ANNO PRIMO & SECUNDO

GEORGII IV. REGIS.

Cap. lxvii.

An Act for better assessing and collecting the Poors Rates, and relieving the Poor of the Parish of *Saint Luke, Chelsea*, in the County of *Middlesex*, and for other Purposes relating thereto; and for authorizing the Sale of the Dust and Ashes to arise within such Parts of the said Parish as are not included in the *Hans Town* District; for the Application of the Money to arise by such Sale; and for better collecting the Composition for the Repairs of the Highways of the said Parish.

[28th *May* 1821.]

WHEREAS the Parish of *Saint Luke, Chelsea*, in the County of *Middlesex*, is large and populous, and the Poor belonging thereto are very numerous, and are supported at a great Expence: And whereas the Laws now in force within this Realm for the making and collecting the Poor's Rates, and for relieving the Poor of the said Parish, are found inconvenient and ineffectual; and it is expedient to make Provisions for the Sale of Coal Dust and Ashes to arise within such Parts of the said Parish as are not included in the *Hans Town* District; for the Application of the

Money to arise by such Sale; and for better collecting the Composition for the Repairs of the Highways of the said Parish; and for preventing Nuisances, Annoyances, and Obstructions therein: 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, the collecting, recovering, levying, or receiving all Rates and Assessments for the Relief of the Poor of the said Parish due at the Time of passing this Act, and which shall from Time to Time thereafter be made or become due and payable for the like Purpose, shall and may be collected, recovered, levied, received, and paid and applied under the Powers and Authorities of this Act, as herein-after is mentioned.

After the passing of this Act, the Poors Rates to be levied and applied under the Authorities thereof.

First Meeting of Vestry for the Appointment of Committee Men.

II. And be it further enacted, That the Inhabitants of the said Parish who are of Right accustomed to meet in Vestry for parochial Purposes, shall and they are hereby required to meet and assemble in the Vestry Room of the said Parish, on the Fourth *Thursday* next after the passing of this Act, at Eleven of the Clock in the Forenoon; and at such Meeting (or at some Adjournment thereof) the Majority of the Inhabitants so assembled shall nominate and appoint not exceeding Forty substantial and discreet Householders, resident in the said Parish, and qualified as herein-after mentioned, who shall execute the Office of Committee Men, for carrying this Act into Execution, until other Committee Men shall be appointed in their Stead, as herein-after is directed.

The Rector, Churchwardens, and Overseers of the Poor for the Time being declared Committee Men.

III. Provided always, and be it further enacted, That the Rector, Churchwardens, and Overseers of the Poor of the said Parish for the Time being, shall be and they are hereby declared to be Committee Men (in addition to the Committee Men to be appointed by the Inhabitants assembled in Vestry in pursuance of this Act) for carrying this Act into Execution, and shall have full Power and Authority, together with the Committee Men to be from Time to Time nominated and appointed by the Inhabitants as herein directed, to act as such Committee Men to all Intents and Purposes, as if they had been nominated and appointed by the Inhabitants of the said Parish in the Manner and Form prescribed by this Act, except as after mentioned.

Inhabitants to meet in Vestry on 25th March yearly, or within 14 Days after, for the Election of Officers, &c.

IV. And be it further enacted, That the said Inhabitants shall and they are hereby required to meet and assemble in the said Vestry Room on the Twenty-fifth Day of *March* in each and every Year, or within Fourteen Days next after the said Twenty-fifth Day of *March*, at Eleven o'Clock in the Forenoon, for the Nomination of fit and proper Persons to serve the Office of Overseer of the Poor for the Year ensuing, and shall then and there elect and appoint not exceeding Forty new Committee Men for carrying this Act into Execution for the Year ensuing, and until other Committee Men shall in like Manner be elected and appointed: Provided always, that any Person going out of Office as a Committee Man shall be eligible to be elected a Committee Man for the next or any future Year after his so going out of Office.

Committee Men eligible to be re-elected.

V. And

Qualification of Committee Men.

V. And be it further enacted, That no Person (except the said Rector, Churchwardens, and Overseers of the Poor of the said Parish for the Time being) shall be capable of acting as a Committee Man in the Execution of this Act, unless he shall either occupy some Messuage or Tenement in the said Parish, and shall be assessed to the Poors Rate thereof according to a Rental of Forty Pounds or upwards, or shall be seised or possessed of a Real or Personal Estate, or Real and Personal Estates, to the Amount or Value of Five hundred Pounds, over and above what shall be sufficient to satisfy and discharge all his just Debts; and neither shall any Person (except the Rector, Churchwardens, and Overseers of the Poor) be capable of acting as a Committee Man in the Execution of this Act (except in giving Notice of the First Meeting, and in administering the following Oath, which any of the said Committee Men are hereby empowered to administer), until he shall have taken and subscribed an Oath to the following Effect:

'I *A. B.* do swear, That I will faithfully, impartially, and honestly, according to the best of my Skill, Knowledge, and Judgment, execute the several Trusts and Powers reposed in me as a Committee Man, by virtue of an Act passed in the Second Year of the Reign of His Majesty King *George* the Fourth, intituled [*here set forth the Title of this Act*], and that I occupy a Messuage or Tenement in the said Parish assessed to the Poors Rate thereof, according to a Rental of Forty Pounds or upwards, or [*as the Case may be*] that I am seised or possessed of a Real or Personal Estate, or of Real and Personal Estates, of the Amount in Value of Five hundred Pounds, over and above what is sufficient to satisfy and discharge all my just Debts. So help me GOD.'

Penalty for acting without Qualification.

VI. And be it further enacted, That if any Person disabled or declared to be incapable to act as such Committee Man, or who shall not have taken and subscribed such Oath as aforesaid, shall act as a Committee Man in the Execution of this Act, contrary to the Intent and Meaning hereof, every such Person shall for each and every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered, by any Person or Persons who shall inform or sue for the same, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed; and every Person who may be so prosecuted or sued, shall prove that he is so qualified as aforesaid, or otherwise shall pay the aforesaid Penalty, without any other Proof on the Part of the Prosecutor or Plaintiff than that such Person hath acted as a Committee Man in the Execution of this Act; and One Third Part of such Penalty, when recovered, shall be paid to the Person or Persons who shall sue for the same, and the Remainder thereof shall be paid to the Treasurer of the said Committee Men, and applied towards the Maintenance of the Poor of the said Parish: Provided nevertheless, that all Acts and Proceedings of all and every Person and Persons acting as Committee Man or Committee Men in the Execution of this Act, (though not duly qualified as aforesaid) previous to his or their being convicted of such Offence, or to the Recovery of

of any such Penalty as aforesaid, shall, notwithstanding such Conviction or Recovery, be as valid and effectual as if such Person or Persons had been duly qualified according to the Provisions of this Act.

Committee Men not to hold any Employment or be interested in Contracts for Provisions, &c. under a Penalty of 100*l.*

VII. Provided always, and be it further enacted, That if any Churchwardens, Overseers of the Poor, or any Person appointed or to be appointed, and who shall act as a Committee Man for carrying this Act into Execution, or as an Auditor of the Accounts of the said Committee Men, shall have any Share or Interest, either directly or indirectly, in any Contract, or be appointed to the Office of Treasurer, or be appointed to or enjoy any beneficial Employment under or by virtue of this Act, or shall supply or be beneficially interested in supplying, without Contract, any Articles, Provisions, or Materials for the Use, Support, Maintenance, or Employment of the Poor of the said Parish, every such Churchwardens, Overseers of the Poor, and Person so acting as a Committee Man, shall for every such Offence forfeit and pay the Sum of One hundred Pounds, together with Costs of Suit, to be recovered by any Person or Persons who shall sue for the same, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance shall be allowed; and One Third Part of such Penalty, when recovered, shall be paid to the Person or Persons who shall sue for the same, and the Remainder thereof shall be paid to the Treasurer of the said Committee Men, and applied towards the Maintenance of the Poor of the said Parish.

First Meeting of Committee Men;

may adjourn;

VIII. And be it further enacted, That the said Committee Men shall meet in the Board Room at the Workhouse of the said Parish, or some other convenient Place within the said Parish, on the Second *Thursday* next after such First Election and Appointment of Committee Men, at Eleven o'Clock in the Forenoon, and shall then and there proceed in the Execution of this Act; and shall or may then, and from Time to Time afterwards, meet by Adjournment, at any Time and at any such Place within the said Parish as shall be agreed upon by the Committee Men then present at any Meeting.

or meet without Adjournment, upon Two Days Notice.

IX. Provided always, and be it further enacted, That if it shall appear to the Rector, or to any Two of the Committee Men, proper and expedient that a Meeting of the said Committee Men should be held at an earlier Time than the Meeting shall then stand adjourned to, or if there shall be no such Adjournment, it shall and may be lawful to and for him or them, by Writing under his or their Hands, to require the Clerk to convene a Meeting of the said Committee Men, to be held at any such Place within the said Parish, at the Hour aforesaid, and to give Notice of such Meeting, and the Purport thereof, in Writing to or leave the same at the respective Dwelling House of each Committee Man, Two Days at the least before any such Meeting; and all such Meetings, of which such Notice shall be so given or left as aforesaid, shall be good and valid to all Intents and Purposes, any thing herein contained to the contrary thereof notwithstanding: Provided also, that all the Powers and Authorities hereby given to and vested in the said Committee Men, shall or may be

Five Committee Men elected by the

be executed by the major Part of them assembled at any Meeting held in pursuance of this Act, there not being less than Five of the Committee Men nominated and appointed by the Inhabitants in Vestry assembled as aforesaid present at any such Meeting, with or without the Rector, Churchwardens, and Overseers of the Poor, or any of them, being present; and that all Orders and Directions made by the Committee Men present at any such Meeting, or the major Part of them then assembled, (including the Rector, Churchwardens, and Overseers of the Poor, or such of them as shall be present), shall have the same Force and Effect as if the same were made or done by all the Committee Men for the Time being (except as afterwards mentioned).

Vestry, with or without the Rector, &c. to be competent to act.

X. And be it further enacted, That at every such Meeting, in case the Rector of the said Parish shall not be present, the Committee Men shall, before they proceed to any other Business, elect one of the Committee Men then present to be Chairman of such Meeting; and if upon any Question there shall be an Equality of Votes, including the Chairman's Vote, then the Chairman present shall have a Second or Casting Vote: Provided always, that the Rector of the said Parish, when present, shall in all Cases be the Chairman of the said Committee.

For appointing a Chairman.

XI. And be it further enacted, That it shall and may be lawful for any Justice or Justices of the Peace for the County of *Middlesex*, present at any Meeting of the Committee Men holden by virtue and in pursuance of this Act, to administer to any Person or Persons an Oath or Oaths, or, if a Quaker, an Affirmation, to answer all lawful Questions on any Matter or Business then depending before the said Committee Men, which shall be put to such Person or Persons respecting the Rent or Valuation of any House or Houses, Tenement or Tenements, within the said Parish, or any other Matter or Thing whatsoever relating to the Poor's Rate, or Management of the Poor thereof; and if any Person or Persons shall, upon his, her, or their Examination on Oath or Affirmation as aforesaid, wilfully or corruptly give false Evidence, such Person or Persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to such Pains and Penalties as by any Law now in being Persons convicted of wilful and corrupt Perjury are subject to.

Any Justice of the Peace may administer Oath.

XII. And be it further enacted, That the Vestry Clerk of the said Parish for the Time being shall and he is hereby declared to be Clerk to the said Committee Men; and that it shall and may be lawful to and for the Inhabitants of the said Parish, who of Right are accustomed to meet in Vestry, or the major Part of them assembled at any Vestry or Meeting convened for that Purpose, by Notice to be given in the Church of the said Parish Ten Days at the least previous to the said Meeting, and they are hereby required from Time to Time to appoint, by Writing under the Hand of their Clerk, some Person (not being one of the said Committee Men) to act as Treasurer, to receive the Amount of Rates and other Monies to be raised and collected by virtue of this Act for the Relief and Maintenance of the

Appointment and Removal of Officers, &c.

Poor, and also a Collector or Collectors of such Rates, together with such other Officers and Servants as have been heretofore usually appointed by the said Inhabitants in Vestry assembled; and to fix and settle such Salaries and Allowances to and for the said Collectors, Officers, and Servants, as they shall think reasonable and proper, so that the Salaries or Allowances to be paid to the said Collector or Collectors do not exceed Sixpence in the Pound upon the Monies to be collected by them respectively; and also to remove such Treasurer, Collector and Collectors, Officers and Servants, from Time to Time, when and as Occasion may require; and the said Inhabitants so assembled shall and are hereby required to certify to the said Committee Men the Names of all such Collectors, Officers, and Servants, together with the Amount of such Salaries or Allowances so to be fixed and settled by them from Time to Time.

Committee Men to pay Salaries, &c.

XIII. And be it further enacted, That the said Committee Men may, and they are hereby authorized and empowered, at any of their Meetings, (out of the Monies to be raised by virtue of this Act for the Support and Maintenance of the Poor), to pay and discharge the Salaries and Allowances so to be fixed and settled as aforesaid.

Committee Men to take Security from Treasurer and Collectors.

XIV. And be it further enacted, That it shall be lawful for the said Committee Men, or any Five or more of them, and they are hereby required to take Security from the Treasurer, and also from all and every Collector and Collectors to be appointed by virtue of this Act, for the due Execution of their respective Offices of Treasurer and Collector, according to the true Intent and Meaning of this Act; which Security shall be by Bond with sufficient Sureties or Surety to the full Amount of the Sum likely to be in the Hands of the said Treasurer and Collectors respectively at any one Time; and in case any such Treasurer or Collector shall neglect or refuse to give or offer such Security to the Satisfaction of the said Committee Men, then the Appointment of every such Person so neglecting or refusing shall be null and void to all Intents and Purposes; and the said Inhabitants shall again assemble in Vestry, and appoint some other fit and proper Person to the Office of Treasurer or Collector (as the Case may be), instead of the Person so refusing or neglecting as aforesaid, and shall so assemble and appoint from Time to Time until Security shall be given to the Satisfaction aforesaid; and also in all Cases of Vacancies happening by Death or otherwise in either of the aforesaid Offices, shall fill up the same as often as Need or Occasion shall be or require.

Officers to account when required.

XV. And be it further enacted, That all and every such Treasurer, Collector, and other Officer so to be appointed, shall, under their Hands, and at such Time or Times and in such Manner as the Committee Men shall direct, deliver to the said Committee Men, or such Person or Persons as they shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge respectively by virtue of this Act, and also of all Monies which shall have been by such Officers respectively received by virtue and for the Purposes of this Act, and how much thereof shall have been expended and disbursed, and for what Purposes, together with

proper

proper Vouchers for such Payments, and shall pay all such Monies as shall remain due from them respectively to the said Committee Men, or to such Person or Persons as they shall appoint to receive the same; and every such Treasurer and Collector shall, and he and they is and are hereby required, upon the Twenty-fifth Day of *October* and the Twenty-fifth Day of *April*, or within Seven Days after each of the said Days, at Eleven o'Clock in the Forenoon of each of the said Days, in each and every Year, and at any other Time when thereunto required by the said Committee Men, lay his and their Account and Accounts before the said Committee Men, in order that the same may be examined with the Vouchers, passed and allowed by them, if approved of; and if any such Officer shall refuse or neglect to make and render any such Account, or to produce and deliver up the Vouchers relating to the same, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Committee Men, or to such Person or Persons as they shall appoint to receive the same, within Fourteen Days after being thereunto required by the said Committee Men, by Notice in Writing under the Hands of any Five or more of the said Committee Men given to or left at the last or usual Place of Abode of such Officer, all Books, Papers, and Writings in his Custody or Power relating to the Execution of this Act, or to give Satisfaction to the said Committee Men respecting the same, then and in every such Case, upon Complaint made by the said Committee Men, or by such Person or Persons as they shall appoint for that Purpose, of any such Refusal or wilful Neglect as aforesaid to any Justice of the Peace for the County, City, or Place wherein such Officer so refusing or wilfully neglecting shall be or reside, such Justice may, and he is hereby authorized and required to issue a Summons under his Hand and Seal, for the Officer so refusing or neglecting to appear before him such Justice, and upon the said Officer appearing, or having been so summoned and not appearing, without some sufficient or reasonable Excuse, or not being found, it shall and may be lawful for the said Justice to hear and determine the Matter in a summary Way; and if upon Confession of the Party, or by the Testimony of any credible Witness or Witnesses, upon Oath (which Oath such Justice is hereby empowered to administer), it shall appear to such Justice that any Monies remain due from such Officer, 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 Officer; and if no Goods or Chattels of such Officer shall be found sufficient to answer and satisfy the said Money, and the Charges of distraining and selling the said Goods and Chattels, or if it shall appear to such Justice that such Officer had refused or wilfully neglected to render and give such Accounts, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act remain in his Hands, or in the Custody or Power of such Officer, and he has refused or wilfully neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case such Justice shall and he is hereby required to commit such Offender to the Common Gaol or House of Correction for the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Main-

Officers to pay Balance, and deliver Books, &c.

Mainprize until he shall give and make a true and perfect Account as aforesaid, or until he shall have paid such Monies as aforesaid, or compounded with the said Committee Men for such Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Committee Men are hereby empowered to make and receive), and until he shall deliver up such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Committee Men; but no such Offender shall be detained or kept in such Common Gaol or House of Correction, for want of sufficient Distress, by virtue of this Act, for any longer Space of Time than Three Calendar Months.

Offices of Clerk and Treasurer not to be held by one Person.

XVI. Provided always, and be it further enacted, That it shall not be lawful for the said Inhabitants assembled in Vestry to appoint the Person who may be appointed to act as Treasurer in the Execution of this Act, or the Partner of any such Treasurer, their Clerk, or to appoint their Clerk, or the Partner of their Clerk, to act as Treasurer under this Act; and if any Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being a Partner of any such Clerk shall act as Treasurer, or being the Partner of any such Treasurer shall act as Clerk in the Execution of this Act, every Person so offending shall, for every such Offence, forfeit and pay the Sum of Fifty Pounds, to be recovered with full Costs of Suit, by any Person or Persons who shall sue for the same in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than one Imparlance, shall be allowed; and the whole of every such Penalty, when so recovered, shall be paid to the Person or Persons who shall sue for the same.

Committee Men to make Bye Laws, and repeal or alter the same.

XVII. And be it further enacted, That it shall and may be lawful to and for the said Committee Men at any of their Meetings, One-third Part in Number of the said Committee Men at the least being present, and they are hereby fully authorized and empowered, from Time to Time, to make such Bye Law or Bye Laws, Rules, Orders, and Regulations, as well for the better regulating their own Proceedings, the Manner of convening and holding their Meetings, where the same respectively are not controlled by this Act, as for the better maintaining, governing, employing, managing, and regulating the Poor of the said Parish, and also for drawing the Monies from the Hands of the Treasurer, and for applying all such Monies as shall from Time to Time arise by virtue of this Act for the Support of the Poor, as to them shall seem proper and expedient, and for the more effectual carrying into Execution the other Purposes of this Act; and likewise from Time to Time to repeal, vary, alter, or amend all or any of such Bye Laws, Rules, Orders, or Regulations, and to fix and appoint such reasonable Fines and Penalties for the Breach or Non-performance of any such Bye Law, Rule, Order, or Regulation, or of any Part thereof, as to them shall seem right and proper, so that no such Fine or Penalty shall exceed the Sum of Five Pounds; and all such Bye Laws, Rules, Orders, and Regulations, when made, and all Amendments, Alterations, and Variations thereof, shall be printed,

printed, and a Copy thereof delivered to every Committee Man for the Time being, and also to every other Person who shall thereafter be elected or become a Committee Man by virtue of this Act; and all and every Part of such Bye Laws, Rules, and Orders, as shall in any Manner apply to or concern the Conduct or the Regulations of poor Persons receiving or applying to the said Committee Men for Relief, shall also be printed on Boards in Oil Colour, and one of such Boards affixed in the Dining Hall of the Workhouse of the said Parish, and in various other of the most conspicuous Parts of the said House; and that all such Boards, with the Inscriptions aforesaid, shall from Time to Time be renewed, repainted, and affixed, as often as Need or Occasion shall be or require; and such Bye Laws, Rules, Orders, and Regulations, when so made, shall be good and binding upon all Persons concerned, and who shall have had Notice thereof; provided that the same be not inconsistent or repugnant to the Laws of that Part of the United Kingdom called *England*, nor inconsistent with or repugnant to the Provisions in this Act contained.

Bye Laws, &c. not to be repealed or altered without One Half of the Committee Men are present.

XVIII. Provided always, and be it further enacted, That such Bye Laws, Rules, or Regulations, when so made by the said Committee Men, shall not be repealed, varied, altered, or amended, save and except at some Meeting to be holden for that Purpose, of which Meeting and the Purpose thereof, Seven Days Notice thereof in Writing at the least, with the Name of the Clerk or Clerks to the said Committee Men thereto, shall be given to or left at the last usual Place of Abode of each of the Committee Men; and also save and except there shall be One Half of the Committee Men present at the Time of repealing, varying, altering, or amending the same.

Acts, Orders and Bye Laws to be entered in a Book, and signed by the Chairman, after which they may be read in Evidence.

XIX. And be it further enacted, That all Acts, Orders, Bye Laws, and Proceedings of the said Committee Men at their several Meetings, shall be entered in a Book or Books to be kept for that Purpose, and shall be read by the Clerk, and signed by the Chairman for the Time being at the next Meeting; and all Acts, Orders, Bye Laws, and Proceedings shall then be deemed and taken to be original Acts, Orders, Bye Laws, and Proceedings, and such Books shall and may be produced and read in Evidence in all Courts whatsoever, of all such Acts, Orders, Bye Laws, and Proceedings.

Persons refusing to serve the Office of Overseer of the Poor, to forfeit 20*l.*

XX. And be it further enacted, That if any Person or Persons, who by any Law or Laws now in force is or are liable to serve the Office of Overseer of the Poor of the said Parish of *Saint Luke, Chelsea*, and who shall be nominated and appointed to serve such Office, shall refuse or neglect to take that Office and Duty upon him or them, then every such Person so refusing or neglecting shall forfeit and pay the Sum of Twenty Pounds; and any Two Justices of the Peace for the said County are hereby authorized to nominate and appoint some other fit Person or Persons to the said Office, in the Stead or Place of him or them so refusing and neglecting as aforesaid; and the Person or Persons so nominated and appointed in the Room of such Person or Persons, shall take such Office and Duty upon him and them, under the like Forfeiture of Twenty Pounds for every such Refusal or Neglect, to be recovered in Manner herein-after mentioned;

tioned; all which said Forfeitures shall be paid to the Treasurer of the said Committee Men, and applied for and towards the Relief of the Poor of the said Parish: Provided always, that no Person who shall have paid the said Forfeiture of Twenty Pounds shall at any Time thereafter be deemed or considered liable to serve the Office of Overseer of the Poor of the said Parish.

Vestry to nominate an Assistant Overseer.

XXI. And be it further enacted, That it shall and may be lawful to and for the said Inhabitants in Vestry assembled, or the major Part of them, from Time to Time to nominate and elect any discreet Person to be Assistant Overseer of the Poor of the said Parish, and to fix and allow such yearly Salary for the Execution of the said Office as by such Inhabitants shall be thought fit; and it shall be lawful for any Two of His Majesty's Justices of the Peace, and they are hereby empowered, by Warrant under their Hands and Seals, to appoint any Person who shall be so nominated and elected to be Assistant Overseer of the Poor for such Purposes, and with such Salary as shall have been fixed by the said Inhabitants; and such Salary shall be paid out of the Monies raised for the Relief of the Poor, at such Times and in such Manner as shall have been agreed upon between the said Inhabitants and the respective Person so to be appointed; and every Person so appointed Assistant Overseer shall be and he is hereby authorized and empowered to execute all such of the Duties of the Office of Overseer of the Poor as shall be specified by the said Committee Men, in their Bye Laws, or otherwise; and every Person so appointed shall continue to be an Assistant Overseer of the Poor until he shall resign such Office, or until his Appointment shall be revoked by the said Inhabitants, and no longer; and it shall be lawful for the said Inhabitants, upon the Nomination and Election by them of an Assistant Overseer, to require Security for the faithful Execution of his Office by Bond, with or without a Surety or Sureties, and in such Penalty as they shall think fit; and every such Bond shall be made to the said Committee Men, and may, on any Breach of the Condition thereof, be put in Suit by the said Committee Men, in the Name of their Clerk, for the Benefit of the Poor of the said Parish.

Committee Men being Justices may act as such.

XXII. And be it further enacted, That all such Committee Men as are or shall be Justices of the Peace, may act as Justices in the Execution of this Act, notwithstanding their being Committee Men, except in Cases where they may be personally interested.

Workhouse Furniture to be vested in Committee Men, who may bring Actions.

XXIII. And be it further enacted, That all and every the Workhouse, Buildings, Lands, and Hereditaments, now vested in certain Persons, in Trust for and occupied and used by or for the Accommodation of the Poor of the said Parish, and also all and every the Goods, Chattels, Furniture, Provisions, Clothes, Linen, Apparel, Tools, Utensils, 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 this Act into Execution, shall and the same are hereby vested in the said Committee Men for the Time being, who are hereby empowered to bring or cause to be brought any Action or Actions, or to prefer or order to be preferred any Bill or Bills of Indictment against any Person or Persons who shall detain, steal, take,

or carry away any or any Part of such Goods, Chattels, Furniture, Provisions, Clothes, Linen, Apparel, Utensils, and Things, and such Goods, Chattels, Furniture, Provisions, Clothes, Linen, Apparel, Utensils, and Things, shall be laid or described to be the Property of the Committee Men for managing the Poor of the Parish of *Saint Luke, Chelsea*, in the County of *Middlesex*, and without mentioning or specifying the Name or Names of all or any of the said Committee Men.

Committee Men may give Orders for repairing Workhouse:

XXIV. And be it further enacted, That it shall and may be lawful to and for the said Committee Men, at any of their Meetings, to give Directions to such Person or Persons as they think proper, to alter and repair the Whole or any Part or Parts of the Workhouse of the said Parish, for the better receiving, maintaining, and employing of the Poor of the said Parish therein.

And enter into Contract for such Purpose, as also for Provisions, &c. for the Poor.

XXV. And be it further enacted, That the said Committee Men, at any of their Meetings to be holden in pursuance of this Act, shall and may, and they are hereby authorized and empowered to contract or agree with any Person or Persons whatsoever, for altering or repairing the said Workhouse, and also to purchase or provide, either by Contract or otherwise, from Time to Time, such Furniture, Goods, Chattels, Provisions, Clothing, Utensils, and Materials whatsoever, as they shall think proper, for the effectual setting to work, receiving, employing, maintaining, clothing, and providing for, in every respect, the Poor of the said Parish, of what Age, Sex, or Condition soever they be, and shall pay, or order the Payment of the Monies due or to become due upon any such Contracts, Agreements, or Purchases, to the Person or Persons entitled to receive the same, by and out of all or any Monies which shall or may be paid to, or be received by them, or their Treasurer, by virtue of this Act, for the Relief and Maintenance of the Poor: Provided always, that previous to the Day appointed for the Meeting of the said Committee Men, for the making of any Contracts, Ten Days Notice thereof shall be given in some of the public Newspapers, or otherwise, expressing the Nature, Objects, and Conditions of each of such Contracts, in order that any Person or Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Committee Men at the Time and Place mentioned in such Notice.

Notice of Meeting to contract.

Committee Men empowered to make Rates.

XXVI. And be it further enacted, That for the Purpose of raising Money for the Relief and Employment of the Poor of the said Parish, and for defraying the Outgoings chargeable on the Poor Rates of the said Parish, it shall and may be lawful to and for the said Committee Men, or any Five or more of them, from Time to Time, and they are hereby required, at any of their Meetings, by Writing under their Hands, to make a just and equal Pound Rate or Assessment upon the Occupiers of all Houses, Lands, Tenements, and Hereditaments, and other Property within the said Parish, liable to be rated to the Relief and Maintenance of the Poor of the said Parish, according to the Laws now in force, or according to this Act, and to order and direct the Collector or Collectors to be appointed in pursuance of this Act, to collect and receive from such Occupiers as aforesaid such Rates

and

and Sums of Money as shall be assessed or rated as aforesaid; all which Rates and Assessments so to be rated, assessed, and collected, are hereby vested in the said Committee Men in Trust, to be by them applied for the Purposes of this Act, and shall take place from such Time, and be paid and payable at such Time or Times, and in such Proportions, if not at one Time, as the said Committee Men shall direct and appoint; and all such Rates or Assessments so to be made, when signed by the said Committee Men, or any Five or more of them, and allowed and confirmed by Two of His Majesty's Justices of the Peace in and for the said County of *Middlesex*, and Notice thereof given on the *Sunday* next after the same shall have been so allowed and confirmed, in the Parish Church of the said Parish of *Saint Luke, Chelsea*, after Morning Prayers, shall be deemed and taken to be as good, valid, and effectual, as if the same had been made by the Churchwardens and Overseers of the Poor of the said Parish; any Law, Statute, or Usage to the contrary thereof notwithstanding.

Committee Men may rectify Omissions, and correct Errors in Rates.

XXVII. And be it further enacted, That if it shall appear to the said Committee Men, at any Time or Times after any Rate or Assessment shall have been made and signed by them, that the Name or Names of any Person or Persons who ought to be included in such Rate or Assessment hath or have been omitted therein, or that the Name or Names of any Person or Persons hath or have been inserted in such Rate or Assessment as Inhabitants, Holders, or Occupiers of any Messuage or Messuages, or other Hereditaments, for or in respect of which some other Person or Persons ought to have been rated or assessed; or in case any Messuage or Tenement, which at the Time of making any such Rate or Assessment was empty and unoccupied, shall become occupied by any Person or Persons within the Meaning of this Act; or that any other Alteration or Amendment of such Rate or Assessment may, in the Opinion of the said Committee Men, be necessary; then and in any or either of such Cases it shall be lawful to and for the said Committee Men to add or insert, or cause to be added and inserted, to or in such Rate or Assessment, the Name or Names of the Person or Persons so admitted, and the Name or Names of the Person or Persons who shall have become the Occupier of such Messuage or Tenement which was at the Time of making such Rate empty and unoccupied as aforesaid, together with the Sum or Sums for which he, she, or they ought to be rated and assessed, and the Amount of such Rate or Assessment in respect thereof, and also to insert and substitute, or cause to be inserted and substituted, the Name or Names of such Person or Persons as may be the Inhabitants, Holders, or Occupiers of any Messuages or Hereditaments instead of and for the Name or Names of the Person or Persons incorrectly inserted in such Rate or Assessment, as the Inhabitants, Holders, or Occupiers of any Messuages or Hereditaments at the Time of making such Rate, or otherwise from Time to Time to alter and amend the said Rate or Assessment as they may from Time to Time deem necessary; and that every such Addition, Insertion, Alteration, and Amendment to or in any such Rate or Assessment, shall be valid and effectual in the Law to all Intents and Purposes, and the Monies charged to any Person or Persons in consequence thereof, shall and may be demanded, received, and recovered in the same Manner as if the

the Name or Names of the Person or Persons, or other Alterations and Amendments, had been inserted and made in such Rate or Assessment at the Time and previous to the original making or signing thereof.

Public Buildings may be rated.

XXVIII. And be it further enacted, That it shall and may be lawful to and for the said Committee Men to include in any Rates or Assessments, and from Time to Time to rate and assess thereby, any public Hospital, public School, and other public Building within the said Parish, which now is or hereafter may be built; and that each and every of the said Rates or Assessments so made from Time to Time, shall be paid for such public Hospitals, public Schools, or other public Buildings, by the Persons following; that is to say, the Rates or Assessments of or for any public Hospitals, by the Treasurers, Stewards, or Housekeepers of such public Hospitals for the Time being, and the Rates or Assessments of or for any public School by the Treasurers, Masters, or Mistresses of such public Schools for the Time being; and that all and every such Persons respectively shall be charged with and shall pay such Sums of Money as shall from Time to Time be rated, assessed, or imposed on or in respect of or for the said Premises respectively: Provided always, that this Act shall not extend or be construed to extend to enable the said Committee Men to rate or assess any other Part of the Royal Hospital for Soldiers at *Chelsea*, or the Buildings or Lands used or occupied by the said Royal Hospital in the said Parish, save only such Part or Parts of the said Royal Hospital as are occupied as the Dwelling Houses of any of the Officers of the said Institution.

Houses of the Officers of Chelsea Hospital to be rated.

Rates of Premises let to Ambassadors payable by Landlords.

XXIX. And be it further enacted, That every Rate or Assessment which shall at any Time or Times hereafter be laid or assessed by virtue of this Act, for or in respect of any Messuage or Hereditament which any Ambassador, Envoy, Resident, Agent, or other public Minister of any Foreign Prince or State, or the Servant of any such Ambassador, Envoy, Resident, Agent, or other public Minister, or any other Person who may not be liable by Law to pay such Rate or Assessment, now doth or hereafter shall inhabit, shall be paid by and recoverable from the Landlord or Owner of every such Messuage or Hereditament, who shall be liable or compellable to the Payment thereof; and the same shall be recovered from such Landlord or Owner by an Action or Actions of Debt or on the Case, to be brought in such Name or Names, and prosecuted in such Manner as hereinafter mentioned.

Rates of small Houses, or Houses let in separate Apartments, or ready-furnished, to be paid by the Landlord.

XXX. And be it further enacted, That the several Lessors, Landlords, or Owners of all such Houses, Buildings, Tenements, and other Hereditaments within the said Parish, the yearly Value whereof respectively shall not exceed Twenty Pounds, or which shall be let or offered to be let to weekly or monthly Tenants, or which shall be let or offered to be let furnished, or in Lodgings, or in separate Apartments, or at Rents which shall become payable and to be collected at any shorter Periods than quarterly, shall for the Purposes of this Act, (but not as to any Settlement which may be gained by any Person or Persons in respect of his, her, or their renting or occupying such Mes-

suages or Hereditaments, or any Part or Parts thereof), be severally deemed and taken to be the Occupier or Occupiers of such Houses, Buildings, Tenements, or Hereditaments respectively; and that all and every such Lessor and Lessors, Landlord and Landlords, Owner and Owners, shall or may from Time to Time, and at all Times hereafter, be rated and assessed to and by any Rate or Rates, Assessment or Assessments, to be made by virtue of this Act, unless the said Committee Men shall from Time to Time prefer and determine to rate the actual Occupier or Occupiers of such Houses, Buildings, Tenements, or Hereditaments respectively; and the Person or Persons so rated, whether the Lessor or Lessors, Landlord or Landlords, Owner or Owners, or the Occupier or Occupiers, shall from Time to Time pay or cause to be paid all and every such Rates or Assessments in respect of such Houses, Buildings, Tenements, or Hereditaments respectively; and upon Non-payment thereof such Rates or Assessments may be levied by Distress and Sale of the Goods and Chattels of such Person or Persons respectively, wheresoever they shall be found, or of the Goods and Chattels of the Person or Persons inhabiting the same Messuages or Hereditaments respectively: Provided always, that no Lessor or Lessors, Landlord or Landlords, Owner or Owners, or any Person or Persons shall be charged with or liable to pay for and in respect of any increased Rent reserved or made payable to him, her, or them, for or on account of any Agreement made by such Lessor or Lessors, Landlord or Landlords, Owner or Owners, or Person or Persons, with the actual Occupier or Occupiers of such Messuages or Hereditaments, that such Lessor or Lessors, Landlord or Landlords, Owner or Owners, or other Person or Persons, would pay the several Rates or Assessments otherwise chargeable by this Act upon the Occupier or Occupiers of such Houses, Buildings, Tenements, or Hereditaments respectively: And provided also, that if the Lessor or Lessors, Landlord or Landlords, Owner or Owners of any House, Building, Tenement, or Hereditament, the yearly Value whereof shall not exceed Twenty Pounds, and which shall be let to one Tenant only, at a Rent which shall become payable and be collected only by quarterly Payments, shall be rated and assessed as the Occupier or Occupiers of any such House, Building, Tenement, or Hereditament, then upon Request in Writing, under the Hand or Hands of any Lessor or Lessors, Landlord or Landlords, Owner or Owners, and a true and full Statement in Writing of the Name of the actual Tenant or Occupier of every such House, Building, Tenement, or Hereditament, and such other Information relating thereto as the said Committee Men shall from Time to Time direct or require, and to their Satisfaction, the said Committee Men shall compound with any such Lessor or Lessors, Landlord or Landlords, Owner or Owners of such House, Building, Tenement, or Hereditament, for Payment of the said Rates or Assessments for and in respect of any House, Building, Tenement, or Hereditament, at such reduced yearly Rentals as the said Committee Men should think reasonable, not being more than Two-thirds nor less than Half of the Rack Rent or Annual Value of such Houses, Buildings, Tenements, or Hereditaments respectively, or shall remit to such Lessor or Lessors, Landlord or Landlords, Owner or Owners, such Part of such Rate or Assessment as the said Committee Men shall think reasonable, not being less than One-third Part nor more than

Landlords, &c. of Houses not exceeding the yearly Value of 20*l.* may compound with the Committee Men.

Half of such Rates or Assessments; and also, that it shall be lawful for the said Committee Men, if they shall think proper, to compound with any Lessor or Lessors, Landlord or Landlords, Owner or Owners of any Houses, Buildings, Tenements or other Hereditaments in the said Parish, which shall be let or offered to be let to Weekly or Monthly Tenants, or which shall be let or offered to be let furnished, or in Lodgings, or in separate Apartments, or at Rents which shall become payable or to be collected at any shorter Period than quarterly, for Payment of the said Rates for or in respect of such Houses, Buildings, Tenements, or Hereditaments, at such reduced yearly Rental as the Committee Men shall think reasonable, not being less than One Half of the Rack Rent or annual Value of such Houses, Buildings, Tenements, or Hereditaments respectively, or to remit to the Lessor or Lessors, Landlord or Landlords, Owner or Owners of any such Tenement respectively last mentioned, such Part of such Rate or Assessment as the said Committee Men shall think proper, not being more than Half of the Rates or Assessments to which such Lessor or Lessors, Landlord or Landlords, Owner or Owners, shall be rated or assessed in respect of each of such last-mentioned Messuages or Hereditaments respectively, or otherwise to collect from such Lessor or Lessors, Landlord or Landlords, Owner or Owners, the whole of such Rates or Assessments, as they shall think proper; and also that the said Committee Men may vary, discontinue, or renew either or any of such Compositions, as they shall from Time to Time deem expedient.

Committee Men may compound with Owners of Houses let in Lodgings, &c.

XXXI. Provided always, and be it further enacted, That nothing in this Act contained shall be construed, deemed, or taken to impeach, alter, or make void any Agreement made between any Landlord and Tenant in any Lease now granted, or hereafter to be granted, pursuant to any Contract or Agreement now existing; any thing in this Act contained to the contrary thereof notwithstanding.

Agreement between Landlord and Tenant not to be impeached.

XXXII. And be it further enacted, That in case at any Time or Times hereafter any Lessor or Lessors, Landlord or Landlords, Owner or Owners, Occupier or Occupiers of any Messuages or Hereditaments situate in the said Parish, for and in respect whereof he or they shall be rated or assessed to any Rate or Assessment made or to be made by virtue of this Act, or liable to be rated and assessed, and to pay the Money so rated or assessed as aforesaid, shall refuse or neglect to pay the Money rated and assessed upon him or them respectively, or which he or they may be liable to pay by virtue of this Act, and all Arrears thereafter due, then it shall be lawful for any One of His Majesty's Justices of the Peace for the said County of *Middlesex*, and he is hereby authorized and directed, by Writing under his Hand, on Complaint made by the said Committee Men, or any Collector, Officer, or other Person appointed by them, to summon all and every Person and Persons who shall have refused and neglected as aforesaid, to appear at the Time and Place, to be mentioned in such Summons, before such Justice, or before any Justice or Justices of the Peace for the same County who shall be then and there present; and it shall be lawful for any Person appointed to collect and receive such Rates or Assessments, or for any of the Constables, Headboroughs, or Beadles of the said Parish, or for any other Person, to serve all and every such Sum-

Manner of levying Rates.

Summons and Summonses upon all and every Person and Persons so refusing or neglecting to pay as aforesaid, either by delivering the same to the Person or Persons thereby intended to be summoned, or by leaving the same at his or their last or usual Place or Places of Abode, or at or on the Premises for or in respect whereof the Rate or Rates, Assessment or Assessments, mentioned in such Summons, shall remain due and owing; and if any Person or Persons so summoned shall refuse or neglect to attend at the Time and Place mentioned in such Summons, or if he or they shall attend, and shall not shew good and sufficient Cause to such Justice or Justices as may be then and there present, either that he or they is or are not chargeable with such Rate or Rates, Assessment or Assessments, or that he or they is or are on account of his or their Poverty or Indigence, unable to pay the same, then and in every such case, every such Person or Persons shall pay the Rate or Rates in respect of which such Summons was issued, and also the Costs and Charges of such Summons; and in all Cases where any Rate or Rates, Assessment or Assessments, or any of them, shall not be paid upon the Return of such Summons, it shall be lawful for the Justice who shall have signed and issued such Summons or Summonses, or who shall have directed such Summons or Summonses to be signed and issued as aforesaid, or for any other Justice of the Peace for the said County, and he is hereby authorized and required, upon Oath made before him of the due Service of such Summons or Summonses, by the Person who shall have served the same, to grant a Warrant under his Hand and Seal, authorizing or directing any such Person appointed to collect such Rate or Rates, Assessment or Assessments, as aforesaid, or any Constable, Headborough, or Beadle of the said Parish or other District, or any other Constable, Headborough, or other Person to levy such Rate or Rates, Assessment or Assessments, and all Arrears thereof, and the said Costs and Charges of the Summons (if the same shall not have been paid before), and the Costs and Charges of every such Warrant, and also the reasonable Costs, Charges, and Expences of executing the same, by Distress of the Goods and Chattels of the Person or Persons so neglecting or refusing, which shall be found either within the said Parish or elsewhere; and if within Five Days next after any Distress shall be made, pursuant to the Directions of this Act, the said Rate or Rates, Assessment or Assessments, with all Arrears due thereon, together with all the said Charges of the said Summons, and the said Charges for the said Warrant, and the said Charges and Expences of executing the said Warrant, and of making such Distress, and of keeping such Goods and Chattels, shall not be paid, then the said Person appointed to collect as aforesaid, or the Constable, Headborough or Beadle, or other Person authorized by the said Warrant, shall cause the said Goods and Chattels to be appraised by one or more Appraiser or Appraisers, and to be sold, either on the Premises where the same shall be distrained or elsewhere, or such Part or Parts thereof as in his or their Judgment shall be sufficient to pay the said Rate or Rates, Assessment or Assessments, together with all Arrears due thereon, and the said Costs, Charges, and Expences of the said Summons, Warrant, Distress, Removal, and keeping Possession of such Goods and Chattels so distrained, and the reasonable Costs and Charges and Expences of appraising and selling the same (the Amount of all such

such Costs, Charges, and Expences relating to the Recovery of the said Rate or Rates, Assessment or Assessments, being, in case of Dispute, settled by any one Justice of the Peace for the said County), and shall return the Overplus (if any) to the Owner or Owners of such Goods or Chattels respectively, upon Demand thereof made by him or them.

If sufficient Goods cannot be found, &c. Persons may be committed to the Common Gaol.

XXXIII. Provided always, and be it further enacted, That in case no Goods and Chattels of any Person or Persons so neglecting or refusing can or may be any where found, to be distrained by virtue of any such Warrant, or in case any such Goods and Chattels shall be locked up, secured, or removed with a fraudulent Intention to elude the Payment of or Recovery of such Rates or Assessments, and so that they cannot be distrained, then and in any such Cases, upon Information thereof given to any Two Justices of the Peace for the said County, it shall be lawful for any Two such Justices, if they shall think fit, to issue a Warrant under their Hands and Seals, for the Apprehension of any such Person or Persons, and to commit such Person or Persons to the Common Gaol for the said County, there to be kept and confined in the same Manner as Persons confined for Debt, and there to remain without Bail or Mainprize for any Time not exceeding the Space of Three Calendar Months, unless such Rates or Assessments, and all Arrears thereof, and all such Costs, Charges, and Expences, or so much thereof as shall remain unsatisfied by any such Distress or Distresses, or otherwise, shall be sooner paid.

Form of Warrant of Distress.

XXXIV. And be it further enacted, That every Warrant of Distress for Non-payment of any Rates or Assessments, authorized and directed to be issued by virtue of this Act, shall or may be to the Effect following:

‘ Middlesex, to wit: } TO one of the Collectors of the Rates for the Relief of the Poor, ‘ and other the Purposes mentioned in an Act for better ‘ assessing and collecting the Poor’s Rates, and relieving ‘ the Poor of the Parish of *Saint Luke, Chelsea*, in the ‘ County of *Middlesex*, and for certain other Purposes ‘ in the said Act mentioned, and to all Constables, ‘ Headboroughs, Beadles, and Peace Officers in the ‘ County aforesaid:

‘ WHEREAS the under-mentioned Person or Persons [*if more than one*] now or late a Lessor, Landlord, Owner, or Occupier ‘ [*or* Lessors, Landlords, Owners, or Occupiers, *if more than one*] ‘ of the Tenement [*or* Tenements, *if more than one Person be included in the Warrant*] or other Hereditaments within the said ‘ Parish, was and is, or were and are [*as the Case may be*] rated and ‘ assessed, or is or are [*as the Case may be*] liable to the Payment of ‘ the Sum or Sums of Money set opposite to his, her, or their respective Name or Names [*as the Case may be*] hereunder written, by ‘ virtue of a Rate or Rates duly made under and by virtue of a certain Act, passed in the Second Year of the Reign of His Majesty

'King *George* the Fourth, intituled [*here set forth the Title of this Act*]: And whereas the said Person or Persons has or have [*as the Case may be*] refused or neglected to pay the Sum or the several Sums of Money set at and opposite his, her, or their Name or Names [*as the Case may be*] hereunder written, due from him, her, or them by virtue of such Rate or Rates [*as the Case may be*], and the said Sum or several Sum and Sums of Money is or are [*as the Case may be*] still remain due and unpaid, as appeareth upon Oath to me one of His Majesty's Justices of the Peace for the said County; and the said Person or several Persons [*as the Case may be*] having been summoned to appear to answer the Premises, as also appeareth to me the said Justice, upon Oath, and neither he, she, or they, nor either of them [*as the Case may be*] having shewn any sufficient Cause why such Sum or Sums of Money [*as the Case may be*] should not be paid by him, her, or them respectively [*as the Case may be*] as also appeareth to me upon Oath: Now these are therefore in His Majesty's Name to will and require you, or either of you, forthwith to levy the said Sum or several Sums of Money [*as the Case may be*] due from the said Person or Persons [*as the Case may be*] and hereunder set opposite to his, her, or their Name or Names respectively [*as the Case may be*] and also the Two several Sums of [*inserting the Amount of the Costs and Charges for the Summons, and for the Warrant, or for either of them, as the Case may be*] for the Costs and Charges of the said Summons, and of these Presents, by Distress and Sale of his, her, or their respective Goods and Chattels [*as the Case may be*], such Goods and Chattels being kept for the Space of Five Days before the same are sold, rendering to him, her, or them respectively [*as the Case may be*] the Overplus, if any, on Demand, and the reasonable Charges of such Distress, and of any Removal or keeping Possession, Appraisement or Sale thereof, being first deducted; and if no sufficient Distress can be had or taken, then that you certify the same to me, to the End that such Proceedings may be had therein as to the Law doth appertain: And I do hereby strictly charge and command all and singular the Constables, Headboroughs, and other His Majesty's Peace Officers for the said County, to be aiding and assisting in all Things relating to the Premises. Given under my Hand and Seal this Day of in the Year of our Lord

	£	s.	d.
A.B.			
C.D.			
E.F. for a House offered to be let in separate Tenements			
G.H.			
I.K. for a house offered to be let ready furnished			

Persons quitting without paying Rates.

XXXV. And be it further enacted, That in case at any Time or Times hereafter, any Person or Persons who hath or have been rated and assessed to, or who is or are liable to the Payment of any Rates or Assessments which shall be made by virtue of this Act, shall quit his, her, or their Houses, Tenements, or Hereditaments within the said Parish,

Parish, for or in respect whereof he, she, or they shall be rated or assessed, before he, she, or they shall have paid any such Rates or Assessments, then and in every such Case it shall be lawful for any Person or Persons appointed to collect or receive any such Rates or Assessments (Oath being made by him or them, that he or they doth or do suspect that such Person or Persons hath or have removed his, her, or their Goods and Chattels), by Warrant under the Hand and Seal of any of His Majesty's Justices of the Peace for the said County of *Middlesex*, and which Warrant such Justice or Justices is and are hereby authorized and required to grant (and in case such Person or Persons shall have removed into any other County, City, or Place, such Warrant being first backed and countersigned by some Magistrate of the County, City, or Place to which such Person or Persons shall have removed, and which Warrant every such Magistrate is hereby empowered and directed to back or countersign), to distrain and appraise and sell the Goods and Chattels of such Person or Persons who shall have so quitted the said Messuages or Hereditaments before he or they have paid such Rates or Assessments, for the Sum or Sums of Money due from any such Person or Persons by virtue of such Rates or Assessments, or any of them, or any Part thereof, and for all Costs, Charges, and Expences occasioned by such Warrant, Distress, Appraisement, and Sale, in any County, City, or Place to which such Person or Persons shall have removed, in such and the same Manner as if the same Person or Persons had continued in the said Parish of *Saint Luke, Chelsea.*

Rates recovered of Tenants of divided Tenements to be repaid by Landlords.

XXXVI. And be it further enacted, That the Goods and Chattels of each and every Person and Persons renting and occupying any separate Part or Apartment of or in any House, Building, Tenement, or Hereditament, and the Goods and Chattels in every House, Tenement, or Hereditament let ready furnished, although the Person or Persons occupying any such House, Tenements and Hereditaments, or separate Part or Apartment, be not rated or assessed under or by virtue of this Act, shall be liable to be distrained and sold by virtue of any Warrant under the Hand and Seal of one of His Majesty's Justices of the Peace, which he is by this Act authorized and directed to grant, for any Rates or Assessments made by virtue of this Act, which have accrued or become due during the Term of the Occupancy, by any such Person or Persons, of any such House, Tenement, or Hereditament, or separate Part or Apartment thereof, and for the Costs and Charges and Expences of such Warrant, and of any Appraisement, Possession, Removal, or Sale of such Goods and Chattels, or attendant thereon; but no such Person or Persons shall be required or compellable to pay any greater Sum for or towards the Discharge of the said Rates or Assessments, or any of them, than the Amount of the Rent actually due and payable by such Person or Persons to the Lessor or Lessors, Landlord or Landlords, Owner or Owners of such House, Tenement, and Hereditament, or other Person or Persons rated or assessed as the Occupier or Occupiers of the Houses, Tenements, or Hereditaments so entirely or partly occupied by such Person or Persons; and each and every Person or Persons who shall pay any such Rates or Assessments, as ought to have been paid by the

Lessor

Lessor or Lessors, Landlord or Landlords, Owner or Owners of any such Tenement or Hereditament, or upon whose Goods or 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 or to become due and payable to his or their Lessor or Lessors, Landlord or Landlords, so letting out the same House, Tenement, or Hereditament, or separate Part or Apartment, to him or them (unless there shall be some Agreement to the contrary between the Landlord and Tenant); and the Receipt and Receipts for such Payment or Payments, shall be a sufficient Discharge to every such Person or Persons, for so much as he or they shall have so paid, or which shall have been so levied on his or their Goods and Chattels, in pursuance of this Act, and shall be repaid by such Lessor or Lessors, Landlord or Landlords, Owner or Owners, or be allowed by him, her, or them in part or full Payment (as the case may be) for the Rent due or to become due to him, her, or them from such Person or Persons as aforesaid, for or in respect of such Houses, Buildings, Tenements or Hereditaments, or separate Part or Apartments thereof respectively.

Persons receiving Rents to be deemed Owners.

XXXVII. And be it further enacted, That to prevent Disputes touching the Designation of the Lessor or Landlord, or Owners of any Houses, Buildings, Tenements, or Hereditaments, intended to be made liable to be rated and assessed by any Rates or Assessments to be made by virtue of this Act, the Person or Persons legally authorized and empowered to receive and collect, or receiving and collecting, or claiming to be entitled to receive and collect the Rents of any Houses, Buildings, Tenements, or Hereditaments, from the Tenants or respective Occupiers thereof, or any of them, may be deemed or taken to be the Lessor or Lessors, Landlord or Landlords, Owner or Owners of such Houses, Buildings, Tenements, or Hereditaments, and shall be liable to be rated and assessed, and shall be compellable to pay the Rates and Assessments in respect of such Houses, Buildings, or Hereditaments in all Cases in which either Lessors, Landlords, or Owners are made liable to be rated and assessed, and to the Payment of Rates and Assessments by virtue of this Act, unless the real Lessor or Lessors, Landlord or Landlords, Owner or Owners thereof, shall be declared by himself, herself, or themselves to be the real Lessor or Lessors, Landlord or Landlords, Owner or Owners thereof, or shall be distinctly and certainly known by the said Committee Men.

Committee Men may relieve Persons from Payment of Rates on account of Poverty.

XXXVIII. And be it further enacted, That it shall and may be lawful from Time to Time, and at all Times hereafter, for the said Committee Men, and they are hereby empowered, within Three Weeks after Notice of any such Rate or Assessment shall be so given in the said Church, upon the Complaint or Request of any Person or Persons subject to the Payment thereof, who shall think himself, herself, or themselves aggrieved thereby, or incompetent to pay the same, to mitigate, reduce, or lessen the same, as they in their Discretion shall think just and reasonable; and also to remit or excuse the Payment thereof for any Cause which they shall deem sufficient,

sufficient, or for or on account of the Poverty or Indigence of any Person or Persons liable to pay the same, so complaining or requesting the Remission or Reduction of any such Rates or Assessments.

Collectors to pay Money to the Treasurer.

XXXIX. And be it further enacted, That all and every Collector and Collectors of the Rates and Assessments to be made by virtue of this Act, shall and he and they is and are hereby required from Time to Time, when and as he and they shall respectively collect, recover, and receive the Monies to arise thereby, to pay the same into the Hands of the Treasurer or Treasurers of the said Committee Men for the Time being, to be applied and paid by the said Treasurer or Treasurers for the Purposes of this Act, according to the Bye Laws, Orders, and Directions of the said Committee Men herein mentioned.

Collectors not to keep above 50*l.* in their Hands.

XL. And be it further enacted, That if the Collector or Collectors of such Rate or Rates, Assessment or Assessments, shall at any Time keep and retain in his or their Hands more than the Sum of Fifty Pounds for any longer Space of Time than Seven Days, (provided that the Treasurer or Treasurers to such Committee Men shall within that Time be ready to receive the same); then and in such Case such Collector or Collectors shall forfeit and pay the Sum of Five Pounds for every Day that he or they shall retain any Sum exceeding the said Sum of Fifty Pounds beyond the said Seven Days.

Accounts to be kept and entered in a Book.

XLI. And be it further enacted, That an Account shall be kept by the said Committee Men of the Rates or Assessments to be made in pursuance of this Act, and they are hereby required to cause all Receipts, Payments, Debts, Credits, and Minutes of Contracts made with or by any Artificers or Workmen employed in any Works to be executed by virtue of this Act, or any Matter or Thing relative thereto, and all other their Proceedings, to be fairly written or entered into One or more Book or Books to be kept for that Purpose.

Treasurer's Accounts to be audited.

XLII. And be it further enacted, That Twice at least in every Year (such Year to be computed from the passing of this Act) the Treasurer or Treasurers to the said Committee Men for the Time being shall, and he and they is and are hereby required to make a true and just Statement or Account of all Sums of Money by him or them received and expended; and such Statement or Account when so made, together with the Vouchers relating thereto, shall be by the said Treasurer or Treasurers laid before the said Committee Men at their Half-yearly Meetings in the Months of *October* and *April*, or within Seven Days afterwards in every Year, and at such other Times as they shall direct or require, to be by them examined and allowed; and the Balance of such Account shall by the said Committee Men be fairly stated in the Book of Accounts to be kept in the Office of the Clerk, and no Charge or Item in such Accounts shall be binding on the Parties concerned, or valid

valid in Law, unless the same shall have been duly allowed by the said Committee Men at their respective Half-yearly Meetings as aforesaid.

Five Persons to be appointed by Vestry yearly to audit the Accounts of Committee Men.

XLIII. And be it further enacted, That on the Twenty-fifth Day of *July* in the Year of our Lord One thousand eight hundred and twenty-one, and on the Twenty-fifth Day of *March* in each and every ensuing Year, or within Seven Days after each of the said Days, it shall and may be lawful to and for the Inhabitants of the said Parish having a Right to assemble, and who shall be assembled in Vestry, or the major Part of them so assembled, to nominate Five fit and proper Persons to be Auditors of the Accounts of the said Committee Men; and each and every Person so to be nominated shall be a resident Householder within the said Parish, and qualified in the same or the like Manner as the Committee Men acting in the Execution of this Act are required to be qualified, and shall take and subscribe an Oath of the like Purport and Effect to that hereby required to be taken by Committee Men, before One of His Majesty's Justices of the Peace for the said County, which Oath any such Justice is hereby authorized to administer; but no Person so to be nominated shall be a Committee Man in the Execution of this Act, neither shall any Person so to be nominated be interested, either directly or indirectly, in any Contract, Office, Business, or Employ, or in providing or supplying any Articles or Materials under the Provisions of this Act; and the Auditors so to be nominated, or any Three or more of them, shall meet on the Twenty-fifth Day of *November* in the said Year One thousand eight hundred and twenty-one, or within Seven Days after, at the Board Room of the Workhouse of the said Parish, and proceed to audit the Accounts of the said Committee Men (in the Presence of their Clerk), from the Time they shall have begun to act as a Committee up to the Twenty-ninth Day of *September* next preceding the Meeting of the Auditors; and on the Twenty-fifth Day of *May* and on the Twenty-fifth Day of *November* in every subsequent Year, or within Seven Days after each of the said Days, the Auditors to be nominated in the Month of *March* then next preceding, shall meet at the Place aforesaid, and proceed in the like Manner and in the like Presence to audit the Accounts of the said Committee Men for the Half Year ending respectively on the Twenty-fifth Day of *March* and on the Twenty-ninth Day of *September* then last past; and the said Committee Men are hereby required, by their Clerk, to produce and lay before the said Auditors at every such Meeting a true and just Statement or Account in Writing, accompanied with proper Vouchers, of all Sum and Sums of Money which have come to the Hands of the Committee Men or of their Treasurer by virtue of this Act, and also of all Monies paid, laid out, or expended by them during the said Period, and in and about the obtaining and carrying the same into Execution, and other Expences incident thereto; and in case the said Auditors shall think there is just Cause to disapprove of any Part of the Accounts so to be presented, it shall be lawful to and for the said Auditors, or the major Part of them, if they shall think fit, to appeal against the same to such Person and Persons, within the Time and subject to the Regulations and Provisions herein-after mentioned,

tioned, in respect of Appeals against Rates to be made in pursuance of this Act: Provided always, that no Appeal against such Accounts shall be made or proceeded in by any Person or Persons, except the same be directed and agreed upon by the said Auditors, or the major Part of them, during such Time as they shall be engaged in auditing such Accounts; and all such Accounts shall be left at the said Board Room, for the Examination of the said Auditors only, for Three successive Days, and shall afterwards remain in the same Room for Seven successive Days, for the Inspection and Information of the Inhabitants of the said Parish.

Composition for Highways.

XLIV. And be it further enacted, That all Compositions, and all Rates, if any shall be necessary for the Amendment, Preservation, or Repair of the Highways of the said Parish, shall be paid and payable by such Person and Persons as by this Act is and are made liable to the Payment of the Poor Rates of the said Parish, to the Surveyors of the Highways of the said Parish for the Time being; and that all such Compositions and Rates shall and may be collected, received, and levied by the Surveyors of the Highways, of and from such Person and Persons, in such and the like Form and Manner, with such Powers of Distress and Appeal, and according to such Rules, Methods, and Directions, as are prescribed and appointed in and by this Act, for collecting, receiving, recovering, and levying the Rates and Assessments made or to be made for the Relief of the Poor of the said Parish; and all and every the Powers, Authorities, Methods, Rules, and Directions contained in this Act, in relation to the said Rates and Assessments for the Relief of the said Poor, shall be and continue in full force, and be severally and respectively observed, practised, and put into Execution, for the collecting, receiving, recovering, and levying the Compositions and Rates, if any shall be necessary for the Amendment and Repair of the said Highways, as fully and effectually to all Intents and Purposes as if the same Powers, Authorities, Methods, Rules, and Directions were particularly repeated and re-enacted in the Body of this Act.

Surveyors of Highways to contract for Sale of Coal Dust.

XLV. And be it further enacted, That it shall and may be lawful for the Surveyors of the Highways of the said Parish for the Time being, assisted by Three or more of the said Committee Men, liable to the Payment of Compositions or Rates towards the Repair of the said Highways, to contract for any Time not exceeding Twelve Calendar Months with any Person or Persons, for the Sale of the Coal Dust or Ashes, Cinders, Rubbish, Dirt, or Filth, that may be made, arise, or accrue within such Part of the said Parish called the "Old Part," and which is not comprised in a certain Act made in the Forty-third Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for amending, altering, and enlarging the Powers of an Act passed in the Thirtieth Year of the Reign of His present Majesty, intituled 'An Act for forming and keeping 'in Repair the Streets and other public Passages and Places within 'a certain District, in the Parish of* Saint Luke Chelsea, *in the 'County of* Middlesex; *called* Hans Town; *and for otherwise improving*

43 G. 3. c. 11.

'*proving the same;*' (such Contractor to purchase and take away the same from the Houses of the Inhabitants); and such Contractor or Contractors shall once, or oftener, in every Week, bring or cause to be brought convenient Carriages into all such Parts of the said Parish, where all such Carriages can be drawn near or pass into, and at or before their Approach, by a Bell or otherwise, by a sufficient Noise or Cry, shall give Notice to the Inhabitants of his and their coming, and give the like Notice in every other Place into which the said Carriages cannot pass, and abide and stay a convenient Time; and the said Contractor or Contractors, or the Person or Persons employed by him or them, shall carry away or cause to be carried away, gratis, from the Premises of such Occupier or Occupiers, all the Coal Dust or Ashes, Cinders, Rubbish, Dirt, and Filth therein, upon pain of forfeiting any Sum not exceeding Forty Shillings for every Neglect or Default, except all such Rubbish, Dust, Dirt, and Filth as shall be occasioned by building, amending, or altering any House or Houses, or any other Building; which said Rubbish, Dust, Dirt, and Filth thereby occasioned, shall be inclosed by a proper Hoard or Hoards as hereinafter directed, and shall forthwith, after such building, repairing, or altering is finished, be carried away by the Owner or Owners, Occupier or Occupiers of such Houses or Buildings respectively as aforesaid, upon pain of forfeiting and paying any Sum of Money not exceeding Ten Shillings for every such Offence; and that all Monies arising and to arise by such Contract or Contracts as aforesaid, shall be applied in or towards the Repairs, Support, and Improvement of such of the Highways of the said Parish as are or shall be under the Care and Management of the said Surveyors, and in lighting and watching the said Highways, should such Monies be sufficient for that Purpose.

Penalty on Persons not contracting, who shall receive or take any Coal Dust, &c. or shall empty any Bog House at certain Hours.

XLVI. And be it further enacted, That if any Person or Persons other than the Person or Persons contracting with the said Surveyors for the Purchase of the said Coal Dust, Ashes, Cinders, Rubbish, Dirt, or Filth, or the Person or Persons employed under the said Contractor, shall on any Pretence whatever receive, take, or carry away, or cause to be received, taken, or carried away, any Coal Dust, Ashes, Cinders, Rubbish, Dirt, or Filth from any House, Building, Cellar, or other Place in any Square, Street, or Place within the said Parish, save and except such Squares, Streets, and Places as are comprized in the said Act of the Forty-third Year of the Reign of His late Majesty King *George* the Third; or if any Person or Persons shall come with any Waggon or Waggons, Cart or Carts, and begin to empty any Boghouse or Boghouses, Privy or Privies, or to take away any Night Soil or Human Excrement, or any Soap Lees or Ammoniacal Liquor from any House or Houses or other Place within the said Parish (save and except as last aforesaid) before the Hour of Twelve of the Clock at Night, or shall continue to take away the same after the Hour of Five of the Clock in the Morning from *Michaelmas* to *Lady Day*, or after the Hour of Four o'Clock in the Morning from *Lady Day* to *Michaelmas*, then and in every such Case it shall and may be lawful to and for any Justice

tice of the Peace for the said County, and he is hereby required, upon Complaint to him made upon Oath by One or more credible Witness or Witnesses, to issue a Summons requiring such Offender or Offenders to appear before him at such Time and Place as shall in such Summons be specified; and it shall and may also be lawful to and for any Person or Persons whomsoever, who shall see such Offence committed, if he or they shall think proper, to seize and detain, and for any other Person or Persons to assist in seizing or detaining the Offender or Offenders, and by the Authority of this Act, and without any other Authority or Warrant whatsoever, to convey him, her, or them before some Justice of the Peace for the said County of *Middlesex*, and upon the Party or Parties accused appearing in pursuance of such Summons, or not appearing after having been so summoned, or being brought before such Justice, he the said Justice shall and he is hereby authorized and required to examine upon Oath the Person or Persons apprehending the Offender or Offenders, and any Witness or Witnesses who shall be produced to give Evidence touching such Offence; and if the Person or Persons so summoned, or seized and conveyed before such Justice as aforesaid, shall be convicted of taking or carrying away, or of causing to be taken or carried away, any Coal Dust, Ashes, Cinders, Rubbish, Dirt, or Filth (except as aforesaid) from any House, Building, Cellar, or other Place in any Square, Street, Lane, or Place within the said Parish (except as aforesaid), or of taking away any Night Soil or Human Excrement, Soap Lees or Ammoniacal Liquor, from any such House or Place, before the Hour of Twelve of the Clock at Night, or after the Hour of Five of the Clock in the Morning from *Michaelmas* to *Lady Day*, or after the Hour of Four o'Clock in the Morning from *Lady Day* to *Michaelmas*, upon the Oath of One or more credible Witness or Witnesses, or by his, her, or their own Confession or Confessions, then and in every or any such Case every such Person so offending shall forfeit and pay any Sum not exceeding Five Pounds nor less than Two Pounds for the First Offence, and for the Second and every subsequent Offence any Sum not exceeding Ten Pounds nor less than Five Pounds; and One-third Part of all such Penalties shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend such Offender or Offenders, and the Remainder thereof to be paid to the Surveyors of the said Highways, and applied in or towards the Repair thereof; and in case such Penalty or Penalties shall not be forthwith paid, it shall and may be lawful to and for such Justice, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the House of Correction for the said County, for any Time not exceeding Two Months, nor less than Twenty Days, to be computed from the Day of the Commitment, unless such Penalty or Penalties, and all Charges attending such Conviction, shall be sooner paid and satisfied.

Owners of Carts and Horses so unlawfully employed,

XLVII. Provided always, and be it enacted, That in case the Person or Persons who shall so unlawfully take and carry away any Coal Dust, Ashes, Cinders, Rubbish, Dirt, Filth, Night Soil, or Human Excrement, Soap Lees or Ammoniacal Liquor, shall not

subject to a Penalty of 5*l.* and the Carts, Horses, &c. may be seized and detained till paid;

not be seized and apprehended, then and in every such Case the Owner or Owners of the Waggon, Cart, or other Carriage, Horse, or Beast (if any) employed or used as aforesaid, for the Purpose of taking and carrying away the same, shall forfeit and pay any Sum not exceeding the Sum of Five Pounds, nor less than Two Pounds, for every such Offence; and it shall and may be lawful to and for any Person or Persons whomsoever to seize, or cause to be seized, any such Waggon, Cart, or other Carriage, together with the Horse or Horses, Beast or Beasts drawing the same, and to drive, remove, and take, or cause the same to be driven, removed, and taken to any Place in or near the said Parish for safe Custody; and Notice of the taking of such Waggon, Cart, or other Carriage, Horse or Horses, Beast or Beasts, and of the Place to which the same shall have been removed, shall be given by the Person or Persons seizing or removing the same, to the Owner or Owners thereof, in case he, she, or they can be found, or left at his, her, or their last or usual Place of Abode; and it shall and may be lawful to and for the said Person or Persons to detain or cause to be detained such Waggon, Cart, or other Carriage, together with the Horse or Horses, Beast or Beasts drawing the same, until the Owner or Owners thereof, or other Person or Persons in his, her, or their Behalf, shall have paid such Penalty as aforesaid to the said Person or Persons so seizing or removing the same, together with the reasonable Costs and Charges of such Seizure and Removal, and of keeping such Horse or Horses or other Beast (if any); and in case such Penalty, Costs, and Expences shall not be paid within Five Days after such Seizure and Removal, it shall and may be lawful to and for the said Surveyors of the Highways, or for the Person or Persons so seizing the same, to sell or cause to be sold such Waggon, Cart, or other Carriage, Horse or Horses, Beast or Beasts; and the Money arising from such Sale, after deducting such Penalty, and the Costs and Expences of seizing, keeping, and selling such Waggon, Cart, or other Carriage, Horse or Horses, Beast or Beasts, shall be paid on Demand to the Owner or Owners thereof; such Penalty, Costs, Charges, and Expences to be ascertained and allowed by any Justice of the Peace for the County of *Middlesex*.

and in case the Penalty be not paid in 5 Days, may be sold, &c.

Penalty on Persons beating Carpets, exercising Horses, or throwing Filth, &c. on the Carriage or Footways, or driving on the Footways any Coach, Carriage, Wheelbarrow, &c.

XLVIII. And be it further enacted, That if any Person or Persons shall, in any Square, Street, Lane, Passage, Court, or other Public Place within the said Parish (except within the Part before excepted), beat or dust any Carpet or Carpets, Hearth Rug or Hearth Rugs, or shall drive any Carriage or Carriages for the Purpose of breaking or trying Horses; or shall ride any Horse, Mare, or Gelding for the Purpose of airing, trying, shewing, or exposing such Horse, Mare, or Gelding for Sale; or shall throw, cast, or lay, or cause, permit, or suffer to be thrown, cast, laid, or to remain, any Ashes, Dust, Dirt, Rubbish, Offal, Dung, Soil, Blood, or other Filth or Annoyance in or upon the Carriage Way or Ways, or Footway of any such Square, Street, Lane, Passage, Court, or other Public Place; or shall play at Football or any other Game to the Annoyance of any Inhabitants or Passengers, or throw, cast, or fire, or be aiding in throwing, casting, or firing any Squib, Rocket, Serpent, or other Firework into any of the

the said Squares, Streets, or Places, or make any Bonfires; or shall kill, slaughter, scald, dress, or cut up any Beast, Swine, Calf, Sheep, Lamb, or other Cattle in or so near to any of the said Squares, Streets, Lanes, Passages, Courts, or other Public Places, as any Blood, Blood mixed with Water, or Filth, shall run upon or over any or either of such Ways, or shall run, roll, drive, draw, or place, or cause, permit, or suffer to be run, rolled, driven, drawn, or placed upon any of the said Footways, any Coach, Waggon, Cart, Dray, Sledge, or other Carriage, or any Wheel, Wheelbarrow, Handbarrow, or Truck, or shall wilfully ride, lead, or drive any Horse, Ass, Mule, or other Beast upon any of the Footways aforesaid, that then and in every or any such Case it shall and may be lawful to and for any Justice of the Peace for the said County, and he is hereby required, upon Complaint to him made upon Oath by One or more credible Witness or Witnesses, to issue a Summons, requiring such Offender or Offenders to appear before him, at such Time and Place as shall be in such Summons specified; or it shall and may be lawful to and for any Person or Persons whomsoever, who shall see any such Offence committed, if he or they shall think proper, to seize, and also for any other Person or Persons to assist in seizing, such Offender or Offenders, by the Authority of this Act, and without any other Authority or Warrant whatsoever, to convey such Offender or Offenders before some Justice of the Peace for the said County; and upon the Party or Parties appearing in pursuance of such Summons, or not appearing after having been so summoned, or being brought before such Justice, he the said Justice shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Party or Parties accused shall be convicted of any or either of the Offences last aforesaid, upon his or their own Confession, or upon the Oath of One or more credible Witness or Witnesses as aforesaid, then and in every such Case the Person or Persons so convicted shall forfeit and pay any Sum not exceeding Forty Shillings nor less than Twenty Shillings for the First Offence, and any Sum not exceeding Five Pounds nor less than Two Pounds for each and every subsequent Offence; and One-third Part of every such Penalty shall be paid to the Informer or Informers, or to the Person or Persons who shall apprehend such Offender or Offenders, and the Remainder thereof shall be paid to the Surveyors of the said Highways, and applied in or towards the Repair thereof.

Penalty on Persons placing any Coach, Cart, &c. upon the Carriage or Footways, (except Hackney Coaches, &c.) or laying any Timber, Bricks, &c. thereon, and not re-

XLIX. And be it further enacted, That if any Person or Persons shall set out, lay, or place, or cause or procure to be set out, laid, or placed, any Coach, Waggon, Wain, Cart, Dray, Sledge, Truck, or other Carriage upon any of the said Carriage or Footways (except such Coaches and Chairs as have been or shall be hereafter licensed by the Commissioners for regulating and licensing Hackney Coaches and Chairs, and which stand for Hire according to the Statutes and Bye-laws made for those Purposes, and also except for the necessary Time of loading or unloading any Waggon, Wain, Dray, Sledge, Truck, or other Carriage, or taking up or setting down any Fare, or waiting for Passengers when actually hired, or harnessing or unharnessing the Horses from any Coach, Waggon, Wain, Dray, Sledge, Truck, or other

moving the same when required, &c.

other Carriage), or shall set or place, or cause to be set or placed in, upon, or over any of the said Carriage or Footways, any Timber, Stones, Bricks, Lime, or other Materials, Articles, Goods, or Things whatsoever, and shall not immediately remove the same, being thereunto required by any Person or Persons whomsoever, and continue and keep the same so removed; or if any Person or Persons, having in pursuance of any such Requisition or Requisitions as aforesaid, removed any such Waggon, Wain, Cart, Sledge, Truck, Carriage, Timber, Stones, Bricks, Lime, or other Materials, Articles, Goods, or Things, shall at any Time thereafter again set, lay, place, or drive, or cause, procure, permit, or suffer to be again set, laid, or placed the same, or any of them, or any other Coach, Waggon, Cart, Dray, Sledge, Truck, Timber, Stones, Bricks, Lime, or other Materials, Articles, Goods, or Things whatsoever (save and except as aforesaid) in, upon, or over any of the Carriage or Footways aforesaid, then and in every such Case it shall and may be lawful to and for any Justice of the Peace for the said County, and he is hereby required, upon Complaint to him made by any One or more credible Witness or Witnesses upon Oath, to issue a Summons, requiring the Person or Persons accused of such Offence to appear before him, at such Time and Place as shall be in such Summons specified, and then and there to proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Evidence touching such Offence; and if the Person or Persons so accused shall be convicted of any or either of the Offences last aforesaid, upon his, her, or their own Confession, or upon the Oath of One or more credible Witness or Witnesses as aforesaid, he, she, or they so convicted shall forfeit and pay for the First Offence any Sum not exceeding Forty Shillings nor less than Twenty Shillings, and for the Second and every subsequent Offence any Sum not exceeding Five Pounds, nor less than Two Pounds; and One-third Part of such respective Penalties shall be paid to the Informer or Informers, and the Remainder thereof shall be paid to the Surveyors of the said Highways, and be applied towards the Repair thereof; or it shall and may be lawful to and for any Person or Persons to seize any such Coach, Waggon, Wain, Cart, Dray, Sledge, Truck, or other Carriage, together with the Horse or Horses, if any shall be thereto belonging, with the Harness, Gear and Accoutrements thereof, or any such Timber or other Materials, Articles, Goods, or Things aforesaid, and cause the same to be removed to such Place or Places as he or they shall judge convenient and proper, giving Notice to the Owner, Driver or other Person having any Interest in the Coach, Waggon, Cart, Dray, Sledge, Truck, or other Carriage, Horses, Materials, Articles, Goods or Things so removed, if he, she, or they can be found, or leaving the same at his, her, or their last or usual Place or Places of Abode, or the Place or Places whereunto the same shall be removed; and the same to be there kept and detained until such Owner, Driver, or other Person interested therein as aforesaid, shall cause to be paid the said Penalty, together with the Charges of taking or removing the same, and of keeping such Horse or Horses (if any); and in case the Carriage, Horses, Materials, Articles, Goods or other Things so removed, shall not be claimed, and the said Penalty and Charges paid within Five Days

Coaches, &c. may be detained till Penalty paid with Costs, &c.

next after such Removal thereof, then and in every such Case it shall and may be lawful to and for the said Surveyors of the Highways to order the same to be appraised and sold, and the Overplus of the Money arising by such Sale shall be returned to the Owner or Owners thereof on Demand, after deducting the said Penalty, and the said Costs, Charges, and Expences attending such seizing, removing, keeping, appraising, and selling the same; such Penalty, Costs, Charges, and Expences to be ascertained and allowed by any Justice of the Peace for the said County of *Middlesex*: Provided always, that nothing herein contained shall extend to subject any Person or Persons to any Penalty by this Act inflicted, for placing on the said Carriageways or Footways any Stones, Bricks, Timber or Materials for building, in case the same shall have been so placed and inclosed (by a Hoard) under the Authority of any local Act or Acts of Parliament.

Surveyors to make up Accounts in order that the same may be audited.

L. And be it further enacted, That the said Surveyors shall, on or before the Tenth Day of *October* in each and every Year, make up fair and just Accounts in Writing of all Monies received and paid by them as such Surveyors, for the Year ended the Twenty-ninth Day of *September* then last past, and shall, on or before the said Tenth Day of *October* yearly and every Year, deliver to the Vestry Clerk of the said Parish such Accounts, together with all Receipts and Vouchers touching or concerning the same, in order that the same Accounts may be examined and audited by the said Auditors, in case they shall think proper so to do: Provided always, that nothing herein contained shall be construed to extend to repeal the Provisions of any Act or Acts of Parliament now in force, so far as such Provisions shall apply to the examining, auditing, objecting to, or passing Accounts of Surveyors of Highways of the said Parish.

Committee Men may sue and be sued in the Name of their Clerk, who shall be reimbursed his Costs, &c.

LI. And be it further enacted, That the Committee Men for carrying this Act into Execution, may sue and be sued in the Name or Names of any One or more of the said Committee Men, or in the Name of their Clerk for the Time being, acting in the Execution of this Act, and that no Action or Suit which may be brought by or against the said Committee Men, in the Name of Seven Committee Men, or of their Clerk, shall abate or be discontinued by the Death or Removal of such Clerk, or by the Act of him or them, without the Consent of the said Committee Men, but the Clerk for the Time being shall always be deemed Plaintiff or Plaintiffs, Defendant or Defendants, (as the Case may be), in every Action or Suit: Provided always, that all and every such Committee Men, or their Clerk, shall be reimbursed out of the Monies to be raised by virtue of this Act, all such Costs, Damages, and reasonable Expences, as he or they shall be put unto, or become charged or chargeable with, by reason of his or their being so made Plaintiff or Defendant, or Plaintiffs or Defendants, as aforesaid; provided that the said Action or Defence shall be prosecuted, carried on, and continued, with the Consent of the said Committee Men.

Recovery of Penalties.

LII. And be it further enacted, That all Penalties, Forfeitures, and Fines herein-before by this Act inflicted or imposed, or authorized to be imposed (the Manner of levying and recovering whereof is not herein otherwise directed), shall, upon Proof of the Offences respectively before any one or more Justices of the Peace for the said County of *Middlesex*, either by the Confession of the Party or Parties offending, or by the Information of One or more Witness or Witnesses upon Oath (which Oath such Justice or Justices of the Peace is and are hereby empowered and required to administer, without Fee or Reward), be levied by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal or Hands and Seals of such Justice or Justices, which Warrant or Warrants such Justice or Justices is and are hereby empowered and required to grant; and the Penalties and Forfeitures when recovered, after rendering the Overplus, if any there be, upon Demand to the Party or Parties whose Goods and Chattels shall be so distrained and sold (the Costs, Charges, and Expences of making such Distress, and the keeping and selling thereof being first deducted), shall be paid to the Treasurer for the Time being to the said Committee Men, and applied towards and in Aid of the Rates for the Relief of the Poor of the said Parish; but nevertheless it shall and may be lawful to and for the said Committee Men to pay such Part of the said Penalties to the Informer as they shall judge reasonable, not exceeding One-third Part thereof; and in every Case where any such Justice or Justices shall have granted any Warrant of Distress for levying any Penalty, Forfeiture, or Fine under the Provisions of this Act, it shall and may be lawful to and for such Justice or Justices to detain and keep in safe Custody the Offender or Offenders, until the Return of such Warrant or Warrants of Distress, in case the Penalty, Forfeiture, or Fine shall not be previously paid, in order that he or they may be further dealt with according to the Provisions of this Act; and in every such Case, where Distress is directed to be made, levied, or taken by this Act, and sufficient Distress shall not be found, and such Penalties, Forfeitures, and Fines shall not be forthwith paid, it shall and may be lawful for such Justice or Justices of the Peace, and he and they is and are hereby authorized and required, by Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cause such Offender or Offenders to be committed to the Common Gaol or House of Correction for the County of *Middlesex*, there to remain without Bail or Mainprize, for any Time not exceeding Three Months for the First Offence, and every other Offence of the same Kind, for any Time not exceeding Six Months, unless such Penalties, Forfeitures, or Fines, and all reasonable Charges and Expences attending the same, shall be sooner paid and satisfied.

LIII. And be it further enacted, That all and every Justice or Justices of the Peace, before whom any Person or Persons shall be convicted of any Offence against this Act, as herein-before specified, shall and may cause the Conviction to be drawn up in the following Words, or any other Form of Words to the same or the like Effect; (that is to say),

'BE it remembered, That on this Day of in the Year of our Lord Form of Conviction.
'*A. B.* is duly convicted before
'of His Majesty's Justices of the Peace for the County of *Middlesex*,
'of having [*here state the Offence against the Act, as the Case may be*],
'contrary to the Form of the Statute in that Case made and provided:
'And I [*or* we, *as the Case may be*] do declare and adjudge, that the
'said *A. B.* hath forfeited for his [*or* her, *as the Case may be*] said
'Offence, the Sum of Given under
'my Hand and Seal [*or* our Hands and Seals, *as the Case may be*] the
'Day and Year first above written.'

Distress not unlawful for Want of Form.

LIV. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers *ab initio*, on account of any Defect or Want of Form in any Proceedings relating thereto, nor shall the Party or Parties be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity may recover full Satisfaction for the Special Damage incurred by an Action on the Case.

Notice of Action.

LV. Provided always, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance or under colour of this Act, unless Notice in Writing of such intended Action shall have been given to the intended Defendant or Defendants, or left at his or their usual Place or Places of Abode, Twenty-one Days before such Action shall be commenced, signed by the Attorney for the intended Plaintiff or Plaintiffs, specifying the Cause or Causes of such Action; nor shall any Plaintiff or Plaintiffs recover in such Action for Satisfaction for Special Damage or otherwise, or for such Irregularity, Trespass, or other Proceedings, if Tender of sufficient Amends shall be made by or on the Behalf of the Party or Parties who shall have committed every or any such Irregularity, Trespass, or wrongful Proceeding, before such Action shall be brought; and in case no such Tender shall have been made, it shall and may be lawful for the said Defendant or Defendants in such Action, by Leave of the Court where such Action shall depend, at any Time before Issue be joined in such Action, to pay into such 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 and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Defendant may pay Money into Court before Issue joined.

Rated Inhabitants to be competent Witnesses.

LVI. And be it further enacted, That no Inhabitant of the said Parish of *Saint Luke, Chelsea*, shall be deemed an incompetent Witness in any Suit, Action, Information, Complaint, Appeal, Prosecution, or Proceeding to be had, made, prosecuted, or carried on under the Authority of this Act, by reason of such Person being rated

rated or assessed, or liable to be rated or assessed, under and by virtue of this Act, or by reason of such Person being liable to perform Statute Duty, or to the Payment of any Composition in lieu thereof, towards the Repairs of the Highways of the said Parish.

Appeal.

LVII. Provided always, 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, which shall be made in pursuance of this Act, or by any Penalty imposed, or by any Conviction or other Matter or Thing done or directed to be done in pursuance of this Act, such Person or Persons may appeal to any Quarter or General Sessions of the Peace to be holden for the County of *Middlesex* (as the Case may be), within Six Weeks next after the Cause of Complaint or Grievance shall have arisen, first giving or causing to be given Ten Days Notice at the least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Person or Persons appealed against, or leaving such Notice for him or them at his or their last or usual Place or Places of Abode, and within Two Days next after such Notice, entering into a Recognizance before One of His Majesty's Justices of the Peace for the said County, with Two sufficient Sureties, in the Sum of Forty Pounds, conditioned to try such Appeal, and to abide the Order of and to pay such Costs as shall be awarded by the Justices at such Quarter or General Sessions; and the said Justices at such Quarter or General Sessions of the Peace for the said County, upon due Proof of such Notice having been given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing or appealed against, as they the said Justices shall think proper; and the said Justices may then and there, if they see cause, mitigate any Forfeiture or Fine, and award such further Satisfaction to be made to the Party injured, as they shall judge proper; and the Determination of such Justices at their Quarter or General Sessions, shall be final, binding, and conclusive.

Notices to be served upon Committee Men or their Clerk.

LVIII. And be it further enacted, That all Notices and Summonses hereby directed to be given to or served upon the said Committee Men (the Manner of serving the same is not herein-before specifically mentioned) shall be printed or written, or partly printed and partly written, and shall or may be served either by delivering the same personally to any One or more of the said Committee Men, or to their Clerk, or by leaving the same at his or their, or one of their last or usual Place of Abode; and every such Notice or Summons so delivered or left, shall be and is hereby declared to be a good Service thereof.

Proceedings not to be quashed for Want of Form.

LIX. And be it further enacted, That no Rate or Rates, Assessment or Assessments, nor any Proceeding to be had touching the Conviction of any Offender or Offenders against this Act, or any Rate, Warrant,

Warrant, Conviction, or Order to be made, or any other Matter or Thing to be done or transacted in or relating to the Execution of this Act, or in pursuance or by virtue thereof, shall be vacated or quashed for want of Form, or be removed or movable by Certiorari, or by any other Writ or Process whatsoever, into any of His Majesty's Courts of Record at *Westminster*; any Law, Statute, or Usage to the contrary notwithstanding.

Limitation of Actions.

LX. And be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance or under colour of this Act, after Four Calendar Months next after the Fact committed for which such Action or Actions, Suit or Suits shall be so brought; and all such Actions or Suits shall be laid and tried in the County of *Middlesex* and not elsewhere; and that the said Defendant or Defendants in such Action or Actions, Suit or Suits, and every of them, may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon, and that the Matter or Thing for or on which such Action or Actions, Suit or Suits shall be brought, was done in pursuance and by the Authority of this Act; and if the said Matter or Thing shall appear to have been so done, or if it shall appear that such Action or Suit was brought before Twenty-one Days Notice thereof was given, as before directed, or that sufficient Satisfaction was made or tendered or paid into Court as aforesaid; or if any such Action or Suit shall not be commenced within the Time before for that Purpose limited, or shall be laid in any other County, City, or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants therein; and if a Verdict shall be found for such Defendant or Defendants, or if the Plaintiff or Plaintiffs in such Action or Actions, Suit or Suits, shall become nonsuited, or suffer a Discontinuance of such Action or Actions, Suit or Suits; or if upon a Demurrer or Demurrers in such Action or Actions, Suit or Suits, Judgment shall be given for the Defendant or Defendants therein; then and in either of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy and Remedies for recovering the same, as any Defendant or Defendants may have for the Recovery of his, her, or their Costs in other Cases by Law.

General Issue.

Treble Costs.

Expences of the Act how to be paid.

LXI. And be it further enacted, That all Costs, Charges, and Expences of passing this Act, and all other Charges and Expences incident to or attending the obtaining thereof, shall be borne, paid, and defrayed out of the first Monies to be levied, collected, and received by virtue of this Act, in the Manner and Proportions following; (that is to say), such Addition or Part of the said Charges and Expences as shall be incurred by or in consequence of the Provisions herein contained, for the Sale of the Coal Dust, Ashes, Cinders, Rubbish, Dirt, or Filth, and for the better collecting and recovering the Composition and Rates for the Repairs of the Highways, shall be paid and discharged out of the Monies to arise by such Sale, Composition, and Rates, and the Residue of such Charges and Expences out of the Rates to be made for the Relief of the Poor

Poor of the said Parish: Provided always, that the Inhabitants of the said District called *Hans Town*, shall not in any Case be chargeable with or pay any Part of the additional Charges and Expences so to be incurred.

Public Act.

LXII. 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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