ANNO QUINQUAGESIMO TERTIO

GEORGII III. REGIS.

Cap. 162.

An Act for better assessing and collecting the Poor and other Rates in the Parish of *Saint Giles Camberwell* in the County of *Surrey*, and regulating the Affairs thereof; for repairing or rebuilding the Parish Workhouse, and purchasing Ground for a Cemetry; and for other Purposes relating thereto.

[22d *June* 1813.]

WHEREAS the Poor within the Parish of *Saint Giles Camberwell* in the County of *Surrey* are very numerous, and are maintained and relieved at a great Expence: And whereas the Laws and Statutes now in force within this Realm for the assessing and collecting of Monies for the Relief and Maintenance of the Poor, and other Purposes, within the said Parish, are found ineffectual by reason of the Increase of Buildings and Population in the said Parish: And whereas it would tend to the Equalization and Reduction of the Parochial Rates within the said Parish, and to the Relief of many industrious Families, if additional Powers were given for the assessing, compounding, and collecting of such Rates, and for better maintaining and regulating the Poor thereof: And whereas the Cemetry or Churchyard adjoining and belonging to the Parish of *Saint Giles Camberwell* in the County of *Surrey* is very small and crowded, and from the great and increasing Population of the said Parish will be incapable of affording

sufficient Burial Places for the Inhabitants thereof; and it would be beneficial to the Inhabitants of the said Parish of *Saint Giles Camberwell* if Power was given them to purchase Ground for a Burial Place: And whereas the present Workhouse of the said Parish of *Saint Giles Camberwell* is very old, out of repair, and too small to lodge the sick and impotent Poor, and it is become absolutely necessary either to rebuild or repair and considerably enlarge the same; and it would greatly tend to the Convenience and Accommodation of the Inhabitants of the said Parish if Power was given to raise Money on Annuities for repairing or rebuilding the same, and for purchasing Ground for a Cemetry or Burial Ground: And whereas the Inhabitants of the said Parish are liable and subject to many Nuisances and Annoyances for Want of more effectual Means to remove and prevent the same; and a regulated Sale of the Coal Dust and Ashes made therein would tend to the Benefit of the Inhabitants of the said Parish of *Saint Giles Camberwell*, but which cannot be done under the Authority of any Statute now in force: 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 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, Wharf, Building, Tenement, Hereditaments, or Premises whatsoever, shall be rated and assessed in and to the Rate or Assessment to be from Time to Time, by the Churchwardens and Overseers of the Poor of the said Parish of *Saint Giles Camberwell*, made for and towards the Relief and Maintenance of the Poor of the said Parish, for and in respect of such Land, Ground, House, Shop, Warehouse, Storehouse, Wharf, Cellar, Coach-house, Stable, Vault, Building, Tenement, Hereditaments, or Premises, at and by a fair equal Pound Rate, upon or according to the annual Value thereof respectively, and not otherwise.

To be rated by an equal Pound Rate.

II. And be it further enacted, That when the yearly Rent or Value of any House, Tenement, or Hereditament within the said Parish shall not exceed Twenty Pounds, or where any House, Tenement, or Hereditament, of whatever annual Value the same may be, shall be let to any weekly or monthly Tenants, or in separate Apartments, furnished or unfurnished, or the Rents thereof shall become payable at any shorter Period than quarterly, then and in every such Case it shall and may be lawful to and for the Churchwardens, Overseers of the Poor, and Vestry of the said Parish, or the major Part of them, at any Meeting to be holden for that Purpose, of which Meeting Notice shall be given in the Church of the said Parish on the *Sunday* preceding during the Time of Divine Service, and also by affixing the same on the Church Door, to compound with the Landlord or Landlords, Owner or Owners, Lessee or Lessees, of all and every or any of such House or Houses, Tenement or Tenements, Hereditament or Hereditaments, in the said Parish, for the Payment of the Rate or Rates, Assessment or Assessments, for the Relief and Maintenance of the Poor, the Church, Composition for Highway Duty, and all other the Parochial Rates of the said Parish which shall be made by the said Churchwardens and Overseers or Vestry of the said Parish (and with any of the People called *Quakers* for the Poor Rates

Directing how the Rates on Houses at small Rents, or let in separate Apartments, may be compounded for.

and Composition for Highway Duty only), at such a reduced yearly Rental as the said Churchwardens, Overseers of the Poor, and Vestry shall think reasonable, so that no such House or Houses, Tenement or Tenements, Hereditament or Hereditaments, be rated at less than One Third or more than Three Fifths of the Rack Rent at which the same respectively shall then be let, or, if not Rack-rented, of the annual Value of the said Premises respectively, if the Landlord and Landlords shall be willing to compound for the same, but not otherwise.

Recovery of Rates on Refusal.

III. And for the better and more effectual raising and levying the Rates or Assessments for the Maintenance and Relief of the Poor, and all other the Rates and Assessments made by the Churchwardens and Overseers of the Poor, or Vestry of the said Parish, or which are mentioned in or authorized and directed by this Act, be it further enacted, That in case any of the Occupiers, or Persons in Possession of any Land, Ground, Dwelling House, Shop, Warehouse, Coach-house, Stable, Cellar, Wharf, Vaults, Building, Tenement, or Hereditaments whatsoever within the said Parish, who may become liable to pay any Rate or Assessment made, laid, and assessed by virtue or under the Powers of this Act, shall refuse or neglect to pay the Money rated and assessed upon him, her, or them respectively, or to the Payment and Discharge of which they are hereby made in anywise subject or liable, and all Arrears due thereon, or upon any former Rate or Rates, or the Amount of any such Composition or Compositions, and of any and every Sum or Sums leviable or recoverable from them respectively under and by virtue of this Act, it shall be lawful to and for any One or more of His Majesty's Justices of the Peace acting for the Eastern Half Hundred of *Brixton* and Borough of *Southwark* in the County of *Surrey*, and he and they is and are hereby authorized and required, to summon by Writing under his or their Hand or Hands all and every Person and Persons who shall have refused or neglected as aforesaid, upon Oath (or Affirmation if made by a Quaker) being made before him or them by any One of the Churchwardens or Overseers of the said Parish, or by a Collector of the said Rate or Rates, for the Time being, of his or their having attended upon or at the Dwelling House or last Place of Abode of the Person and Persons then intended to be summoned, and having there demanded the Rate or Rates, Composition or Compositions, and of such Person or Persons having refused or neglected to pay the said Rate or Rates, Composition or Compositions, to appear before such Justice or Justices at a Time and Place to be mentioned in such Summons, or before such other Justice or Justices, acting in and for the said Eastern Half Hundred of *Brixton* and Borough of *Southwark*, as shall be sitting upon the Return of such Summons or Summonses; and it shall and may be lawful to and for the said Churchwardens or Overseers, Collector or Collectors, or for any One or more of them, or any Constable or Beadles of the said Parish, to serve all and every such Summons and Summonses upon all and every Person or Persons so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person and Persons thereby intended to be summoned, or leaving the same at his, her, or their last or usual Place or Places of Abode, whether the same be in the County of *Surrey* or elsewhere, or at the Premises for which the Rates or Composition 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, she, or they shall attend, and shall not show good and sufficient Cause

to

to such Justice or Justices that he, she, or they are not chargeable with such Rate or Rates, Composition or Compositions, then and in every such Case all and every such Person and Persons who shall have been so summoned shall pay the reasonable Costs and Charges of such Summons, and in all Cases where the said Rate or Rates, Composition or Compositions, or any of them, shall not be paid upon the Return of such Summons, it shall and may be lawful to and for such Justice or Justices who shall have issued such Summons or Summonses as aforesaid, or some other Justice of the Peace acting for the said Eastern Half Hundred of *Brixton* and Borough of *Southwark*, and he or they is and are hereby authorized and required, upon Oath (or Affirmation if a Quaker) being made before him or them of the due Service of such Summons or Summonses by the Party who shall have served the same, and of such Demand and Nonpayment as aforesaid, to grant a Warrant or Warrants under his or their Hand or Hands, Seal or Seals, authorizing or directing the said Churchwardens or Overseers, Collector or Collectors, or any Constable or Beadle of the said Parish, or any One or more of them, to collect or levy all and every such Rate or Rates, Assessment or Assessments, Composition or Compositions, and all Arrears thereof, and the Expence of the Summons (if the same shall not have been before paid) and Warrant, by Distress of the Goods and Chattels of the Party so neglecting or refusing, which shall be found either within the said Parish or elsewhere within the County of *Surrey*; and if within Five Days next after any such Distress shall be made the said Rate or Rates, Assessment or Assessments, Composition or Compositions, with all Arrears due thereon, shall not be paid, together with the reasonable Charges of the said Summons (if such Summons shall not have been before paid for) and Warrant, and of making such Distress and keeping such Goods and Chattels, the said Churchwardens or Overseers, Collector or Collectors, Constable or Constables, Beadle or Beadles, or any One or more of them, shall cause the said Goods to be appraised by One or more Appraiser or Appraisers, and to be sold, or such Part or Parts thereof as shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, Composition or Compositions, together with all Arrears due thereon, and the reasonable Charges aforesaid, and the Charges of appraising and selling the same, returning the Overplus (if any) to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made by him, her, or them; and if sufficient Distress cannot be found within the said County of *Surrey*, then on Oath made thereof by any of the Persons to whom the Warrant of Distress herein-after set forth shall be directed before some Justice of any other County or Precinct, which Oath (or Affirmation, being a Quaker,) shall be certified under the Hand of such Justice on the said Warrant, such Goods may be distrained in such other County or Precinct by virtue of such Warrant and Certificate, in like Manner and subject to the like Regulations and Conditions as are provided in and by an Act passed in the Seventeenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act for remedying some Defects in the Act made in the Forty-third Year of the Reign of Queen* Elizabeth, *intituled 'An Act for the Relief of the Poor.'*

Form of Warrant of Distress.

IV. And be it further enacted, That every Warrant of Distress for Nonpayment of the said Rates or Assessments to be made in or for the said Parish, or any or either of them, or of such Composition or Compositions, shall be in the Words or to the Effect following:

Surrey

Surrey to wit.

'TO the Churchwardens, Overseers, and Collectors of the 'Poor or other Rates of the Parish of *Saint Giles Camber-* 'well in the County of *Surrey*, and to all Constables, 'Beadles, and other Peace Officers for the same Parish.

'WHEREAS the under-mentioned Persons, now or late Inhabitants, 'Holders, Landlords, Tenants, Occupiers, Possessors, or Enjoyers of 'Lands, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, 'Wharfs, Vaults, or other Buildings, Tenements, or Hereditaments, or 'Part of some Building or Tenement, within the said Parish of *Saint Giles* '*Camberwell*, were and are truly rated and assessed, or liable to pay the 'Rate and Rates duly made, for the Purpose of an Act made in the Fifty-'third Year of the Reign of King *George* the Third, intituled *An Act for* '*the better assessing and collecting the Poor and other Rates in the Parish of* 'Saint Giles Camberwell *in the County of* Surrey, *and regulating the Affairs* '*thereof; and for enabling the Inhabitants to raise Money for repairing or* '*rebuilding the Parish Workhouse, and purchasing Ground for a Cemetry or* '*Burial Ground; and for other Purposes relating thereto;* or of the 'Act or Acts therein mentioned or referred to: And whereas the 'said Persons have refused or neglected to pay the several Sums of 'Money at and against their Names hereunder respectively set down for 'Money due from them for or towards the Purposes in the said Act 'mentioned, and the said several Sum and Sums are still remaining due, 'in arrear, and unpaid, as appeareth upon Oath, or Affirmation if a 'Quaker, to of His Majesty's Justices 'of the Peace for the said County; and the said several Persons having 'been summoned to appear before to answer 'the Premises, as also appeareth to the said Justice (*or* 'Justices) upon Oath (*or* Affirmation, *if a Quaker*), and not either of them 'having shown any sufficient Cause why such Sum or Sums of Money 'should not be paid; these are therefore, in His Majesty's Name, to will 'and require you or either of you forthwith to levy the said several 'Sums due from the said Persons, and hereunto joined to or set against 'their Names respectively, by Distress and Sale of their respective Goods 'and Chattels, being kept before the same are sold until the Seventh Day 'after such Distress shall be made, including the Day on which it shall 'be made and the Day of Sale, and if such Seventh Day shall happen 'to be *Sunday*, then such Sale shall be on the next or following Day, 'rendering to them respectively the Overplus (if any be), the reasonable 'Charges of such Distress, Sale, and Keeping being first deducted; 'and if no sufficient Distress can be had or taken, that then you certify 'the same to me (*or* us) to the end that such further Proceedings may 'be had therein as to the Law doth appertain; and I (*or* we) do hereby 'strictly charge and command all and singular the Constables and other His 'Majesty's Peace Officers within their respective Jurisdictions and Liberties 'to be aiding and assisting in all Things relating to the Premises. Given 'under my [*or* our] Hand [*or* Hands] and Seal [*or* Seals] this 'Day of in the Year of our Lord

Sums due

'*A. B.*
'*C. D.*
'*G. H.* (the Landlord) for House, *et cetera*, in
' Street compounded for
'*K. L.* Tenant

Compositions to remain in force until altered by the Churchwardens, &c.

V. And be it enacted, That from and after any Composition shall be made with the said Churchwardens and Overseers and Vestry, as hereinbefore mentioned, the House or Houses, Tenement or Tenements, and Hereditaments therein comprised, shall be rated and assessed according to the same reduced Rental in every future Parish Rate or Assessment to be made by the Churchwardens, Overseers, and Vestry of the said Parish for the Time being, until the said Premises shall be otherwise rated or assessed by the said Churchwardens, Overseers, and Vestry of the said Parish, with the Consent of the Party or Parties compounding, and that at any Time thereafter the Party or Parties compounding, or the said Churchwardens, Overseers, and Vestry, may determine such Composition on giving Three Calendar Months Notice in Writing to the other of them.

How Rates may be collected from Parties removing or coming into the Parish.

VI. And be it further enacted, That in case any Person or Persons shall remove out of or from or quit the Possession of any House, Shop, Building, Tenement, or other Premises before any Rate or Rates, Assessment or Assessments, charged thereon respectively, shall be paid and discharged, or if any Person or Persons shall enter into the Occupation of any House, Shop, Building, Tenement, or other Premises in the said Parish out of or from which any other Person or Persons shall have so removed, before such Rate or Rates, Assessment or Assessments, shall have been paid and discharged, then and in every such Case the Person or Persons so removing out of or from or quitting the Possession of, and the Person or Persons entering into the Occupation of any such House, Shop, Building, Tenement, or other Premises, shall be respectively subject and liable to the Payment of all such Rates and Assessments in proportion to the Time that such Person or Persons respectively possessed or occupied the same, in the same Manner as if the Person or Persons so removing or quitting as aforesaid had remained in the Possession or Occupation of such House, Shop, Building, Tenement, or other Premises, or the Person or Persons so entering into the Possession or Occupation thereof respectively had been originally rated and assessed to such Rates or Assessments, or any of them; and such Proportion shall be ascertained by the Churchwardens and Overseers of the Poor of the said Parish; and in case of any Dispute respecting the Amount or Proportion thereof, the same shall be settled by any One or more of His Majesty's Justices of the Peace in and for the said County of *Surrey*.

For levying Rates upon Persons removing out of the Parish without paying their Rates or the due Proportion thereof.

VII. And whereas it may happen that many Persons liable to and who may be rated and assessed for the Relief of the Poor of the said Parish may, before the Payment of the Sum which may be rated on them respectively, quit and leave their Grounds, Dwelling Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, and remove out of the said Parish; be it therefore further enacted, That when any Person or Persons who hath or have been so rated and assessed shall quit or be about to quit his, her, or their Lands, Grounds, Houses, Shops, Warehouses, Coach-houses, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments before he she, or they shall have paid the said Rate or Assessment, Rates or Assessments, or the due Proportion thereof, to the Churchwardens or Overseers, Collector or Collectors, authorized and appointed to receive the same as aforesaid, then and in every such Case it shall and may be lawful to and for the said Churchwardens or Overseers, Collector or Collectors,

or any One of them, by Warrant under the Hand and Seal or Hands and Seals of any One or more of His Majesty's Justices of the Peace for the said County of *Surrey* (which Warrant such Justice or Justices is or are hereby authorized and required to grant), on Oath (or Affirmation, if by a Quaker,) being first made by the said Churchwardens or Overseers, Collector or Collectors, before such Justice or Justices, that he or they hath or have Cause to suspect that such Person or Persons is or are removing or hath or have removed his, her, or their Goods and Chattels, and if such Warrant is to be executed out of the said County of *Surrey*, the same being first countersigned by some Magistrate of the County, City, or Liberty in which it is to be executed, in the Manner herein-before provided when a sufficient Distress cannot be found within the said County of *Surrey*, (which Warrant such Magistrate is hereby required to back or countersign,) to distrain the Goods and Chattels of such Person or Persons so refusing or neglecting to pay the said Rate or Rates, Assessment or Assessments, wheresoever they may be found, and to sell the same, rendering the Overplus (if any), after having deducted the reasonable Charges and Expences attending such Distress and Sale, to the Owner or Owners of such Goods and Chattels respectively, upon Demand thereof made.

Expences of making Distress to be levied with the Rates.

VIII. And be it further enacted, That when and as often as any Distress shall be made for Nonpayment of any Rate or Rates, Assessment or Assessments, or Composition for Highway Duty, made by the Churchwardens and Overseers of the said Parish, or the Vestry thereof, or any Part thereof respectively, it shall and may be lawful to and for the Person or Persons making such Distress to raise and levy the reasonable Charges of making such Distress, and selling and disposing of the same, upon the Goods and Chattels, over and above the Sum of Money due upon the Rate or Rates, Assessment or Assessments, for which such Distress shall be taken.

No Person to vote who shall not pay Rates.

IX. Provided always, That no Inhabitant of the said Parish or other Person shall be entitled to a Vote or Voice at or in any Vestry to be held for the said Parish who shall not be rated or assessed for the Relief of the Poor of the said Parish, nor for or in respect of the Occupation of any House, Tenement, or Hereditament, of whatever annual Value the same may be, which shall be let to any weekly or monthly Tenant, or in separate Apartments, furnished or unfurnished, and the Rates or Assessments for which House, Tenement, or Hereditament shall be compounded for under the Provisions of this Act, nor shall any Inhabitant of the said Parish or other Person be entitled to a Vote or Voice at or in any Vestry to be held for the said Parish until he, she, or they shall have paid or tendered all and every the Rates or Assessments made as aforesaid upon him, her, or them, or for which he, she, or they shall be liable, provided the same hath or have been or shall be then and there lawfully demanded of him, her, or them.

The Vestry to appoint Collectors.

X. And in order the better to enable the Churchwardens and Overseers of the said Parish of *Saint Giles Camberwell* to collect and levy the said Rates, be it further enacted, That it shall and may be lawful to and for the Inhabitants of the said Parish of *Saint Giles Camberwell*, in Vestry assembled, at a public Vestry Meeting to be held for that Purpose annually, to

to appoint One or more Person or Persons to be a Collector or Collectors of the Poor Rates and other Rates to be made, collected, and levied by virtue of this Act (every such Collector being a resident Householder in the said Parish), and not being a Parish Officer, Committee-man, or Auditor of any of the Parish or Highway Accounts, and out of such Rate or Rates, Assessment or Assessments, to make such Allowance or Allowances by way of Salary or Poundage to the said Collector or Collectors, not exceeding Four-pence Halfpenny in the Pound on the Monies actually collected, and to revoke, countermand, alter, and vary such Allowances, and make others in their Stead, or not, as to the Inhabitants of the said Parish in Vestry assembled shall seem meet and proper, so as such Allowance or Allowances shall not exceed Four-pence Halfpenny in the Pound on the Money actually collected.

Security to be taken from Collectors.

XI. And be it further enacted, That the Churchwardens and Overseers of the said Parish of *Camberwell* shall (before any such Collector or Collectors shall take upon him or them such Office of Collector or Collectors) take such Security from such Collector or Collectors respectively as the Inhabitants of the said Parish in Vestry assembled shall think proper for the due and faithful Execution of his or their Office of Collector or Collectors in all and every Part thereof, and among other Things for the duly accounting for all Monies which as such Collector or Collectors he or they shall or may receive, and for the Payment of the same, within the Space of Fourteen Days from the Receipt thereof, to the Treasurer appointed to receive the same.

Collectors to be removed or suspended.

XII. And be it further enacted, That the Inhabitants of the said Parish of *Saint Giles Camberwell* in Vestry assembled (due Notice of such Vestry being given in the Parish Church of *Camberwell* on the *Sunday* preceding such Meeting) may at all Times at their Will and Pleasure wholly displace and remove such Collector or Collectors, or any or either of them, and also that the Churchwardens and Overseers of the said Parish of *Camberwell*, or the major Part of them, may at all Times at their Will or Pleasure suspend such Collector or Collectors, each and every or any of them, and each and every such Collector and Collectors shall and they are hereby respectively required at all Times whatsoever, either upon their being so suspended or displaced or otherwise, to produce and deliver up to the said Churchwardens and Overseers of the Poor, or the major Part of them, whenever they shall be thereto required, all and every the Rate Book or Books, and all other Papers, Documents, Matters, and Things respecting their said Office or Employment, in order that the said Churchwardens and Overseers of the Poor may take possession of and retain the same, either for the Purpose of Inspection, safe Custody, or on any other Account which to them shall seem meet and expedient.

Collectors to account.

XIII. Provided always, and be it further enacted, That if any such Collector or Collectors, or other Person or Persons, when thereunto required by the said Churchwardens and Overseers, or the major Part of them, by Notice in Writing to be delivered to the said Collector or Collectors, or other Person or Persons, or left at his, her, or their last or usual Place of Abode, shall refuse, or shall not, within Three Days after such Request shall have been made to him, her, or them, deliver up such Rate Book or Books, and all and every the Account and Accounts of all Monies by such

Collector

Collector or Collectors received for or on account of the said Rates or Assessments, and all Papers, Matters, or Things respecting the same Office or Employment, or such and so many thereof as shall of them have been demanded in manner aforesaid, or shall not upon being thereto required pay the Balance of all Monies received by him or them respectively which shall appear to remain in his or their Hands, by virtue of his or their respective Office or Offices, to the said Churchwardens or Overseers of the Poor of the said Parish, then and in every such Case, upon Complaint made by the said Churchwardens and Overseers, or the major Part of them, of any such Refusal or Neglect as aforesaid, to any Justice of the Peace for the said County of *Surrey*, such Justice may and he is hereby authorized and required to issue a Warrant under his Hand and Seal for the Person or Persons so refusing or neglecting as aforesaid to appear before him, and upon his, her, or their appearing, or if he, she, or they shall not appear before such Justice, then upon due Proof that the Person or Persons so neglecting to appear had been summoned, or could not be found for the Purpose of being summoned, to hear and determine the Matter in a summary Way; and if, upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (or Affirmation if by a Quaker), which Oath or Affirmation such Justice is hereby required and empowered to administer, it shall appear to such Justice that any of the Monies that shall have been collected or received by virtue of this Act shall remain due from such Collector or Collectors, such Justice may and he is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Collector or Collectors, each and every of them, and if it shall appear to such Justice that such Collector shall have refused or neglected to render and give such Account, or to produce the Rate or Rates, Book or Books, Papers or Writings, or other Matters or Things relating to the Collection, or in anywise respecting or appertaining to the said Office or Employment, which shall be in his or their Custody or Power, and required from him or them as aforesaid, or shall not have paid the Balance remaining in his or their Hands in manner aforesaid, then and in each and every such Case such Justice shall commit such Offender or Offenders to the Common Gaol or House of Correction for the County where such Offender shall be or reside, there to remain without Bail or Mainprize until he or they shall give a true and perfect Account, and deliver up such Books, Papers, and Writings, or pay such Balance, to the said Churchwardens and Overseers; provided that no such Collector or Collectors so committed shall be confined or detained in Prison by virtue of such Warrant for any longer Space of Time than Six Calendar Months: Provided nevertheless, that no such Commitment of any Collector or other Officer to the House of Correction as aforesaid shall acquit or discharge any Surety or Security that shall or may have been taken by or given to the said Churchwardens and Overseers for the due and faithful Execution of the Office of Collector, or other Office, in manner herein-before expressed, nor any Action, Suit, or Process commenced or to be brought for the Recovery of any Money so received.

Commitment of Collector not to discharge the Surety.

XIV. And be it further enacted, That the Inhabitants of the said Parish of *Saint Giles Camberwell*, at any public Vestry duly assembled by Notice in

Treasurer to be appointed.

in the Parish Church as aforesaid, shall, if they think fit, annually or oftener, appoint One or more Treasurer or Treasurers for the Receipt of the Monies to be collected by the said Parochial Rates or Assessments, and of all other Monies whatsoever applicable to the Relief of the Poor within the said Parish, and shall and may from Time to Time remove such Treasurer or Treasurers, and appoint any other Person or Persons in his or their Room and Stead; and such Treasurer or Treasurers are hereby directed to account annually, or oftener if thereunto required by the said Churchwardens and Overseers of the Poor, or Vestry of the said Parish, in such Manner as the Overseers of the Poor are by any Law now in being directed to account for the Monies by them received and paid for the Relief of the Poor, and to pay such Money as upon the said Account shall appear to be remaining due in his or their Hands to such Person or Persons as the said Churchwardens and Overseers of the Poor, in Vestry assembled as aforesaid, shall authorize and appoint to receive the same, to be applied to and for the several Uses and Purposes for which the same was levied or raised; and in default of rendering such Account as aforesaid, or paying the Money in his or their Hand or Hands as aforesaid, he or they shall be liable to such Penalties, Forfeitures, and Distress as Overseers of the Poor in the like Cases are liable unto.

He may be removed.

To pay over the Money in his Hands according to the Order of Vestry.

Penalty on Default.

Power to purchase Ground for a Cemetry or Burial Ground, and to accept a Conveyance.

XV. And whereas the Churchyard of and belonging and adjoining to the Parish Church of *Saint Giles Camberwell* is too small and contracted to afford a sufficient Burial Place for the Inhabitants of the said Parish; be it further enacted, That it shall and may be lawful to and for the Vicar, Churchwardens, and Overseers of the Poor of the said Parish of *Saint Giles Camberwell* for the Time being, by and with the Consent of the Inhabitants of the said Parish in Vestry assembled, at any Time or Times after Three Days Notice of such Meeting being given in manner herein-before set forth, to treat, contract, and agree with the Owner or Owners, Occupier and Occupiers of and all other Persons interested in any Lands, Grounds, Tenements, or Hereditaments, for the purchasing of such Lands, Grounds, Tenements, or Hereditaments, or any or either of them, or so much thereof as the said Vicar, Churchwardens, and Overseers (with the Consent of the Inhabitants of the said Parish in Vestry assembled) shall think necessary for the Purpose of a Cemetry or Burial Place for the Inhabitants of the said Parish, and to purchase the same, and cause the same Land, Ground, Tenements, or Hereditaments to be conveyed to the Vicar, Churchwardens, and Overseers of the Poor of the said Parish, and their Successors for ever, for the Purposes aforesaid, and who are hereby enabled to accept of such Conveyance or Conveyances accordingly, and upon Payment of such Sum or Sums of Money as shall be agreed on for such Purchase or Purchases to take possession thereof, and to cause all Buildings and Walls thereon, or so much thereof as they shall think proper, to be pulled down and carried away, and to pay the Purchase Money and all Expences attending such Purchases out of the Monies arising by virtue of this Act; provided that the Money to be laid out in such Purchase shall not exceed the Sum of Two thousand Pounds.

Bodies Politic, &c. may for that Purpose sell.

XVI. And be it further enacted, That it shall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Trustees and Feoffees in Trust, Husbands, Guardians,

dians, and Committees for Lunatics and Idiots, Executors, Administrators, and Guardians, or other Trustees whatsoever, not only for and on behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunatics or Idiots, Femes Covert or other Persons whomsoever, and to and for all Femes Covert who are or shall be seised in their own Right, and to and for all and every Person and Persons whomsoever who are or shall be seised, possessed of, or interested in any of the said Lands, Grounds, Tenements, or Hereditaments which shall be thought necessary for the Purposes of this Act, (by and with the Consent and under the Order of the High Court of Chancery for that Purpose first obtained in a summary Way upon Petition, although no Cause be therein depending respecting the same,) to treat with and sell to the Vicar, Churchwardens, and Overseers of the said Parish of *Saint Giles Camberwell* the said Land, Ground, Tenements, or Hereditaments, Estates and Interests, or any Part or Parts thereof, and to convey the same to the said Vicar, Churchwardens, and Overseers of the Poor of the said Parish, and their Successors, for the Uses and Purposes aforesaid; and upon Payment or Tender of the said Purchase Money all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand in Law and Equity of the Person or Persons respectively to or for whose Use the same was paid or tendered, in, to, or out of such Land, Ground, Tenements, or Hereditaments, shall vest in the said Vicar, Churchwardens, and Overseers of the Poor of the said Parish of *Saint Giles Camberwell*, and their Successors for ever, for the Uses and Purposes of this Act.

Persons entitled to the Mesne Profits may recover against the Persons receiving.

XVII. And be it further enacted, That all and every Person and Persons who would be entitled to recover the Mesne Profits of the Premises against the Person or Persons in Possession, in case the same had not been so conveyed to or vested in the said Vicar, Churchwardens, and Overseers, shall be entitled to recover the Sum and Sums to arise from such Interest and Dividends as aforesaid by Action of Debt or otherwise against the Person or Persons who shall receive the same.

Application of Compensation when amounting to 200*l.*

XVIII. And be it further enacted, That if there shall be any Money to be paid for any Lands, Tenements, or Hereditaments, purchased by virtue of the Powers of this Act for the Purposes thereof, which shall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffee in Trust, Executor, Administrator, Husband, Guardian, Committee, or other Trustee, for or on behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Cestuique Trust, or to any Person whose Lands, Tenements, or Hereditaments are limited in strict or other Settlement, or to any Person under any other Disability or Incapacity whatsoever, such Money shall, in case the same shall amount to the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there *ex parte* the Vicar, Churchwardens, and Overseers of the Poor of the said Parish of *Saint Giles Camberwell*, to the Intent that such Money shall be applied, under the Direction and with the Approbation of the said Court, to be signified by an Order made upon a Petition to be preferred in a summary Way by the Person or Persons who would have been entitled to the Rents and Profits of the said Lands, Tenements, or Hereditaments, in the Purchase or Redemption of the Land Tax, or Discharge of any Debt or

Debts,

Debts, or such other Incumbrances or Part thereof, as the said Court shall authorize to be paid, affecting the same Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments standing settled therewith to the same or the like Uses, Intents, or Purposes; or where such Money shall not be so applied, then the same shall be laid out and invested, under the like Direction and Approbation of the said Court, in the Purchase of other Lands, Tenements, or Hereditaments, which shall be conveyed and settled to, for, and upon such and the like Uses, Trusts, Intents, and Purposes, and in the same Manner, as the Lands, Tenements, and Hereditaments which shall be so purchased, taken, or used as aforesaid stood settled or limited, or such of them as at the Time of making such Conveyance and Settlement shall be existing undetermined and capable of taking effect; and in the meantime and until such Purchase shall be made the said Money shall, by Order of the Court of Chancery upon Application thereto, be invested by the said Accountant General in his Name in the Purchase of Three Pounds *per Centum* Consolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the said Bank Annuities shall be ordered by the said Court to be sold for the Purposes aforesaid, the Dividends and annual Produce of the said Consolidated or Reduced Bank Annuities shall from Time to Time be paid, by Order of the said Court, to the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the said Lands, Tenements, and Hereditaments so hereby directed to be purchased, in case such Purchase or Settlement were made.

Application where the Compensation shall be less than 200*l.* and exceed 20*l.*

XIX. Provided always, and be it enacted, That if there shall be any Money to be paid for any Lands, Tenements, or Hereditaments purchased for the Purposes aforesaid belonging to any Corporation or to any Person or Persons under any Disability or Incapacity as aforesaid, which shall be less than the Sum of Two hundred Pounds, and which shall exceed or be equal to the Sum of Twenty Pounds, then and in all such Cases the same shall, at the Option of the Person or Persons for the Time being entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments so purchased, taken, or used, or of his, her, or their Guardian or Guardians, Committee or Committees, in case of Infancy or Lunacy, to be signified in Writing under their respective Hands, be paid into the Bank in the Name and with the Privity of the said Accountant General of the High Court of Chancery, and be placed to his Account as aforesaid, in order to be applied in manner herein-before directed; or otherwise the same shall be paid, at the like Option, to Two Trustees, to be nominated by the Person or Persons making such Option, and approved of by the said Vicar, Churchwardens, and Overseers of the Poor of the said Parish of *Saint Giles Camberwell* (such Nomination and Approbation to be signified in Writing under the Hands of the nominating and approving Parties), in order that such Principal Money and the Dividends arising thereon may be applied in any Manner herein-before directed, so far as the Case may be applicable, without obtaining or being required to obtain the Direction and Approbation of the Court of Chancery.

Application where the Money is less than 20*l.*

XX. Provided also, and be it enacted, That where such Money so to be paid as aforesaid shall be less than Twenty Pounds, then and in all such Cases the same shall be applied to the Use of the Person or Persons who would for the Time being have been entitled to the Rents and Profits of the

Lands, Tenements, and Hereditaments so purchased, taken, or used for the Purposes of this Act, in such Manner as the said Vicar, Churchwardens, and Overseers of the Poor of the said Parish of *Saint Giles Camberwell* shall think fit; or in case of Infancy or Lunacy, then such Money shall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Use and Benefit of such Person or Persons so entitled respectively.

If any Question arise as to Title.

XXI. Provided always, and be it further enacted, That where any Question shall arise touching the Title of any Person or Persons to any Money to be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, in pursuance of this Act, for the Purchase of any Lands, Tenements, or Hereditaments, or of any Estate, Right, or Interest in any Lands, Tenements, or Hereditaments to be purchased in pursuance of this Act, or to any Bank Annuities to be purchased with any such Money, or the Dividends or Interest in any such Bank Annuities, the Person or Persons who shall have been in Possession of such Lands, Tenements, or Hereditaments at the Time of such Purchase, and all Persons claiming under such Person or Persons, or under the Possession of such Person or Persons, shall be deemed and taken to have been lawfully entitled to such Lands, Tenements, or Hereditaments, according to such Possession, until the contrary shall be shown to the Satisfaction of the said Court of Chancery; and the Dividends and Interest of the Bank Annuities to be purchased with such Money, and also the Capital of such Bank Annuities, shall be paid, applied, and disposed of accordingly, unless it shall be made to appear to the said Court that some Person or Persons was or were lawfully entitled to such Lands, Tenements, or Hereditaments, or to some Estate or Interest therein.

The Court of Chancery may order reasonable Expences of Purchases to be paid.

XXII. And be it further enacted, That where, by reason of any Disability or Incapacity of the Person or Persons, Corporation or Corporations, entitled to any Lands, Tenements, or Hereditaments to be purchased under the Authority of this Act, the Purchase Money whereof shall be so paid into the Bank of *England* in the Name and with the Privity of the said Accountant General to be applied for the Purposes aforesaid, it shall and may be lawful to and for the said Court of Chancery to order the Expences of all Purchases from Time to Time to be made in pursuance of this Act, or of so much and such Part of those Expences as the Court shall deem reasonable, to be paid by the Vicar, Churchwardens, and Overseers out of the Monies to be raised by virtue of this Act, who shall accordingly from Time to Time pay such Sum or Sums as shall be so directed.

On Payment of Purchase Money, Premises vested in the said Vicar, &c.

XXIII. And be it further enacted, That upon Payment of the Money so contracted or agreed to be paid for the Purchase of such Lands, Tenements, or Hereditaments by the said Vicar, Churchwardens, and Overseers to the Party or Persons respectively entitled to such Monies, or their Agents, or upon Payment thereof into the Bank of *England* for the Purpose of being disposed of in manner herein-before directed, and upon the Conveyance in manner herein-after directed of such Lands, Tenements, or Hereditaments, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim, and Demand in Law and Equity of the Person

or Persons respectively for whose Use the same shall be paid, in, to, or out of such Lands, Tenements, and Hereditaments, shall vest in the said Vicar, Churchwardens, and Overseers, and their Successors for ever, for the Use and Purposes of this Act.

Form of Conveyance.

XXIV. And be it further enacted, That all Sales, Conveyances, and Assurances of any Lands, Tenements, or Hereditaments to be made to the said Vicar, Churchwardens, and Overseers, and their Successors, shall be made in the Form or to the Effect following; (*videlicet*,)

'I *A. B.* of in consideration of the Sum of
'paid by the Vicar, Churchwardens, and Overseers
'of the Parish of *Saint Giles Camberwell* in the County of *Surrey*, acting
'by virtue of an Act of Parliament made in the Fifty-third Year of the
'Reign of King *George* the Third, intituled [*here insert the Title of this*
'*Act*], do hereby grant and release to the said Vicar, Churchwardens,
'and Overseers, and their Successors, all [*here describe the Premises to be*
'*conveyed*], and all my Right, Title, and Interest to and in the same and
'every Part thereof, to hold to the said Vicar, Churchwardens, and
'Overseers, and their Successors for ever. In witness whereof I have
'hereunto set my Hand and Seal this Day of
'in the Year of our Lord .

And every such Sale, Conveyance, and Assurance so made shall be good, valid, and effectual to all Intents and Purposes whatsoever as to and against the Person or Persons making the same, and his, her, or their Cestuique Trusts, and all other Persons claiming or to claim by, from, under, or in Trust for him, her, or them respectively, or in Remainder, Reversion, or Expectancy as aforesaid; and the same shall be deemed and considered to bar the Dower and Dowers of such Person and Persons, and all Estates Tail, and all Estates in Possession, Reversion, Remainder, or Expectancy, the Issue and Issues of such Person and Persons, and every Person claiming or to claim under them respectively, as effectually as Fines and Recoveries would do if levied or suffered by the Parties interested, and such Parties had been adult and without Impediment; any Law, Statute, Usage, or Custom to the contrary notwithstanding.

Act not to compel the Governors of the Free Grammar School at Camberwell to sell or dispose of their Premises.

XXV. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to authorize, oblige, or compel the Governors of the Free Grammar School of the Reverend *Edward Wilson* at *Camberwell* aforesaid to sell or dispose of the Estate or Premises of the said Governors of the said School, or any Part thereof, or to alter, prejudice, or affect any of their Rights, Title, or Interest therein.

Cemetery to be inclosed.

XXVI. And be it further enacted, That the said Vicar, Churchwardens, and Overseers, as soon as conveniently may be after such Purchase and Conveyance shall have been made as aforesaid, cause the said additional or new Cemetery or Burying Ground to be inclosed with a good and substantial Brick Wall or Fence, in such Manner as they, with the Consent of the Inhabitants of the said Parish in Vestry assembled, as aforesaid, shall think proper, and from Time to Time to keep the same in repair, out of the Monies to be raised by virtue of this Act.

XXVII. And

Cemetery to be consecrated.

XXVII. And be it further enacted, That it shall and may be lawful to and for the said Vicar, Churchwardens, and Overseers of the Poor of the said Parish of *Saint Giles Camberwell*, with the Consent of the Inhabitants thereof in Vestry assembled, to make and build such Vaults or other Conveniences for the Interment of the Dead as they shall think proper and necessary; and when such additional Ground shall have been walled or fenced in as aforesaid the same shall be consecrated for a Burial Ground according to the Usage of the Church of *England*; and after the same shall have been so consecrated the same shall for ever thereafter be made use of according to Law as a Burial Ground for the Interment of the Inhabitants of the said Parish of *Saint Giles Camberwell*, subject nevertheless to such Orders and Regulations as shall be made for the Management thereof by the said Vicar, Churchwardens, and Overseers for the Time being, with the Consent of the Inhabitants of the said Parish in Vestry assembled as aforesaid.

For borrowing Money on Annuity or Lives;

XXVIII. And whereas the present Workhouse of the said Parish of *Saint Giles Camberwell* is very old and out of repair, as well as much too small to lodge the sick and impotent Poor belonging to the said Parish, and it is become absolutely necessary either to rebuild or to repair and considerably enlarge the said Workhouse: And whereas the Expence of rebuilding the said Workhouse, as it has been estimated, will amount to the Sum of Ten thousand Pounds, and the Expence of the said Cemetery has been estimated at Two thousand Pounds: And whereas it may be found expedient to raise the aforesaid Sums of Ten thousand Pounds and Two thousand Pounds, or some Part thereof, by way of Annuity or Annuities to be secured upon and payable out of the said respective Rates and Assessments; be it further enacted, That it shall be lawful for any Person or Persons to contribute, advance, and pay into the Hands of the said Churchwardens and Overseers, or such Person or Persons as the Inhabitants of the said Parish in Vestry assembled shall appoint to receive the same, for the Uses and Purposes aforesaid, any Sum or Sums of Money not exceeding in the whole the Sum of Twelve thousand Pounds by this Act authorized and empowered to be received, for the absolute Purchase of One or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life or Lives of such Person or Persons purchasing the same, or who shall be so nominated by or on behalf of him, her, or them at the Time of Payment of their respective Monies, so as such Annuity or Annuities do not exceed the Rate of Ten Pounds by the Year for each One hundred Pounds advanced, and so in proportion for any greater or less Sum to be paid as aforesaid; all which Annuities shall be payable and paid by the Treasurer or Treasurers for the Time being, or other Person authorized so to do, out of the Monies raised or to be raised by or from the said Rates or Assessments in manner herein-after provided, the first Payment to be made to the respective Purchasers or their Assigns at the Expiration of Three Calendar Months after Payment of their respective Monies, the Rate whereof shall from Time to Time be adjusted and settled by the said Churchwardens and Overseers at a public Meeting to be held for that Purpose, whereof Fourteen Days Notice shall be given in some Newspapers circulated within the Bills of Mortality.

XXIX. And

or by way of Bond or Mortgage.

XXIX. And be it further enacted, That it shall be lawful for the said Churchwardens and Overseers, or any of them, with such Concurrence as aforesaid, if they should think it more beneficial for the said Parish, to raise and borrow the aforesaid Sums of Ten thousand Pounds and Two thousand Pounds, or any Part thereof, by way of Bond, Mortgage, or other Security to be entered into and executed by them in their official Capacity, for and on account of the said Parish of *Saint Giles Camberwell*, bearing an Interest at the Rate of not more than Five Pounds *per Centum per Annum*, for such Term as shall be agreed upon by the said Churchwardens and Overseers, or the major Part of them; and all the Interest which shall be due thereon shall be paid and payable by the said Churchwardens and Overseers, or the Treasurer, half-yearly, in the Vestry Room of the said Parish, or in such other convenient Place as the said Churchwardens and Overseers shall appoint for that Purpose.

No Sum to be borrowed without Consent of Vestry.

XXX. Provided always, That no Sum or Sums of Money shall be raised or borrowed by the said Churchwardens and Overseers, or any of them, under the Powers of this Act, without the Consent of a Vestry of the Inhabitants of the said Parish to be specially convened for that Purpose, of which Vestry Eight Days previous Notice at the least shall be given by printed Hand Bills circulated through the Parish, and also at Church during Divine Service on the *Sunday* preceding the Day of the Meeting thereof.

Annuities charged upon the Rates.

XXXI. And be it further enacted, That all and every such Annuity or Annuities, Sum and Sums of Money, shall be and are hereby charged upon and shall be paid and payable from Time to Time out of the Monies arising by and from the Church and Poor Rates and Assessments respectively, in the Manner following; (that is to say,) the Annuities which shall or may be granted for any Sum or Sums of Money hereby authorized to be raised for the Purposes of the said Burial Ground, not exceeding Two thousand Pounds as aforesaid, upon the Church Rates and Assessments, and the other Annuities so to be granted for or in respect of the Money to be raised for the Purposes of the said Workhouse, not exceeding the said Sum of Ten thousand Pounds, upon the said Poor Rates and Assessments; and all and every Person and Persons duly paying the Consideration or Purchase Money as aforesaid for any such Annuity or Annuities, and his, her, or their respective Executors, Administrators, and Assigns, shall have, receive, and enjoy, and be entitled by virtue of this Act to have, receive, and enjoy, the Annuity or Annuities so purchased from and out of the said respective Rates or Assessments, and shall have good, sure, absolute, and indefeasible Estates and Interests in the same respectively according to the Tenor and true Meaning of this Act; and that each and every Purchaser of any such Annuity or Annuities, his, her, or their Assigns, upon Payment of the Consideration or Purchase Money, shall have a Receipt or Receipts for the same, and also an Order on Parchment for Payment thereof, as often and so long as the same shall accrue and become payable, and all Arrears thereof, by equal quarterly Payments, which Order shall be signed by the said Churchwardens and Overseers, or the major Part of them, and then be firm, valid, and of good Effect in Law, according to the true Purport and Meaning of this Act, and shall entitle and enable the Holder or Holders to sue for and recover by Action, Bill, Plaint, or Suit at Law to be instituted against the said Churchwardens

and Overseers, and their Successors, for the Time being, all such Sum and Sums as shall be due thereon, before the Time of bringing such Action, together with all Costs of Suit, and likewise to sue and take out Execution against the said Churchwardens and Overseers and their Successors for the Time being, unless such Sum or Sums recovered, with the Costs, shall be paid out of the Rate or Rates liable thereto as aforesaid within Twenty-one Days after Notice to them given of such Judgments being entered up.

Clerk to enter all Securities for Money borrowed on Annuities, Bond, or Mortgage.

XXXII. And be it further enacted, That the Vestry Clerk of the said Parish of *Saint Giles Camberwell* for the Time being shall enter in a Book or Books to be for that Purpose provided and kept all Securities for Money borrowed or Annuities granted by virtue or in pursuance of this Act, and all Assignments or Transfers thereof, expressing in Words at Length the Names, Surnames, Additions, Places of Abode, and other Descriptions of all such Person and Persons as shall from Time to Time be entitled to such Securities, and also the Name, Surname, Addition, Place of Abode, and other Description of every Person for whose Life any Annuity shall be granted by virtue of this Act, and the Days whereon the said Annuity shall be payable, to which Book and Books the Person or Persons entitled to and possessed of such Annuity, Mortgage, or other Security, and all and every the Person or Persons liable to the Payment of the said Rates and Assessments so to be made as aforesaid, shall at all seasonable Times have Access, with free Liberty to inspect the same, without Fee or Reward.

Securities may be transferred.

XXXIII. And be it further enacted, That it shall be lawful for any Person or Persons entitled to any of the Securities aforesaid, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hand or Hands respectively, or by Indorsement or Memorandum on the Back thereof, to assign and transfer such Security or Securities to any Person or Persons whomsoever, and so *toties quoties*; and such Assignment or Transfer, after it shall be entered in manner aforesaid, shall entitle the Person or Persons to whom the same shall be made, and his, her, or their Executors, Administrators, and Assigns, to the like Benefit of the said Security or Securities, and legal Remedies for enforcing the same, as the original Grantees thereof had or were entitled to by and under this Act, or by any other Law, Statute, Usage, or Custom now in force within that Part of the United Kingdom called *England*.

For appointing Scavengers and Rakers.

XXXIV. And be it further enacted, That it shall be lawful for the said Churchwardens and Overseers of the said Parish of *Saint Giles Camberwell*, or the major Part of them, to agree by public Auction, after Fourteen Days Notice given by public Advertisement of their Intention so to do, with any Person or Persons to be Scavenger or Scavengers, Raker or Rakers, Cleanser or Cleansers, of the public Streets, Squares, Lanes, Courts, Yards, and other public open Passages, Ways, and Places within the said Parish, not being Turnpike Roads or Footpaths belonging thereto; and such Person or Persons so contracted with shall, as often as thereunto required by the said Churchwardens and Overseers, or the major Part of them, bring or cause to be brought Carts, Waggons, or other suitable Carriages into all the Places aforesaid wherein the same can be drawn near or pass unto, and at or before their

Approach, by Bell or otherwise, shall give Notice to the Inhabitants of their coming, and give the like Notice in every other Place into which the said Carriages cannot pass and abide, and shall take and carry away, or cause to be taken and carried away, from the several and respective Houses and Premises there, the Soil, Ashes, Cinders, Rubbish, Dust, Dirt, and Filth in or belonging thereto, without receiving any Pay, Hire, or Reward other than is expressed in his or their Contract or Contracts, upon pain of forfeiting any Sum not exceeding Twenty Shillings for every Neglect or Default: Provided also, that all Rubbish, Earth, Dust, Filth, and Soil occasioned by building, repairing, amending, or altering any such House or Houses, Building or Buildings, which shall be deposited in any such Street, Square, Lane, Alley, Court, Yard, or other open and public Passages, Ways, or Places, shall, within Two Days next after the same is so deposited, be taken and carried away by the Owner or Owners, Occupier or Occupiers of such Houses and Buildings respectively from which the same shall be taken or proceed, upon pain of forfeiting and paying any Sum not exceeding Five Pounds for every Day which he, she, or they shall neglect to remove the same; and that if any Person or Persons, Occupier or Occupiers of any House or Building in any of the public Squares, Streets, Lanes, Courts, Yards, and other public open Passages, Ways, and Places (except Manufacturers and others as hereinafter excepted), shall allow or permit such Soil, Ashes, Cinders, Rubbish, Dust, Dirt, or Filth to be taken away by any other Person than the Contractor, every such Person or Persons so offending shall in like Manner forfeit any Sum not exceeding Five Pounds.

Contractors only to remove Dust.

XXXV. And be it further enacted, That if any Person or Persons, other than the Person or Persons so employed by or contracting with the said Churchwardens and Overseers for the cleansing the Streets, Squares, and other public Places within the said Parish, or those employed by and under him or them, shall on any Pretence whatsoever go, or hire any other Person or Persons on their Behalf or for their Use to go, about to collect or gather, or shall ask for, receive, or carry away, any Dust, Cinders, Ashes, or Breeze from any such public Streets, Squares, and other public Places within any Part of the said Parish, it shall and may be lawful for any Justice or Justices of the Peace for the said County of *Surrey*, upon Complaint to him or them made, to grant a Warrant to bring before him or them such Offender or Offenders, or for any Person or Persons who shall see any such Offence committed to seize, and also for any other Person or Persons to assist in seizing, the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements made use of for carrying the same away, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before such Justice or Justices of the Peace, or any other Justice or Justices of the Peace for the said County, and such Justice or Justices shall and he and they is and are hereby authorized and required to examine upon Oath (or Affirmation, if a Quaker,) the Person or Persons apprehending such Offender or Offenders, and any Witness or Witnesses who shall appear to give Information or Evidence touching such Offence; and if the Party or Parties shall be convicted thereof he, she, or they shall respectively for the First Offence forfeit and pay any Sum not exceeding Ten Pounds, for the Second Offence any Sum not exceeding Fifteen Pounds, and for the Third and every

every subsequent Offence any Sum not exceeding Twenty Pounds, one Moiety of which respective Penalties shall be paid to the Informer or Informers, and the other Moiety shall be applied to the Use of the Poor of the said Parish; and if such Offender or Offenders shall not on Conviction pay the said Penalty or Penalties, such Justice or Justices is and are hereby required to direct such Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements which shall have been so seized, to be appraised and sold, and after deducting, out of the Monies arising from such Sale, the Penalty or Penalties incurred, together with the reasonable Charges and Expences of such Distress and Sale, the Surplus thereof shall be returned, upon Demand, to the Party or Parties owning the same; and in case no such Seizure shall be made, or the Things seized and sold shall not produce a sufficient Sum of Money to pay the said Penalty or Penalties, Charges or Expences, then and in every such Case such Justice or Justices is and are hereby required to commit such Offender or Offenders for every Offence of which they shall be so convicted to the Common Gaol or House of Correction for the said County of *Surrey*, there to be kept to hard Labour for any Time not exceeding Thirty Days, unless such Penalty or Penalties, Charges and Expences, or such Part or Parts thereof as then remain undischarged, be sooner paid and satisfied.

Penalties on laying Ashes or other Annoyances in Streets.

XXXVI. And be it further enacted, That no Person or Persons whomsoever shall throw, cast, or lay, or cause or permit or suffer to be thrown, cast, or laid, any Ashes, Dirt, Dust, Rubbish, Soil, or other Filth whatsoever before any Dwelling House, Shop, Stable, Building, Wall, or other Premises, or in any Street, Square, or other public Place in the said Parish of *Saint Giles Camberwell*, except in Time of Frost, for the Purpose of preventing Accidents, or in any of the Sewers or Drains thereof, but shall keep or cause the same to be kept in their respective Houses or Yards until the Person or Persons so contracted with or employed shall carry the same away, upon pain of forfeiting for the First Offence the Sum of Five Shillings, for the Second Offence the Sum of Ten Shillings, and for the Third and every other Offence the Sum of Twenty Shillings: Provided always, that nothing herein contained shall extend or be deemed or taken to prevent any Manufacturer from taking, carrying, or sending away for his own Use or for Sale any Cinders, Breeze, Ashes, Dust, or other Article or Thing produced in any Manufactory occupied by or belonging to him, her, or them within the said Parish, nor to prevent any Person or Persons from taking, carrying, or sending away, for his, her, or their own Use only, any Cinders, Breeze, Ashes, Dust, Dirt, or other Article or Thing from his, her, or their own Dwelling Houses or Premises within the said Parish.

Manufacturers and others may have their own Dust, Ashes, &c.

If Contractor neglect to take away Dust for Seven Days, any other Person to be at liberty to take it.

XXXVII. Provided always, and be it further enacted, That in case such Person or Persons so employed by or contracting with the said Churchwardens and Overseers for the Purposes aforesaid shall neglect for the Space of Seven Days to give Notice in manner aforesaid to the Inhabitants of their coming for the Purpose of taking away such Dirt, Dust, Soil, Rubbish, Filth, Cinders, and Ashes, or to carry away the same, that then it shall and may be lawful for the Inhabitants of such and so many of the said Streets, Squares, and other Places where such Neglect shall happen to be, and so often as the same shall occur, to give away or sell their Dust, Filth,

Filth, Cinders, or Ashes to any Person or Persons whatsoever who shall and are hereby empowered to take and carry away the same, without being subject or liable to any Penalty or Penalties for so doing, any thing herein contained to the contrary notwithstanding; and all Expences occasioned by any Inhabitant so taking or causing such Dust, Dirt, Filth, Cinders, or Ashes to be taken and carried away as last aforesaid shall be paid by the Person or Persons so contracting as aforesaid, and shall and may be recovered from him, her, or them before any Justice or Justices of the Peace acting in and for the said County of *Surrey*, (in addition to the Penalty or Forfeiture herein-before imposed upon him, her, or them for such Neglect in carrying away the same as aforesaid,) in like Manner as any other Penalty or Forfeiture in and by this Act imposed and recoverable before any Justice or Justices as aforesaid.

Expences thereof to be paid by the Scavenger.

XXXVIII. And be it further enacted, That if any Person or Persons shall run, drive, or cause to be run, driven, or drawn, on any Part of the Footways or Foot Pavements of the several Streets, Lanes, or Places within the said Parish any Wheel or Wheels, Sledge, Wheelbarrow, or any Carriage or other Thing whatsoever, or shall ride, lead, or drive, or cause to be rode, led, or driven, any Horse, Mule, or Ass, or any other Cattle, in any of the said Footways or Pavements, such Person or Persons shall, on being thereof convicted on the Oath (or Affirmation, if a Quaker,) of One or more Witness or Witnesses before any Justice or Justices of the Peace acting in and for the said County of *Surrey*, forfeit for every such Offence any Sum not exceeding Twenty Shillings: Provided always, that every Information to be laid for such Offences shall be laid or made before any such Justice or Justices as aforesaid within Seven Days next after the Commission of such Offence or Offences respectively.

Penalty of Twenty Shillings on driving Wheelbarrows on Footpaths.

XXXIX. And be it further enacted, That the Property of all and every the Goods, Chattels, Furniture, Provisions, Clothes, Linen, and Wearing Apparel, Tools, Utensils, Materials, and Things whatsoever had and to be had, bought, procured, and provided for the Use of the Poor of the said Parish, and for carrying into execution the several Purposes of this Act, shall be and the same are hereby vested in the Churchwardens and Overseers of the Poor of the said Parish for the Time being and their Successors, who are hereby empowered to bring or cause to be brought any Action or Actions, or to prefer or order the preferring of any Bill or Bills of Indictment, against any Person or Persons who shall steal, take, or carry away such Goods, Chattels, Furniture, Provisions, Clothes, Linen, and Wearing Apparel, Utensils, Materials, and Things whatsoever, or any Part thereof, the Property of which said Goods, Chattels, Furniture, Provisions, Clothes, Linen, and Wearing Apparel, Tools, Utensils, Materials, and Things, shall be laid in every such Action and Indictment to be the Property of the Churchwardens and Overseers of the Poor of the said Parish for the Time being in manner aforesaid.

Property of the Goods, &c. for the Use of the Poor, vested in the Churchwardens and Overseers.

XL. And be it further enacted, That whenever any poor Person or Persons shall be ordered to be removed from the said Parish of *Saint Giles Camberwell* to the Place or Parish of his, her, or their legal Settlement, it shall be lawful for the said Churchwardens and Overseers of the Poor (if they think fit) to cause such poor Person or Persons to be respectively removed by the Beadle or Beadles of the said Parish of *Saint Giles*

Paupers to be removed by Beadles instead of Overseers.

Giles Camberwell, by Writing under the Hands of the Churchwardens and Overseers of the Poor of the said Parish, or any Two or more of them, and every Overseer and other proper Officer of the Parish or Place to which such poor Person or Persons shall be ordered to be removed as aforesaid is hereby required to receive every such poor Person in like Manner as he or they would have been bound to do if such poor Person or Persons had been delivered to him, her, or them by One of the Overseers of the Poor of the said Parish of *Saint Giles Camberwell*; any Law, Custom, or Usage to the contrary notwithstanding.

Punishment of Persons for buying or taking Goods into Pawn.

XLI. And be it further enacted, That if any Person or Persons shall knowingly buy or receive into Pawn or secrete any of the Clothes or Wearing Apparel of any of the Poor who shall be received into and maintained in the Workhouse or Workhouses of the said Parish, or any of the Goods or Materials carried into the said Workhouse or Workhouses to be wrought up, manufactured, or used by the Poor there, or any of the Goods and Furniture of the said Workhouse or Workhouses, or shall buy or receive any Articles of Furniture or other Provisions allotted to or provided for the Poor in the said Workhouse or Workhouses, or shall be aiding or assisting therein, every Person so offending shall forfeit for every such Offence any Sum not exceeding Five Pounds upon Conviction by the Oath (or Affirmation if a Quaker) of any One or more Person or Persons before any One or more Justice or Justices of the Peace for the said County of *Surrey*, which Penalty, if not immediately paid, shall be levied by Warrant under the Hand and Seal or Hands and Seals of the said Justice or Justices, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, one Moiety of the said Penalty to be paid to the Informer or Informers, and the other Moiety to the Churchwardens and Overseers of the said Parish for the Use of the Poor of the said Parish; and if no Goods or Chattels can be found whereon to make such Distress, or that the said Penalty shall not be forthwith paid, then and in such Case such Justice or Justices shall and may, by Warrant under his or their Hand and Seal or Hands and Seals, commit such Offender or Offenders to the House of Correction, there to be kept to hard Labour, for any Time not exceeding Three Calendar Months, unless such Penalty and all Expences shall be sooner paid and satisfied.

Penalty on Persons bringing Spirituous Liquors into the Workhouse.

XLII. And be it further enacted, That no Spirituous Liquors shall be conveyed into the said Workhouse or Workhouses, unless with the Permission of the said Churchwardens and Overseers of the Poor, or any Two of them, or by the Order of the Apothecary or other Medical Person appointed to attend the Workhouse; and every Person who shall be convicted of any such Offence before One or more Justice or Justices of the Peace for the said County of *Surrey* shall forfeit any Sum not exceeding Five Pounds, one Moiety of which Penalty shall be paid to the Informer or Informers, each and every of whom is and are hereby declared to be a competent Witness or Witnesses to prove all Matters or Things therein contained or otherwise respecting the said Information or Informations, notwithstanding he, she, or they being the Informer or Informers therein in manner aforesaid, and the other Moiety to the Poor of the said Parish of *Saint Giles Camberwell*; which Penalty, if not immediately paid, shall be levied by Warrant under the Hand and Seal or Hands and Seals of the said Justice or Justices, by Distress and Sale of the Goods and Chattels

Chattels of the Offender or Offenders, one Moiety of the said Penalty to be paid to the Informer or Informers, and the other Moiety to the Churchwardens and Overseers of the said Parish for the Use of the Poor of the said Parish; and if no Goods or Chattels can be found whereon to make such Distress, or that the said Penalty shall not be forthwith paid, then and in such Case such Justice or Justices shall and may, by Warrant under his or their Hand and Seal or Hands and Seals, commit such Offender or Offenders to the House of Correction for any Time not exceeding Three Calendar Months, unless such Penalty and all Expences shall be sooner paid and satisfied.

Churchwardens and Overseers to employ Poor in Workhouse.

XLIII. And be it further enacted, That it shall be lawful for the said Churchwardens and Overseers, or any Two of them, to cause any Person or Persons who shall be received into the said Workhouse or Workhouses to be employed in any Work, Trade, Manufactory, or Employment, or otherwise, during the Time they shall continue in the said Workhouse or Workhouses, and shall and may, in case they think proper, provide a sufficient Stock of Flax, Hemp, Silk, Wool, Cotton, Thread, Iron, Stone, Wood, Leather, or any other Materials for the Employment of such Poor, and for that Purpose only may set up, use, and occupy any Trade, Mystery, or Occupation whatsoever in the said Workhouse or Workhouses or other Buildings, and for the Purpose of this Act may sell and dispose of such Goods, Wares, and Merchandizes as shall be manufactured or made by such Poor in the said Workhouse or Workhouses or other Buildings, and bring any Action or Actions in the Names of the Churchwardens and Overseers of the Poor of the said Parish of *Saint Giles Camberwell* for the Time being, or in that of any other Person or Persons, to enforce Payment of the Price or Value thereof, or any Contract or Contracts respecting the same, any Law or Usage to the contrary notwithstanding; and out of the Profits arising from any Work which shall be there done the said Churchwardens and Overseers, or the major Part of them, shall distribute to the industrious and skilful according to the Quantity and Perfection of their Work such Gratuities or Rewards as to the said Churchwardens and Overseers shall appear reasonable and proper, and the Remainder of the Profits shall be applied in aid of the Poor's Rate of the said Parish.

Books of Accounts, &c. open to the Inspection of Persons paying Rates.

XLIV. And be it further enacted, That all Books and Accounts concerning Receipts, Payments, Credits, and Contracts, and all other Instruments, Documents, and Writings relative to the Disbursements of the Parochial Rates, and of all other Monies received from Time to Time for the Use of the Poor of the said Parish, shall, after each and every Audit of the Accounts of the Churchwardens and Overseers of the Poor and Surveyors of the Highways of the said Parish, and before the same shall be signed by the Auditors of such Accounts respectively, be left at the Parish Workhouse from Time to Time Fourteen Days for the Inspection and Perusal of any Person or Persons paying to the Church and Poor Rate or Rates; and that such Person and Persons may have a Copy thereof or of any Part thereof on paying the Sum of Sixpence for every Seventy-two Words or Figures of such Books and Accounts, and after the Expiration of the said Fourteen Days to pay Five Shillings for each Inspection of the Accounts of every current Year, in like Manner and under the like Penalties as is and are declared and provided for the inspecting and taking Copies of the Accounts of

of Parish Officers in and by an Act passed in the Seventeenth Year of the Reign of His late Majesty King *George* the Second, intituled *An Act to oblige Overseers of the Poor to give public Notice of Rates made for the Relief of the Poor, and to produce the same.*

Inhabitants deemed competent Witnesses.

XLV. And be it further enacted, That in all Actions, Prosecutions, Informations, Causes, and Proceedings whatsoever relating to or concerning the Execution of this Act or the said Parish of *Saint Giles Camberwell*, whether the same be had between the said Parish and any other Parish or Parishes, or between it and any Person or Persons whomsoever, no Inhabitant of the said Parish shall be deemed incompetent to give Evidence by reason of his or her being rated or assessed by virtue of this Act; any Law or Usage to the contrary notwithstanding.

Justices may amend, not quash, the Rates.

XLVI. Provided always, and be it enacted, That upon an Appeal from any Rate or Assessment for the Relief of the Poor of the said Parish of *Saint Giles Camberwell*, or any of them, the Justices at any General or Quarter Sessions shall and may amend the same in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to other Persons mentioned in the same; but if it appear from the whole Rate or Assessment that it shall be necessary to quash and set aside the same, then and in such Case the said Justices shall and may order a new Rate or Assessment to be made.

Proceedings not to be quashed for Want of Form, nor removable by Certiorari.

XLVII. And be it further enacted, That no Order, Judgment, Conviction, or other Proceeding touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, or any Order made or any Matter or Thing to be done or transacted in or relating to the Execution of this Act, shall be vacated or quashed for Want of Form only, nor be removed by Certiorari, or any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary in anywise notwithstanding.

Orders and Proceedings of Vestry to be entered in a Book to be provided for that Purpose.

XLVIII. And be it further enacted, That all Acts, Orders, or Proceedings of the Vestry of the said Parish, or the Churchwardens and Overseers thereof, at any of their Meetings, shall be entered in a Book or Books to be kept by the Vestry Clerk for that Purpose, and shall be signed by him and the Churchwardens and Overseers, or the major Part of them present at such Meeting, or by any Four of the Inhabitants present at such Vestry, and such Book or Books so signed shall and may be produced and read as Evidence in all Courts whatsoever of all such Acts, Orders, and Proceedings so entered therein.

Form of Conviction.

XLIX. And be it further enacted, That in all Cases where any Person or Persons shall be convicted of any Offence against this Act, or any Matter in pursuance thereof, the Conviction shall be in the Words or to the Effect following; *videlicet*,

'*Surrey* to wit. } BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me [*or* us], One [*or* Two] of His Majesty's Justices of the Peace for the County of *Surrey*, by virtue of an Act passed in the Fifty-third

Year

'Year of the Reign of King *George* the Third, intituled *An Act for better assessing and collecting the Poor and other Rates in the Parish of* Saint Giles Camberwell *in the County of* Surrey, *and regulating the Affairs thereof; and for enabling the Inhabitants to raise Money for repairing or rebuilding the Parish Workhouse, and purchasing Ground for a Cemetery or Burial Ground; and for other Purposes relating thereto;* for that the said *A.B.* did, on the Day of in the Year of our Lord at in the County of *Surrey* [*here state the Offence*], by reason whereof I [*or* we] do hereby adjudge the said *A.B.* to have forfeited [*if the Offender is to be fined*] the Sum of [*insert the Penalty*], together with the Sum of for Costs and Charges [*if any are given*], or [*if to be imprisoned there*] do adjudge the said *A.B.* to be committed to the [*naming the Gaol*] for the Space of [*insert the Time, and if the Commitment be for Nonpayment of a Penalty then add*] unless the said Sum of shall be sooner paid. Given under my [*or* our] Hand and Seal [*or* Hands and Seals] the Day and Year first above written.'

Mode of recovering Penalties.

L. And be it further enacted, That all Penalties and Forfeitures by this Act imposed or incurred, for the Recovery whereof no other Method hath been directed by this Act, shall be levied by Distress and Sale of the Offender's Goods and Chattels by Warrant under the Hand and Seal of any Justice of the Peace acting in and for the said County of *Surrey*, which Warrant such Justice is hereby empowered and required to issue, upon Confession of the Party or Parties accused, or upon the Evidence of any One or more credible Witness upon Oath (or Affirmation if a Quaker), which Oath or Affirmation such Justice is hereby authorized and required to administer; and the Overplus of the Money (if any) arising by such Distress and Sale shall be returned, upon Demand, to the Owners of such Goods and Chattels, after deducting the Costs and Charges of such Distress and Sale; and all such Penalties and Forfeitures when recovered shall, if not herein otherwise directed to be applied, be paid to the Treasurer, and in case no Treasurer shall as aforesaid be appointed the same shall be paid to the Churchwardens and Overseers of the Poor of the said Parish, or some or One of them, and shall in either Case be applied for such of the Purposes of this Act as the said Churchwardens and Overseers shall think fit; and in case sufficient Goods and Chattels cannot be found, or such Penalties or Forfeitures shall not be forthwith paid, it shall and may be lawful to and for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal to commit such Offender or Offenders to the Common Gaol or House of Correction of and for the said County for any Time not exceeding Fourteen Days, unless such Penalties and Forfeitures and all reasonable Charges attending the same shall be sooner paid or satisfied.

Appeal to the Quarter Sessions.

LI. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any such Rate or Rates, Assessment or Assessments, or by reason of any Order, Judgment, or Determination of any Justice or Justices of the Peace acting in the Execution of this Act, or by any Matter or Thing done in pursuance thereof, other than as herein-before otherwise directed with respect to the Valuation of the Lands, Tenements, or Hereditaments so as aforesaid to be purchased, then and in such Case he, she, or they may appeal to the next

General or Quarter Sessions of the Peace to be holden for the said County of *Surrey* which shall next happen after the Expiration of Fourteen Days after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Ten Days Notice at least of such Appeal and of the Matter thereof to the Party or Parties appealed against, and within Two Days next after such Notice entering into a Recognizance in the Sum of Twenty Pounds before some Justice of the Peace for the said County conditioned for prosecuting such Appeal, and to abide the Order thereon, and to pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices assembled at such General or Quarter Sessions, upon due Proof of such Notice being given and of entering into such Recognizance, shall hear and determine the Matter of such Appeal in a summary Way, and may award such Costs to the Party appealing or appealed against as they the said Justices shall think proper, and also to order and award such Satisfaction to be made to the Party injured as they shall think reasonable.

Justices to deliver Recognizances to Vestry Clerk.

LII. And be it further enacted, That all and every the Recognizance and Recognizances entered by any Person or Persons on any Appeal as aforesaid shall be delivered, on Demand, to the Vestry Clerk of the said Parish by the Justice or Justices who shall have taken the same, and that the Churchwardens or Overseers of the said Parish for the Time being respectively shall and may sue for, recover, and receive the Penalty and Penalties in any such Recognizance or Recognizances mentioned, in such and the same Manner as any Rate, Penalty, or Fine may be sued for and recovered by virtue of this Act.

Limitation of Actions.

LIII. 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 of or in pursuance of this Act but within Three Calendar Months 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 of *Surrey* and not elsewhere: Provided also, that no Plaintiff or Plaintiffs shall recover in any Action for any Irregularity, Trespass, or other 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, Thirty-one Days before such Action shall be commenced, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the kind of Action and Cause thereof, nor shall the Plaintiff or Plaintiffs recover in such Action if Tender of sufficient Amends shall be made by or on the 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 Tender shall have been made it shall and may be lawful for the Defendant or Defendants in any such Action, by Leave of the Court where such Action shall depend, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings or Order and Judgment shall be had, made, or given in by such Court as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not to recover if Tender of Amends made.

General Issue.

LIV. 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 of 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 Thirty-one 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 every such Case the Jury shall find for the Defendant or Defendants; and if the Plaintiff or Plaintiffs shall make default, or 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, then and in every such Case the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

Treble Costs.

Preserving Rights of Trustees of Surrey and Sussex Roads.

LV. And be it further enacted, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to give to, authorize or invest the said Vicar, Churchwardens, and Overseers, or any other Person or Persons whomsoever, with, any Right, Power, or Authority whatsoever which may at all interfere with, abridge, alter, or diminish any of the Rights, Powers, Authorities, and Provisions heretofore granted by an Act passed in the Forty-second Year of the Reign of His present Majesty, intituled *An Act for repealing an Act passed in the Twenty-fifth Year of the Reign of His present Majesty King* George *the Third, for more effectually repairing the Roads leading from* Stones End *in* Blackman Street, *in the Borough of* Southwark *in the County of* Surrey, *to* Highgate *in the County of* Sussex, *and several other Roads therein mentioned, and for granting other Powers for those Purposes;* and that all and every the Clauses, Powers, Authorities, Provisoes, Regulations, Directions, and Provisions therein contained and thereby granted shall continue and be as full, ample, and effectual, to all Intents and Purposes, as if this Act had not been made.

Costs of Act how to be defrayed.

LVI. And be it further enacted, That all Costs, Charges, and Expences of passing this Act, and all other Charges incident to the obtaining thereof, or incurred in relation thereto, shall be borne and defrayed out of the first Monies which shall arise or be collected out of any Rate or Assessment made or to be made for the Relief and Maintenance of the Poor of the said Parish of *Saint Giles Camberwell.*

Public Act.

LVII. 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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