; and that the Word "Rate" shall include Assessments; and that the Word "Overseers" shall include Churchwardens and Assistant Overseers; and that the Word "Dwelling House" shall be understood to include all Buildings, Land, and Ground rented with a Dwelling House; and the Word "Tenement" shall be understood to include any Premises, of whatever Description, liable to be assessed to any Parochial or other Rates; and the Words "Lighting and Watching Rates" shall include all Rates made under the Po visions of a certain Act made and passed in the Session of Parliament held in the Third and Fourth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to repeal an Act of the Eleventh Year of His late Majesty King* George *the Fourth, for the lighting and watching of Parishes in* England *and* Wales, *and to make other Provisions in lieu thereof*; unless in any of the Cases aforesaid there be something in the Subject or Context repugnant to such Construction.

3 & 4 W. 4. c. 90.

Public Act.

XIX. And be it enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such.

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