ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 37.

An Act for enlarging the Powers of an Act of His preſent Majeſty, for the better Relief and Employment of the Poor of the Hamlet of *Mile End New Town*, in the Pariſh of *Stepney*, in the County of *Middleſex*, and other Purpoſes; and for better collecting the Poor Rates in the ſaid Hamlet. [15th *April* 1813.]

WHEREAS an Act was paſſed in the Twentieth Year of the Reign of His preſent Majeſty, intituled *An Act for the better Relief and Employment of the Poor of the Hamlet of* Mile End New Town, *in the Pariſh of* Stepney, *in the County of* Middleſex, *for paving, cleanſing, lighting and watching the Streets and other open Paſſages and Places within the ſaid Hamlet, and removing Nuiſances and Annoyances therefrom, and preventing the like for the future; for conſolidating the Highway Rates with other Rates within the ſaid Hamlet; and for paving and regulating* Great Garden Street, *in the Pariſh of* Saint Mary Matfellon, *otherwiſe* Whitechapel, *in the ſaid County, and removing a Bar now ſtanding acroſs the ſame, and other Nuiſances and Annoyances therefrom, and preventing the like for the future:* And whereas the Mode of making the Rates and Aſſeſſments in different Claſſes, for the Relief of the Poor of the ſaid Hamlet, as directed by the ſaid Act, hath been found to be liable to Frauds and Evaſions, and otherwiſe ineffectual for the Purpoſes of the ſaid Act; and a conſiderable Debt hath been incurred in or towards providing for the Relief and Maintenance of the Poor of the ſaid Hamlet: And whereas divers Houſes, Buildings, and Premiſes in the ſaid Hamlet

are reſpectively let for or rated at a leſs Rent than Twenty Pounds *per Annum* for each Houſe, and the Inhabitants thereof, by reaſon of their Avocations and Poverty, are often changing their Place of Reſidence, whereby the Payment of the Rates or Aſſeſſments for the Relief of the Poor of the ſaid Hamlet, has frequently been evaded; and it is expedient that better and more effectual Regulations ſhould be made for collecting ſuch Rates and Aſſeſſments, and that the Powers and Proviſions of the ſaid Act ſhould, in other Reſpects, be altered, amended and enlarged: 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 Perſons named in the ſaid recited Act, or ſince elected and appointed under and by virtue thereof Truſtees and Commiſſioners for putting the ſaid Act into Execution, or ſuch of them as are now living, and duly qualified, ſhall be, and they and their Succeſſors to be elected and appointed in Manner as by the ſaid recited Act is directed, are hereby appointed Truſtees and Commiſſioners for carrying this Act into Execution, ſubject to the ſeveral Regulations and Proviſions in the ſaid recited Act contained.

Commiſſioners appointed.

Repealing Part of former Act relating to rating by Claſſes.

II. And be it further enacted, That ſo much of the ſaid recited Act as directs that the Monies aſcertained to be raiſed and rated for the Relief of the Poor of the ſaid Hamlet, ſhall be raiſed, aſſeſſed, levied, and collected by a Pound Rate in different Claſſes; and alſo ſo much of the ſaid recited Act as directs the Mode of proceeding in Caſes of Actions at Law brought in His Majeſty's Courts of Record at *Weſtminſter*, or Suits in the Court of Requeſts for the Recovery of the Rates or Aſſeſſments authorized by the ſaid recited Act as therein reſpectively mentioned, ſhall be and the ſame is hereby declared to be repealed.

Rates to be made by an equal Pound Rate.

III. And be it further enacted, That from and after the paſſing of this Act, all and every Sum and Sums of Money which ſhall be aſcertained to be raiſed at any Meeting for that Purpoſe, authorized in or by the ſaid recited Act or this Act, for and towards the Relief of the Poor of the ſaid Hamlet, ſhall from Time to Time be raiſed and aſſeſſed by an equal Pound Rate (in lieu and ſtead of a Pound Rate in different Claſſes) upon all and every Perſon or Perſons who do and ſhall inhabit, hold, uſe, occupy, poſſeſs, or enjoy any Land, Ground, Houſe, Shop, Warehouſe, Storehouſe, Cellar, Coach-houſe, Stable, Vault, or any other Building, Tenement, Hereditament, or aſſeſſable Property whatſoever liable to be aſſeſſed for the Relief of the Poor, and upon all and every Perſon and Perſons whomſoever, who by Law is, are, or ſhall be chargeable and aſſeſſable, or liable to be aſſeſſed for and towards the Relief of the ſaid Poor, according to the yearly Rent or yearly Value of all and every ſuch Land, Ground, Houſe, Shop, Warehouſe, Storehouſe, Cellar, Coach-houſe, Stable, Vault, Building, Tenement, Hereditament, Premiſes, or Property reſpectively.

Owners of Houſes let under 20l. per Annum, to be liable to Rates.

IV. And be it further enacted, That all and every Perſon and Perſons who are or ſhall be Leſſor or Landlord, Owner, Proprietor, or in Perception of the Rents and Profits of any Houſe, Building, or Premiſes, which ſhall be let for or rated at a leſs Rent than Twenty Pounds *per Annum*, ſhall be deemed and taken to be the Occupier thereof, and ſhall and

and may be rated or aſſeſſed accordingly, and ſhall be liable and ſubject to the Payment of the ſaid Rates or Aſſeſſments directed to be raiſed and levied by virtue of this Act, and ſhall alſo be ſubject and liable to Payment of the Arrears of the ſeveral Rates and Aſſeſſments heretofore made for the Relief of the Poor of the ſaid Hamlet, and now remaining due and unpaid, whether he, ſhe, or they be rated or not.

Power to compound for Rates.

V. Provided always, and be it further enacted, That it ſhall be lawful for the Churchwarden, Overſeers of the Poor, and Veſtrymen of the ſaid Hamlet, at any public Veſtry aſſembled, to compound, if they ſhall think proper, with the Landlord or Landlords of any ſuch Houſe, Building, or Premiſes as aforeſaid, for the Payment of the ſaid Rates or Aſſeſſments for the Relief of the Poor of the ſaid Hamlet, at ſuch a reduced yearly Rental as the ſaid Churchwarden and Overſeers of the Poor, and Veſtrymen aſſembled as aforeſaid, ſhall think reaſonable; ſo that ſuch Houſe, Building, or Premiſes, be not rated at leſs than Three-fourths of the Rack Rent at which the ſame ſhall be let, or of the annual Value of ſuch Houſe, Building, or Premiſes, and to be paid and payable whether the ſame be occupied or not.

Goods of Landlords and Tenants to be liable.

VI. Provided always, and be it further enacted, That the Goods and Chattels of every Leſſor, Landlord, Owner, Proprietor, or Perſon in Perception of the Rents and Profits of any Houſe, Building, or Premiſes, which ſhall be let for or rated at a leſs Rent than Twenty Pounds *per Annum*, ſhall be liable to be diſtrained upon for the Payment of the ſaid Rates or Aſſeſſments, or for the Payment of any Arrears thereof, wheresoever the ſame may be found, in Manner authorized and directed by the ſaid recited Act, or by any other Act or Law relating to the levying and recovering Rates or Aſſeſſments for the Relief of the Poor; and in like Manner that the Goods and Chattels of each and every Perſon ſo renting and occupying any Houſe, Building, or Premiſes, which ſhall be let for or rated at a leſs Rent than Twenty Pounds *per Annum*, ſhall be liable to be diſtrained and ſold for the Payment of the ſaid Rates or Aſſeſſments, or for the Payment of any Arrears of the ſeveral Rates or Aſſeſſments ſo made as aforeſaid; and that each and every Tenant or Occupier who ſhall pay ſuch Rates or Aſſeſſments (ſo charged on his, her, or their reſpective Landlord or Landlords), or ſuch Arrears as aforeſaid, or upon whoſe Goods and Chattels the ſame ſhall be levied in purſuance of this Act, ſhall and may deduct the ſame from and out of the Rent due and payable from Time to Time to his, her, or their reſpective Landlord or Landlords ſo letting the ſame, and the Receipt for ſuch Payment ſhall be a ſufficient Diſcharge to his, her, or their reſpective Landlord or Landlords, for ſo much Money as he, ſhe, or they ſhall have ſo paid, or as ſhall have been ſo levied on his, her, or their Goods and Chattels in purſuance of this Act, and ſhall be allowed and taken by ſuch Landlord or Owner of ſuch Houſe, Building, or Premiſes as Money, and as if the ſame was paid to him, her, or them, in Money as and for Rent.

Rates may be ſued for.

VII. And be it further enacted, That the Churchwarden, Overſeers, and Veſtrymen, or the Truſtees or Commiſſioners of the ſaid Hamlet for the Time being, (as the Caſe may be), ſhall and may (if they ſhall think proper,) bring or cauſe to be brought any Action or Actions of Debt, or Action on the Caſe, in any of His Majeſty's Courts of Record at *Weſtmin-*

ſter, for all or any of the Rates or Aſſeſſments which ſhall be made, or be due or payable under or by virtue of this Act or the ſaid recited Act, or any Part of ſuch Rates, and for all Arrears which ſhall be due thereupon and unpaid, in the Name of the Treaſurer or Veſtry Clerk of the ſaid Hamlet, or the Treaſurer or Clerk to the ſaid Commiſſioners, (as the Caſe may be), or the Collector or Collectors of the ſaid Rates for the Time being, in any of His Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt or Action on the Caſe, Bill, Plaint, or Information, in which no Eſſoign, Protection, or Wager of Law, or more than One Imparlance, ſhall be allowed; and in ſuch Action and Actions it ſhall be ſufficient for the Plaintiff or Plaintiffs to declare that the Defendant or Defendants is or are indebted to the Plaintiff or Plaintiffs in the Sum of Ten Shillings (or ſuch other Sum as the Plaintiff or Plaintiffs ſhall ſuppoſe to be then due) for ſo much Money before then owing from or by the Defendant or Defendants to the Plaintiff or Plaintiffs, by virtue of an Act paſſed in the Fifty-third Year of His Majeſty King *George* the Third, intituled *An Act for enlarging the Powers of an Act of His preſent Majeſty, for the better Relief and Employment of the Poor of the Hamlet of* Mile End New Town, *in the Pariſh of* Stepney, *in the County of* Middleſex, *and other Purpoſes; and for the better collecting of the Poor Rates in the ſaid Hamlet*; and if the Plaintiff or Plaintiffs ſhall recover in any ſuch Action, he, ſhe, or they, ſhall have full Coſts, to be levied and recovered as other Monies upon Judgments may now by Law be levied and recovered; and in caſe any ſuch Rates or Aſſeſſments, or any Arrears thereof, ſhall amount to or exceed the Sum of Forty Shillings, and be under Five Pounds, it ſhall be lawful to ſue for and recover the ſame, in the Name of ſuch Treaſurer or Veſtry Clerk, or Treaſurer or Clerk to the ſaid Commiſſioners, or Collector or Collectors of the ſaid Rates for the Time being, in the Court of Record within the Manors of *Stepney* and *Hackney*, in the County of *Middleſex*, and the Hamlets and Liberties of the ſame; and in caſe the ſame ſhall be under the Sum of Forty Shillings, or ſhall not exceed the Sum recoverable in the Court or Courts of Requeſts hereafter mentioned, that then it ſhall be lawful to ſue for and recover the ſame, in the Name of ſuch Treaſurer or Veſtry Clerk, or Treaſurer or Clerk to the ſaid Commiſſioners, or Collector or Collectors, in the Court of Requeſts for the Tower Hamlets, or any other Court of Requeſts where the Perſon or Perſons liable to pay ſuch Rates or Aſſeſſments, ſhall then live or reſide reſpectively.

Removal of Paupers.

VIII. And be it further enacted, That in caſe of Removal of any poor Perſon or Perſons by Paſs, Warrant, or Order of Two Juſtices, from the ſaid Hamlet to any Pariſh or Place, as that of his, her, or their Settlement, it ſhall be lawful that ſuch poor Perſon or Perſons be removed by the Beadle of the ſaid Hamlet for the Time being; and every Overſeer and other proper Officer of the Pariſh or Place to which ſuch poor Perſon or Perſons ſhall be ſo removed as aforeſaid, ſhall receive and provide for him, her, or them, in like Manner as if ſuch poor Perſon or Perſons had been delivered to them by the Overſeer or Overſeers of the ſaid Hamlet, any Law or Cuſtom to the contrary notwithſtanding.

For borrowing Money by Annuity.

IX. And, to the Intent that the Debt incurred by the ſaid Hamlet on account of the ſaid Poor, may be paid and ſatisfied; be it further enacted, That it ſhall be lawful for the ſaid Truſtees to raiſe by way of Annuity, to

to be paid out of the Rates or Aſſeſſments to be made for the Relief of the Poor of the ſaid Hamlet, in Addition to the Sum authorized to be raiſed by virtue of the ſaid recited Act, any Sum or Sums of Money, not exceeding in the whole the Sum of One thouſand Pounds, in the like Manner, and with the like Powers and Remedies as is or are preſcribed or directed, granted, and allowed by the ſaid recited Act, in reſpect to raiſing Money by way of Annuity on the Credit of the Poor Rates; and all Sums of Money ſo to be raiſed ſhall be applied by the ſaid Truſtees towards the diſcharging of the Money due for the Relief and Maintenance of the Poor of the ſaid Hamlet.

For paying Coſts of the Act.

X. And be it further enacted, That the Coſts, Charges, and Expences of or incident to the obtaining and paſſing of this Act, ſhall be paid and diſcharged by the ſaid Truſtees out of the Firſt Monies to be received or recovered by virtue thereof.

Regulations as to Duſt and Aſhes.

XI. And be it further enacted, That from and after the paſſing of this Act, if any Perſon or Perſons, other than the Scavenger or other Perſon or Perſons contracting with the ſaid Commiſſioners, or thoſe employed under him or them, ſhall go about with or without Horſes, Carts, or Carriages, within the ſaid Hamlet, for the Purpoſe of collecting or receiving any Duſt, Aſhes, or Cinders, or ſhall receive or take or carry away any Duſt, Aſhes, or Cinders, from or out of any Street or Place within the ſaid Hamlet, or any Houſe or Premiſes therein, (which Duſt, Aſhes, and Cinders, are hereby declared to be the Property of the ſaid Commiſſioners, except as hereafter mentioned) without firſt obtaining a Licence for that Purpoſe under the Hands of Five or more of the ſaid Commiſſioners, at a public Meeting held under the Authority of this Act or of the ſaid recited Act (except the Owner or Owners of ſuch Duſt, Aſhes, or Cinders, who may remove the ſame for his, her, or their own private Uſe, and not for Sale) then and in every ſuch Caſe it ſhall be lawful for any Perſon or Perſons whomſoever, who ſhall ſee ſuch Offence committed, to apprehend, and alſo for any other Perſon or Perſons to aſſiſt in apprehending, the Offender or Offenders, and he and they is and are hereby empowered ſo to do by the Authority of this Act, and without any other Warrant, to convey and deliver him, her, or them, into the Cuſtody of a Peace Officer, in order to be ſecured and conveyed before ſome Juſtice of the Peace for the ſaid County of *Middleſex*; and every Perſon or Perſons ſo offending, ſhall for the Firſt Offence forfeit and pay the Sum of Twenty Shillings; and for the Second and every other Offence, the Sum of Forty Shillings; and in caſe the ſaid Penalties be not immediately paid, or Security given for the Payment thereof, to the Satisfaction of the Juſtice before whom ſuch Offender or Offenders ſhall be convicted, ſuch Offender or Offenders ſhall be committed by ſuch Juſtice to the Houſe of Correction or other Gaol for the ſaid County of *Middleſex*, for any Time not exceeding Twenty-one Days: Provided always, that in caſe the Perſon or Perſons ſo offending cannot be apprehended, then the Owner or Owners of the Cart or Carriage in which ſuch Duſt, Aſhes, or Cinders ſhall be put or placed, in order to be carried away, or of any Horſe or Beaſt carrying away the ſame, ſhall forfeit and pay the like Penalty of Twenty Shillings for the Firſt Offence, and for the Second and every other Offence, the like Penalty of Forty Shillings.

Former Act extended to this Act.

XII. And be it further enacted, That the ſaid recited Act, and all and every the Clauſes, Powers, Authorities, Proviſions, Regulations, Reſtrictions, Penalties, Remedies, Matters, and Things therein contained, (except ſo much as is or are hereby altered or varied or repealed, and ſo much of the ſaid recited Act as declares that none of the Annuities therein mentioned and thereby authorized to be granted, ſhall be ſubject or liable to the Tax called the Land Tax, and alſo ſo much of the ſaid recited Act as relates to Exemptions from Stamp Duties) ſhall continue and be in as full Force and Effect as if this Act had not been paſſed; and the ſame are hereby extended and declared to be extended and applied and ſhall be conſtrued to extend and apply to this Act, and to the Rates or Aſſeſſments hereby authorized and directed to be rated and aſſeſſed, and to the levying and collecting thereof, and be deemed Part of this Act; and all ſuch Clauſes, Powers, Authorities, Proviſions, Remedies, Matters, and Things enacted or contained in the ſaid recited Act, ſhall operate and be in force, and ſhall and may be obſerved, enforced, performed, done, and executed, in reſpect of this Act, as fully and effectually to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this Act.

Appeal.

XIII. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Rate or Rates, Aſſeſſment or Aſſeſſments, for the Relief of the Poor, made in purſuance of this Act, ſuch Perſon or Perſons ſhall firſt apply for Relief to the Churchwarden, Overſeers, and Veſtrymen of the ſaid Hamlet, in public Veſtry aſſembled; and ſuch Churchwarden, Overſeers, and Veſtrymen are hereby authorized and empowered (if they ſhall ſee Cauſe ſo to do) to give ſuch Relief, or to make ſuch other Order in the Premiſes as to them ſhall ſeem meet; and in caſe any Perſon or Perſons ſo applying for Relief, ſhall not be ſatisfied with the Order or Determination of the ſaid Churchwarden, Overſeers, and Veſtrymen, or the Majority of them, aſſembled at any Veſtry held for that Purpoſe, ſuch Perſon or Perſons ſhall nevertheleſs be obliged to pay the Rate or Rates, Aſſeſſment or Aſſeſſments rated or aſſeſſed and appealed againſt, and then may appeal to the Juſtices of the Peace, at any General Quarter Seſſions to be holden in and for the ſaid County of *Middleſex*, within the like Time and upon the like Conditions, and ſubject to the like Rules as in the ſaid recited Act is mentioned and preſcribed, with reſpect to appealing againſt any Rate or Aſſeſſment made by the Truſtees or Commiſſioners under the ſaid Act; and the ſaid Juſtices at ſuch Seſſions, or at ſome Adjournment thereof, upon due Proof of Notice having been given, and of the entering into Recognizance in Manner in the ſaid recited Act mentioned with reſpect to appealing againſt any Rate or Aſſeſſment made by the ſaid Truſtees or Commiſſioners under ſuch Act, ſhall hear and finally determine the Cauſes and Matters of every ſuch Appeal in a ſummary Way, and ſhall award ſuch Coſts to the Parties appealing or appealed againſt, as they the ſaid Juſtices ſhall think proper; and the Determination of ſuch Juſtices at ſuch Seſſions or Adjournment ſhall be final, binding, and concluſive.

Notice of Actions.

XIV. And be it further enacted, That no Action or Suit ſhall be brought, commenced, or proſecuted againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or the ſaid recited Act, unleſs Thirty Days Notice thereof, ſigned by the Plaintiff or Plaintiffs, ſhall be

first given in Writing to the Treasurer or Vestry Clerk of the said Hamlet, or to the Clerk or Treasurer to the said Trustees or Commissioners, (as the Case may be,) and unless the same shall be commenced before the Expiration of Six Months next after the Fact committed, or unless Tender of reasonable Amends hath not or shall not have been made by or on Behalf of the Defendant or Defendants in such Action or Suit; and the Defendant or Defendants in any Action or Suit to be commenced for any Thing done in pursuance of this Act, or the said recited Act, shall and may plead the General Issue, and give this Act, and the said recited Act, and the Special Matter, in Evidence at any Trial to be had thereupon, and that the Matter or Thing for which such Action or Suit shall be brought was done in pursuance and by the Authority of this Act, or the said recited Act; and if such Matter or Thing shall appear to have been so done, or it shall appear that such Action was brought before Thirty Days Notice thereof was given in Writing to the Treasurer or Vestry Clerk of the said Hamlet, or to the Clerk or Treasurer to the said Trustees or Commissioners, (as the Case may require,) signed by the Plaintiff or Plaintiffs; or if it shall appear that such Action or Suit was not commenced before the Expiration of Six Months next after the Fact committed, or that Tender of reasonable Amends was made by or on Behalf of the Defendant or Defendants in such Action or Suit, before such Action or Suit was commenced, that then the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared; or if upon Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and shall have such Remedy for the same as any Defendant or Defendants hath or have or might have in any other Cases by Law. General Issue;

XV. 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. Public Act;

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