ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

Cap. 113.

An Act for repealing an Act passed in the Forty-eighth Year of the Reign of His present Majesty, intituled *An Act for better assessing and collecting the Poor and other Rates in the Parish of* Saint Mary, Newington, *in the County of* Surrey, *and regulating the Poor thereof;* and granting other Powers in lieu thereof; for rebuilding or repairing the Workhouse, and removing and preventing Encroachments and Annoyances in the said Parish, and for other Purposes relating thereto. [17th *June* 1814.]

WHEREAS the Parish of *Saint Mary Newington*, in the County of *Surrey*, is very large and populous, and the Poor belonging thereto are very numerous, and maintained and supported at a very great and heavy Expence: And whereas the present Workhouse of the said Parish is insufficient for the Accommodation and proper Employment of the Poor of the said Parish, and it will tend to their better Relief and Employment, if Power was given to enlarge or alter the present Workhouse, or take any other Premises for that Purpose: And whereas an Act was passed in the Forty-eighth Year of the Reign of His present Majesty, intituled *An Act for the better assessing and collecting the Poor and other Rates in the Parish of* Saint Mary Newington, *in the County of* Surrey, *and regulating the Poor thereof:* And whereas several of the Provisions of the said recited Act have been found inadequate for the Purposes thereby intended, and it is expedient that the same should be altered, amended, and enlarged, and it would tend greatly to facilitate the Execution of the Purposes intended to be provided for by the said Act, if the same was repealed, and further and other

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other Provisions made for those Purposes; and it is also expedient that Power should be granted for removing and preventing many Nuisances, Annoyances, and Encroachments in the said Parish; but as the several Purposes aforesaid cannot be effected without the Aid and Authority of Parliament; May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the said recited Act, and all and every the Powers, Provisoes, Clauses, Articles, Matters, and Things therein contained, shall be, and the same is and are hereby repealed, and declared to be null and void to all Intents and Purposes whatsoever.

Appointment of Governors and Guardians, to the Number of 32, with the Rector, Churchwardens, Overseers, and resident Magistrates.

II. And be it further enacted, That the Rector, Churchwardens, and Overseers of the Poor of the said Parish, and also the Justices of the Peace for the said County of *Surrey*, resident in the said Parish for the Time being, together with *Thomas Burne, Marlborough Place*; *Benjamin Clark, Saville Row*; *Thomas Ellis, Manor Row*; *Richard Farmer, Kennington Common*; *John Gubbs, Walworth Terrace*; *Edward Hallam, Marlborough Place*; *Richard Harris, York Place*; *John Hopkins, Rodney Buildings, Kent Road*; *James Horsburgh, Saville Row*; *Francis Hurlbatt, Church Row*; *John Geere Jones, Crosby Row*; *William Matthews, Newington Place*; *John Milthorpe Maude, Newington Place*; *Henry M'Lean, Crown Row*; *Charles Nairne, Walworth Terrace*; *Thomas Ovey, Walworth Terrace*; *Samuel Palmer, Saint George's Place*; *Henry Perkins, Blackman Street*; *Richard Price, Newington Place*; *Matthew Robins, Beckford Place*; *Thomas Reddish, Rodney Buildings*; *Richard Saumarez, Canterbury Row*; *Charles Shadbolt, Saville Row*; *Robert Shepard, Marlborough Place*; *Emanuel Silva, Newington Place*; *Matthew Slater, Walworth Terrace*; *Thomas Smales, Crosby Row*; *Roger Smith, Manor House*; *John Smith, Marlborough Place*; *William Williams, Newington Place*; *Thomas Wood, York Place*; *Warwick Weston, County Terrace*; and their Successors, to be appointed in Manner herein-after mentioned, shall be and are hereby appointed Governors and Guardians of the Poor of the said Parish of *Saint Mary Newington*, in the said County of *Surrey*, for the Purposes of well-governing, providing for, employing, and managing the said Poor, and for carrying the several other Purposes of this Act into Execution.

Election of Governors and Guardians in the Room of those dying, quitting the Parish, or neglecting to act.

III. And be it further enacted, That whenever any Vacancy of the said Governors and Guardians shall arise, by Death, Removal, Resignation, Disqualification, Refusal, or Neglect, or have been rendered incapable of acting in the Powers and Authorities by this Act reposed in them, that then and in every such Case, it shall and may be lawful to and for the remaining or continuing Governors and Guardians to supply such Vacancies until the Election of Governors and Guardians at the then ensuing *Easter*, when it shall be lawful for the said Governors and Guardians to call a Vestry Meeting of the Inhabitants of the said Parish, on the *Easter Tuesday* in every Year; at which said Vestry Meeting all the Vacancies in the List of Governors and Guardians shall be filled up by Poll or Ballot, or in such Way of Election as shall be deemed most proper and convenient: Provided always, that after the Expiration of One Year

from *Easter Tuesday* next after the passing of this Act, it shall and may be lawful for the Inhabitants of the said Parish, in Vestry assembled, in such Manner, and at such Time as aforesaid, also to nominate and choose Twelve Persons in the Room or Stead of Twelve of the old Governors and Guardians, who are hereby required and directed yearly, and every Year in Succession, according to the Priority of their Election and Appointment, to go out of Office in order that such other Twelve Persons shall be so chosen annually in their Room and Stead in the Manner aforesaid; but nothing herein contained shall extend to prevent the Inhabitants of the said Parish, at such Vestry, from re-electing any of those Governors and Guardians who have retired from Office, or any of those who are to go out by Rotation: Provided always, that no Inhabitant of the said Parish, or other Person, shall be entitled to a Vote, or have Voice at or in any Vestry to be held for the said Parish, who shall not be an Inhabitant Householder, and rated to and having paid, or who being rated shall not then pay all and every the Rates or Assessments made by virtue of the said recited Act upon him, her, or them, or for which he, she, or they shall be liable by virtue of this Act, if the same hath theretofore or shall then and there be demanded of him or them.

No Person to vote who shall not pay Rates.

IV. And be it further enacted, That no Person, except the Rector, Churchwardens, Overseers of the Poor, and Justices of the Peace resident in the said Parish for the Time being, shall be capable of acting as a Governor and Guardian in the Execution of this Act (except in administering the Oath herein-after directed to be taken by the said Governors and Guardians) unless he shall at the Time of acting be a Tenant or Occupier of Lands, Tenements, or Hereditaments within the said Parish, assessed to the said Rates at the Rent of Thirty Pounds *per Annum*, or upwards; and be seised or possessed in his own Right or in the Right of his Wife, or be in the actual Possession or Receipt of the Rents or Profits of Freehold or Leasehold Lands, Tenements, or Hereditaments of the clear yearly Value of Fifty Pounds; or possessing a Real or Personal Estate of the Amount or Value of One thousand Pounds, over and above what shall be sufficient to satisfy and discharge his just Debts; and shall have taken and subscribed the following Oath or Affirmation; (that is to say,)

Qualification of Governors and Guardians.

'I do swear or affirm, That I am in my own Right [*or* in Right of my Wife] in the actual Possession, Enjoyment, or Receipt of the Rents or Profits of Freehold or Leasehold Lands, Tenements, or Hereditaments, of the clear yearly Value of or possess a Real or Personal Estate of the Amount or Value of above Reprizes, and assessed to the Rates of the Parish of *Saint Mary Newington*, in the County of *Surrey*, in the annual Sum of and that I will faithfully and impartially, and according to the best of my Judgment, execute the several Trusts reposed in me as a Governor or Guardian of the Poor of the said Parish, by an Act passed in the Fifty-fourth Year of the Reign of King *George* the Third, intituled [*set forth the Title of this Act*] without Prejudice or Malice, Favour or Affection, to any Person or Persons whomsoever. So help me God.'

And if any Person, not being qualified as aforesaid, shall act in the Execution of this Act, every such Person shall for every such Offence forfeit and

Penalty on Persons not qualified

presuming to act.

and pay the Sum of Fifty Pounds, together with Costs of Suit, to any Person or Persons, being an Inhabitant Householder of the said Parish, and qualified to vote in the Vestry thereof as herein-before mentioned, who shall sue for the same, to be recovered in any of His Majesty's Courts of Record by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and in every such Action, Bill, Suit, or Information, the Proof of the Qualification shall be on the Person prosecuted, and it shall be sufficient for the Plaintiff or Prosecutor to prove the Delivery of such Notice, and that the Person so sued or prosecuted had acted as a Governor and Guardian in the Execution of this Act subsequently thereto, not being duly qualified in manner herein directed: Provided nevertheless, that all Acts and Proceedings of any Person or Persons, acting as a Governor or Guardian in the Execution of this Act, although not duly qualified as aforesaid, previous to his or their being convicted of the said Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual as if such Person or Persons had been duly qualified to act as a Trustee or Trustees according to the Direction of this Act.

No Order valid unless made at a public Meeting.

V. And be it further enacted, That no Act, Order, or Determination of the said Governors and Guardians, or any of them (except in Cases where it shall be otherwise particularly directed by this Act) shall be valid, unless the same shall be made at a Meeting in pursuance of this Act; and that all the Powers and Authorities by this Act granted to and vested in the said Governors and Guardians, shall and may be executed and exercised by the major Part of those present at any Meeting held pursuant to this Act (the Number of Governors and Guardians present at such Meeting not being less than Seven, except in any Case where the Number necessary to be present is herein otherwise particularly directed); and all Acts, Orders, and Proceedings of such respective major Part so present, shall have the same Force and Effect as if done or made by all the said Governors and Guardians.

Meetings of Governors and Guardians.

VI. And be it further enacted, That the said Governors and Guardians shall meet at the Vestry Room or Workhouse within the said Parish, on the Third *Tuesday* next after the passing of this Act, and shall then and there proceed to the Execution of this Act, and shall and may after that Time meet by Adjournment at the same or any other Place within the said Parish, as shall be agreed on by the Governors and Guardians present at any Meeting; and if there shall not attend at any such Meeting a sufficient Number of Governors and Guardians to act, or if the Governors and Guardians present shall omit or neglect to adjourn themselves to another Day, then the Clerk to the said Governors and Guardians for the Time being shall adjourn the Meeting to a future Day, not exceeding Five Days, and to the same Place at which such last Meeting was held or appointed to have been held; causing Notice of such Adjournment to be given in Writing to each and every of the said Governors and Guardians: Provided always, that the said Governors and Guardians, or any Seven or more of them, are hereby required to meet once in every Month or oftener if they shall see it necessary, at such Time and Place within the said Parish as they shall think proper, for the Purpose of carrying this Act into Execution.

VII. And

A Chairman to be chosen.

VII. And be it further enacted, That the Governors and Guardians present at every Meeting, before they proceed to any other Business shall elect a Chairman of such Meeting; and if any Question shall be put to the Vote at such Meeting, and there shall be an Equality of Votes for and against the Question, then and in every such Case the Chairman present shall have a second or casting Vote.

Governors and Guardians empowered to make Bye Laws.

VIII. And be it further enacted, That it shall and may be lawful to and for the said Governors and Guardians, or the major Part of them present at any Meeting to be holden in pursuance of this Act, the Number of such Governors and Guardians present at such Meeting not being less than Twelve, (of which Meeting Notice in Writing, or printed, with the Name of the Clerk to the said Governors and Guardians affixed thereto, shall be given to or left for each Governor and Guardian at his last or usual Place or Places of Abode Two Days at least before such Meeting,) from Time to Time to make such Bye Laws, Rules, Orders, and Regulations, for the better regulating their own Proceedings at any of their Meetings, and the Manner of convening and holding such Meetings, where the same are not controuled by this Act; and of enforcing and rewarding the good Conduct and Behaviour of the several Officers and Servants employed by the said Governors and Guardians in the Execution of this Act; and for the better maintaining, governing, employing, and regulating the Poor of the said Parish within the Workhouse to be erected by virtue of this Act; and for the Application of the several Monies that may be levied, collected, or received by virtue of this Act to the Purposes thereof; and likewise from Time to Time to vary, alter, amend, or repeal all or any of such Bye Laws, Rules, Orders, and Regulations, and to fix and appoint all such reasonable Fines and Penalties for the Breach or Non-performance of any such Bye Laws, Rules, Orders, and Regulations, or 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 for any one Offence, and all such Bye Laws, Rules, Orders, and Regulations, when so made, and all Alterations, Variations, and Amendments thereof shall be printed, and affixed to the Door of the Committee Room of the said Governors and Guardians, and in some conspicuous Part of the Workhouse of the said Parish; and all such Bye Laws, Rules, Orders, and Regulations when so made and affixed shall be good and binding upon all Persons concerned; provided the same be not inconsistent with or repugnant to the Laws of that Part of the United Kingdom called *England*, nor inconsistent with or repugnant to the Provisions and Directions in this Act contained; and the same shall be subject to Appeal as herein-after mentioned.

Bye Laws not to be repealed without Notice.

IX. Provided always, and be it enacted, That no such Bye Law, Rule, Order, or Regulation, when so made and printed by the said Governors and Guardians, shall be varied, altered, amended, or repealed, save and except at some Meeting to be holden for that Purpose; of which Meeting, and of the Purposes thereof, Seven Days' Notice at the least, either written or printed, with the Name of the Clerk or Clerks to the said Governors or Guardians annexed thereto, shall be given to or left at the last or usual Place of Abode of each and every such Governor or Guardian.

Entries of Proceedings good Evidence.

X. And be it further enacted, That fair and regular Entries ſhall be made in a Book or Books to be provided for that Purpoſe, of all the Acts, Orders, Bye Laws, Rules, Regulations, Directions, and Proceedings of the Governors and Guardians, relative to the Execution of this Act, and of the Names of the Governors and Guardians who ſhall be preſent at the reſpective Meetings, and the ſame ſhall be ſubſcribed by the Chairman of the reſpective Meetings; and all ſuch Entries, being ſo ſigned, ſhall be deemed Originals, and ſhall be allowed to be read in Evidence in all Courts whatſoever, in all Cauſes, Suits, and Actions touching any thing done in purſuance of this Act; and ſuch Books ſhall be kept by the Treaſurer or Clerk to the ſaid Governors and Guardians, as the ſaid Governors and Guardians ſhall from Time to Time direct; and ſhall at every ſuch Meeting, and at all other ſeaſonable Times, be open and liable to the Inſpection of the ſaid Governors and Guardians, and of all Perſons rated and aſſeſſed, and having paid all and every the Rate or Rates to be made by the ſaid Governors and Guardians for the Purpoſes of this Act, or otherwiſe affected thereby.

Actions to be in the Name of the Clerk or Treaſurer.

XI. And be it further enacted, That the ſaid Governors and Guardians ſhall and may ſue and be ſued in the Name of their Treaſurer or Clerk; and that no Action that may be brought or commenced by or againſt the ſaid Governors and Guardians, or any of them, by virtue or in purſuance of this Act, in the Name of their Treaſurer or Clerk, ſhall abate or be diſcontinued by the Death or Removal of ſuch Treaſurer or Clerk, or by the Act of ſuch Treaſurer or Clerk, without the Conſent of the ſaid Governors and Guardians; but the Treaſurer or Clerk to the ſaid Governors and Guardians for the Time being ſhall always be deemed Plaintiff or Defendant in ſuch Action (as the Caſe may be): Provided always, that any ſuch Treaſurer or Clerk, in whoſe Name any Action or Suit ſhall be commenced, proſecuted, or defended in purſuance of this Act, ſhall always be reimburſed and paid out of the Monies to ariſe by virtue of this Act, all ſuch Coſts and Charges as by the Event of any ſuch Proceedings he ſhall be put to, or become chargeable with, by reaſon of his being ſo made Plaintiff or Defendant therein.

Officers appointed by former Act, to continue until removed.

XII. And be it further enacted, That each and every Collector of the Rates, and other Officer or Perſon nominated and appointed by virtue of the ſaid recited Act, ſhall hold and enjoy their ſeveral and reſpective Offices and Employments, together with the ſeveral and reſpective Salaries, Gratuities, and Allowances thereto annexed, until he, ſhe, or they ſhall be removed therefrom reſpectively by the Governors and Guardians acting by virtue of this Act; and every ſuch Collector and other Officer and Servant ſhall be ſubject to the like Pains and Penalties, and Power of Removal, and to the like Rules and Regulations, as if he, ſhe, or they had been nominated and appointed by virtue of this Act.

Governors and Guardians to appoint Officers, and remove them,

XIII. And be it further enacted, That the ſaid Governors and Guardians may and they are hereby empowered, by Writing under their Hands, to appoint a Treaſurer or Treaſurers, Maſter or Miſtreſs of the Workhouſe, Surveyor or Surveyors, Clerk or Clerks, Collector or Collectors of the Rates, and alſo an Overſeer's Aſſiſtant or Aſſiſtants, and alſo

ſuch

ſuch other Officers and Perſons for the Execution of this Act as the ſaid Governors and Guardians ſhall think proper; and from Time to Time to remove ſuch Officers and Perſons reſpectively, as the ſaid Governors and Guardians ſhall ſee occaſion; and out of the Monies to be received by virtue of this Act, to allow and pay ſuch Salaries, Wages, and Allowances to the ſaid Officers and other Perſons as the ſaid Governors and Guardians ſhall think reaſonable: And the ſaid Governors and Guardians ſhall and they are hereby required to take ſufficient Security from every ſuch Treaſurer and other Officer for the due Execution of his Office, as they ſhall think proper; and all ſuch Officers ſo to be appointed ſhall, under their Hands, at ſuch Time or Times, and in ſuch Manner as the ſaid Governors and Guardians ſhall direct, deliver to the ſaid Governors and Guardians, or to ſuch Perſon or Perſons as they ſhall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of this Act; and alſo of all the Monies which ſhall have been by ſuch Officers reſpectively received by virtue and for the Purpoſes of this Act, and how much thereof hath been expended and diſburſed, and for what Purpoſe, together with proper Vouchers for ſuch Payments; and ſhall pay all ſuch Monies as ſhall remain due from them reſpectively to the ſaid Governors and Guardians, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame; and every ſuch Treaſurer and other Officers ſhall, when thereunto required by the ſaid Governors and Guardians, lay his Accounts before the ſaid Governors and Guardians, in order that the ſame may be audited, paſſed, and allowed by them if approved of; and all the ſaid Officers ſo accounting as aforeſaid ſhall, upon Oath, (which Oath any one of the Governors and Guardians is hereby empowered to adminiſter), verify their ſaid Accounts; and if any ſuch Officer ſhall refuſe or neglect to make and render, or to verify upon Oath any ſuch Account, or produce and deliver up the Vouchers relating to the ſame, or to make Payments as aforeſaid, or ſhall refuſe or wilfully neglect to deliver to the ſaid Governors and Guardians, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, within Seven Days after being thereunto required by the ſaid Governors and Guardians, by Notice in Writing 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 give Satisfaction to the ſaid Governors and Guardians reſpecting the ſame; then and in every ſuch Caſe, upon Complaint made by the ſaid Governors and Guardians, 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 or Warrant under his Hand and Seal for the Officer ſo refuſing or neglecting to appear before him; and upon his appearing, or having been ſummoned and not appearing, without ſome reaſonable or ſufficient Excuſe, or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath (which Oath ſuch Juſtice is hereby empowered to adminiſter), it ſhall appear to ſuch Juſtice that any of the Monies that ſhall have been collected and raiſed by virtue of this Act ſhall remain due

and allow them Salaries.

Officers to give Security.

Officers to account;

and deliver up all Books and Writings in their Cuſtody.

due from such Officer, such Justice may and he is hereby authorized and required, upon Non-payment 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 can 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 shall have refused or wilfully neglected to render and give such Account, or to verify the same as aforesaid, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of this Act shall be in the Custody or Power of such Officer, and he shall have 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 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 Mainprize until he shall give and make a true and perfect Account and Payment as aforesaid, or until he shall have compounded with the said Governors and Guardians for such Money, and shall have paid such Composition in such Manner as they shall appoint (which Composition the said Governors and Guardians 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 Governors and Guardians; 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 Six Calendar Months.

Officers acting under the Act repealed, to account to the Governors and Guardians under this Act.

XIV. And be it further enacted, That all and every Collector, and all and every other Person and Persons appointed by virtue of, or acting, or who shall have acted in Execution of the said recited Act, who shall have in his, her, or their Custody or Power any Monies collected by virtue of, or any Books, Papers, or Writings relating to the Execution of the said recited Act, shall, when thereunto required by Notice in Writing, signed by any Five or more of the said Governors and Guardians, given to him, her, or them, or left at his, her, or their last or usual Place or Places of Abode, within Two Days after the Receipt of such Notice, deliver up to the said Governors and Guardians, or to such Person or Persons appointed by them for that Purpose as aforesaid, at the Time and Place to be mentioned in such Notice, all the Monies received by him, her, or them by virtue of the said recited Act, and all the Books, Papers, and Writings relating to the Execution thereof, and all the Accounts of the several Monies received or disbursed by him, her, or them, together with the Vouchers relating thereto; and if any such Collector or other Person shall refuse or wilfully neglect to make and render any such Account, or to produce and deliver up the Vouchers relating thereto, or to make Payment as aforesaid, or shall refuse or wilfully neglect to deliver up in Manner aforesaid, all Books, Papers, and Writings relating to the Execution of the said recited Act, or give Satisfaction to the said Governors and Guardians in respect of the same, then and in every such Case, it shall and may be lawful to and for any Justice of the Peace for the County, City, or Place wherein such Collector, or other Person so refusing or neglecting, shall be or reside, upon Complaint made to him by the said

Governors and Guardians, or by such Person or Persons as they shall appoint for that Purpose, and he is hereby authorized and required to issue a Summons or Warrant under his Hand and Seal for the Collector or other Persons so refusing or neglecting to appear before him, and upon his, her, or their appearing, or having been summoned, and not appearing, or not being to be found after due Endeavour used for that Purpose, to hear and determine the Matter in a summary Way; and if, upon the Confession of the Party, or by the Testimony of any credible Witness or Witnesses upon Oath (which Oath such Justice is hereby empowered to administer) it shall appear to such Justice that any of the Monies that shall have been collected or received by virtue of the said recited Act, shall be due from such Collector, Agent, or other Person, such Justice may and is hereby authorized and required, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be raised by Distress and Sale of the Goods and Chattels of such Collector, Clerk, or other Person as aforesaid; and if no Goods or Chattels of such Collector or other Person can be found sufficient to answer and satisfy the said Money and the Charges of distraining and selling such Goods and Chattels, or if it shall appear to such Justice that such Collector or other Person shall have refused or neglected to render and give such Account, or to produce the Vouchers relating thereto, or that any Books, Papers, or Writings relating to the Execution of the said recited Act, shall be in the Custody or Power of such Collector or other Person, and he, she, or they shall have refused or neglected to deliver or give Satisfaction respecting the same as aforesaid, then and in each and every such Case, such Justice shall commit such Offender to the Common Gaol or House of Correction of the County, City, or Place where such Offender shall be or reside, there to remain without Bail or Mainprize until he or she shall give and make a true and perfect Account, and make Payment as aforesaid; or until he or she shall have compounded with the said Governors and Guardians for the said Money, and shall have paid such Composition in such Manner as they shall appoint, (which Composition the said Governors and Guardians are hereby empowered to make and receive), and until he or she shall deliver up all such Books, Papers, and Writings, or give Satisfaction in respect thereof to the said Governors and Guardians; 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 than Six Calendar Months.

Balance of Money received, and not paid over at the Time of the Collector's Death, to be paid by the Executors of the deceased's Estate.

XV. And be it further enacted, That if any Collector or Receiver shall happen to die before he or they shall have fully paid and satisfied all the Money by him received by virtue of this or the said recited Act, then and in every such Case the Executors or Administrators, Executrix or Administratrix, or the legal Representative or Representatives, or Person or Persons possessing the late Estate of every such Person, shall out of such Estate or Effects pay to the Treasurer or Treasurers for the Time being under this Act, all such Sums of Money by such Collector or Receiver so received and not paid, or so much thereof as the said Estate or Effects will extend to pay, and the Receipt of the Treasurer or Treasurers shall be a good Discharge for such Money; and every Executor or Administrator, or other Person as aforesaid, may, to any Action or Suit commenced or brought against him, her, or them, plead

plead or give in Evidence the Payment of the ſame, and ſhall be allowed Payment of the ſame out of ſuch Eſtate or Effects; and in caſe of Non-payment of the ſame by the Space of Two Days after the ſame ſhall be demanded, it ſhall and may be lawful to and for the ſaid Treaſurer or Treaſurers, or Clerk or Clerks for the Time being, and he or they is and are hereby directed and required in his or their own Name or Names, to commence and bring one or more Action or Actions in any of His Majeſty's Courts of Record at *Weſtminſter*, againſt ſuch Executors or Adminiſtrators, or other Perſon or Perſons as aforeſaid, for the Recovery of the ſame.

No Proſecution of any Collector to diſcharge his Securities.

XVI. And be it further enacted, That no Proſecution or Commitment of any Collector appointed by virtue of this Act, ſhall acquit or diſcharge any Security or Surety that ſhall or may have been taken by or given to the Governors and Guardians, or any of them, for the due and faithful Execution of the Office of Collector, or the Payment of the Money to be received by him aforeſaid.

Officers not to take any Fee or Reward beſide the Salary.

XVII. And be it further enacted, That if any Perſon who ſhall be employed as a Clerk, Treaſurer, Collector, or Surveyor, or any other Officer or Servant who ſhall be anywiſe employed by the ſaid Governors and Guardians in putting this Act or any the Powers thereof in Execution, ſhall exact, take, or accept any Fee or Reward whatſoever, (other than ſuch Salaries, Allowances, and Rewards as ſhall be appointed, allowed, and approved of by the ſaid Governors or Guardians, for or on account of any thing done or to be done by virtue of this Act), or ſhall anywiſe be concerned or intereſted in any Bargain or Contract made or to be made by the ſaid Governors and Guardians, or any of them, for the Purpoſes of putting this Act in Execution, every ſuch Perſon ſo offending ſhall be incapable of ever ſerving or being employed under this Act, and ſhall over and above forfeit the Sum of Fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame by Action of Debt, Bill, Plaint or Information, in any of His Majeſty's Courts of Record at *Weſtminſter*, within Six Calendar Months after the Offence committed.

Governors and Guardians to ſtate Annual Accounts.

XVIII. And be it further enacted, That the ſaid Governors and Guardians ſhall, within Three Calendar Months after the *Eaſter Tueſday* in each and every Year, cauſe their Clerk or Clerks to tranſcribe from the Books of Accounts kept by them, of and for the Uſe of the ſaid Pariſh, a full and true Statement of the Accounts of all the Monies received and paid by them under and by virtue of this Act during the preceding Year; diſtinguiſhing for what ſuch Monies were received and paid, and ſhewing in what Sum the ſaid Pariſh at the Expiration of the Year was in Debt or entitled to Credit; and which Statement of the Accounts ſhall contain an Account of the Number of Paupers, at the End of each Calendar Month during each preceding Year, inhabiting the Workhouſe of the ſaid Pariſh; and alſo an Account of all Rates made, and the Deficiencies in the Collection thereof during the preceding Year; which Account or Accounts ſhall be verified on the Oaths of Two or more of the ſaid Governors and Guardians, before Two Juſtices of the Peace acting in and for the ſaid County, and a Summary whereof ſhall be printed and diſtributed among the Pariſhioners: Provided alſo, that in caſe any Inhabitant or Inhabitants paying Rates,

ſhall find him, her, or themſelves aggrieved by the ſaid Accounts, or any Item therein, it ſhall and may be lawful for ſuch Perſon or Perſons, at the then next General Quarter Seſſions of the Peace to be holden in and for the County of *Surrey*, after the ſame ſhall have been ſo verified, to appeal againſt the ſame in like Manner, and under ſuch Regulations and Proviſions as are herein-after provided in Caſes of Appeal againſt other Matters or Things done in purſuance of this Act.

Governors and Guardians may hire or purchaſe Lands, &c. not exceeding Ten Acres.

XIX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Governors and Guardians, and they are hereby authorized and empowered, to rent or hire for any Life or Lives, or for any Term or Number of Years, any Lands, Tenements, or Hereditaments, from any Perſon or Perſons who ſhall be able or willing to let the ſame, or to contract and agree for the abſolute Purchaſe of any Freehold, or Copyhold, or Leaſehold Lands, Tenements, or Hereditaments, within the ſaid Pariſh of *Saint Mary Newington*, not exceeding Ten Acres in the Whole, with any Body Politic, Corporate, or Collegiate, or any Tenant or Tenants for Life, or in Fee Tail, General or Special, or for any Term or Terms of Years, abſolute or determinable or any Life or Lives, or with any Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees for Lunatics and Idiots, or other Truſtees whomſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunatics, Idiots, or Femes Covert, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in their own Right, or with any Perſon or Perſons who ſhall be willing to ſell the ſame, for the Purpoſe of making, erecting, and maintaining a Workhouſe, and other Offices and Conveniencies thereto, for the Reception and Maintenance of the ſaid Poor of the ſaid Pariſh, or for any other Purpoſes of this Act; and it ſhall and may be lawful to and for the ſaid Governors and Guardians to hold ſuch Lands, Tenements, and Hereditaments ſo purchaſed, without incurring or being ſubject to any of the Penalties or Forfeitures of the Statutes of Mortmain; any other Law or Statute whatſoever to the contrary thereof in anywiſe notwithſtanding.

Bodies Politic, &c. empowered to ſell, and Governors and Guardians to purchaſe Eſtates for erecting a Poor Houſe, &c.

XX. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate, or Collegiate, and all Corporations whether Aggregate or Sole, Spiritual or Lay, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees of or for Lunatics and Idiots, and other Truſtees whomſoever, not only for or on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunatics, Infants, Idiots, or Femes Covert; and alſo to and for all Femes Covert who are or ſhall be ſeiſed in their own Right; and to and for all Perſons, whether Tenants for Life or Tenants in Tail, General or Special, or for Years determinable on any Life or Lives; and to and for all and every Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands, Tenements, or Hereditaments, or any Part thereof, which the ſaid Governors and Guardians may deem neceſſary for any of the Purpoſes of this Act, to contract and agree with the ſaid Governors and Guardians for the Sale thereof, or for any Part thereof, and to ſell and convey all or any Part thereof, and all Eſtate, Right, Title, and Intereſt whatſoever, of, in, and to the ſame, to the ſaid Governors

vernors and Guardians, and their Succeſſors, for any of the Purpoſes of this Act; and all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be ſo made by virtue and in purſuance of this Act, ſhall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Aſſurances in the Law whatſoever, be good, valid, and effectual, to and for ſuch Ends, Intents, and Purpoſes, not only to convey the Eſtate and Intereſt of the Perſon or Perſons conveying, but alſo to convey all Eſtate, Right, Intereſt, Uſe, Property, Claim, and Demand whatſoever, of their ſaid ſeveral and reſpective Ceſtuique Truſts, and all Perſons claiming or to claim by, from, or under them, and of all Perſons entitled in Remainder or Reverſion expectant or any particular Eſtate, and the ſame ſhall be deemed and conſidered to bar the Dower and Dowery of ſuch Perſon or Perſons, and all Eſtates Tail, and other Eſtates in Poſſeſſion, Reverſion, Remainder, or Expectancy; any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in anywiſe notwithſtanding; and all ſuch Bodies Politic, Corporate, or Collegiate, Corporations, whether Aggregate or Sole, Spiritual or Lay, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, and other Perſons, are and ſhall be hereby indemnified for what they ſhall do by virtue and in purſuance of this Act as aforeſaid.

Application of Compenſation Money, if amounting to 200l.

XXI. And be it further enacted, That if any Money ſhall be paid or agreed to be paid for the Purchaſe of any Lands, Tenements, or Hereditaments, purchaſed, taken, or uſed by virtue of the Powers of this Act, for the Purpoſes thereof, which ſhall belong to any Body Politic, Corporate, or Collegiate, or to any Feoffees in Truſt, Executors, Adminiſtrators, Huſband, Guardian, Committee, or other Truſtee for or on Behalf of any Infant, Lunatic, Idiot, Feme Covert, or other Ceſtuique Truſts, or to any Perſon whoſe Lands, Tenements, or Hereditaments are limited in ſtrict or other Settlement, or to any Perſon under any other Diſability or Incapacity whatſoever; ſuch Money ſhall, in caſe the ſame ſhall amount to or exceed the Sum of Two hundred Pounds, with all convenient Speed be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account there, *ex parte* the Governors and Guardians of the Poor of the ſaid Pariſh of *Saint Mary Newington*, to the Intent that ſuch Money ſhall be applied, under the Direction and with the Approbation of the ſaid Court, to be ſignified by an Order made upon a Petition to be preferred in a ſummary Way by the Perſon or Perſons who would have been entitled to the Rents and Profits of the ſaid Lands, Tenements, or Hereditaments, in the Purchaſe or Redemption of the Land Tax, or Diſcharge of any Debt or Debts, or ſuch other Incumbrance or Part thereof as the ſaid Court ſhall authorize to be paid, affecting the ſame Lands, Tenements, or Hereditaments, or affecting other Lands, Tenements, or Hereditaments ſtanding ſettled therewith to the ſame or the like Uſes, Truſts, Intents, or Purpoſes; or where ſuch Money ſhall not be ſo applied, then the ſame ſhall be laid out and inveſted, under the like Direction and Approbation of the ſaid Court, in the Purchaſe of other Lands, Tenements, and Hereditaments, which ſhall be conveyed and ſettled to, for, and upon ſuch and the like Uſes, Truſts, Intents, and Purpoſes, and in the ſame Manner, as the Lands, Tenements, or Hereditaments, which ſhall be ſo purchaſed, taken, or uſed as aforeſaid, ſtood ſettled or limited, or ſuch of them as at the Time

Time of making ſuch Conveyance and Settlement ſhall be exiſting undetermined and capable of taking Effect; and in the meantime, and until ſuch Purchaſe ſhall be made, the ſaid Money ſhall, by Order of the ſaid Court, upon Application thereto, be inveſted by the ſaid Accountant General, in his Name, in the Purchaſe of Three Pounds *per Centum* Conſolidated or Three Pounds *per Centum* Reduced Bank Annuities; and in the meantime, and until the ſaid Bank Annuities ſhall be ordered by the ſaid Court to be ſold for the Purpoſes aforeſaid, the Dividends and annual Produce of the ſaid Conſolidated or Reduced Bank Annuities ſhall from Time to Time be paid, by Order of the ſaid Court, to the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the ſaid Lands, Tenements, and Hereditaments ſo hereby authorized to be purchaſed, in caſe ſuch Purchaſe or Settlement was actually made.

Application of Compenſation Money when leſs than 200l. and not leſs than 20l.

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

Application of Compenſation, if leſs than 20l.

XXIII. Provided always, and be it further enacted, That where ſuch Money ſo agreed to be paid as next before mentioned ſhall be leſs than Twenty Pounds, then and in all ſuch Caſes the ſame ſhall be applied to the Uſe of the Perſon or Perſons who would for the Time being have been entitled to the Rents and Profits of the Lands, Tenements, or Hereditaments ſo purchaſed, taken, or uſed for the Purpoſes of this Act, in ſuch Manner as the ſaid Governors and Guardians, or any Five or more of them ſhall think fit; or in caſe of Infancy, Idiotcy, or Lunacy, then ſuch Money ſhall be paid to his, her, or their Guardian or Guardians, Committee or Committees, to and for the Uſe and Benefit of ſuch Perſon or Perſons ſo entitled reſpectively.

If any Queſtion ariſe as to Title to Money to be paid, the Perſon in Poſſeſſion of the Lands, &c. at the Time of ſuch Purchaſe, ſhall be deemed entitled thereto.

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

The Court may order reaſonable Expences of Purchaſes to be paid by the Governors and Guardians.

XXV. Provided alſo, and be it further enacted, That where by reaſon of any Diſability or Incapacity of the Perſon or Perſons or Corporation entitled to any Lands, Tenements, or Hereditaments to be purchaſed under the Authority of this Act, the Purchaſe Money for the ſame ſhall be required to be paid into the Court of Chancery, and to be applied in the Purchaſe of other Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes in purſuance of this Act, it ſhall and may be lawful to and for the ſaid Court of Chancery to order the Expences of all Purchaſes from Time to Time to be made in purſuance of this Act, or ſo much thereof of ſuch Expences as the ſaid Court ſhall deem reaſonable, to be paid by the ſaid Governors and Guardians out of the Monies to be received by virtue of this Act, who ſhall from Time to Time pay ſuch Sums of Money for ſuch Purpoſes as the ſaid Court ſhall direct.

On Payment of Purchaſe Money, Premiſes veſted in Governors and Guardians.

XXVI. And be it further enacted, That upon Payment of the Money ſo contracted or agreed to be paid for the Purchaſe of ſuch Lands, Tenements, or Hereditaments by the ſaid Governors and Guardians, to the Party or Perſons reſpectively entitled to ſuch Monies, or their Agents, or upon Payment thereof into the Bank of *England*, for the Purpoſe of being diſpoſed of in the Manner herein-before directed, and upon the Conveyance herein-after mentioned of ſuch Lands, Tenements, or Hereditaments, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law or Equity, of the Perſon or Perſons reſpectively to whoſe Uſe the ſame ſhall be paid, into or out of ſuch Lands, Tenements, and Hereditaments, ſhall veſt in the ſaid Governors and Guardians and their Succeſſors for ever, for the Uſes and Purpoſes of this Act.

XXVII. And be it further enacted, That all Sales, Conveyances, and Aſſurances of any Lands, Tenements, or Hereditaments, to be made

to the ſaid Perſon or Perſons, Truſtee or Truſtees as aforeſaid, Governors and Guardians, and their Succeſſors, ſhall be made in the Form or to the Effect following; (that is to ſay,)

Form of Conveyance.

'I of in conſideration of the Sum of to me paid by the Governors and Guardians acting by virtue of an Act paſſed in the Year of the Reign of King *George* the Third, intituled [*inſert the Title of this Act*], do hereby grant and releaſe to the ſaid Governors and Guardians, and their Succeſſors, all [*here deſcribe the Premiſes to be conveyed*] and all my Right, Title, and Intereſt in and to the ſame and every Part thereof; to hold to the ſaid Governors and Guardians, and their Succeſſors for ever, for the Purpoſes of the ſaid Act. In Witneſs whereof I have hereunto ſet my Hand and Seal, this Day of in the Year of our Lord .'

And every ſuch Sale, Conveyance, and Aſſurance ſo made, ſhall be good, valid, and effectual to all Intents and Purpoſes whatſoever, as to and againſt the Perſon or Perſons making the ſame, and his, her, or their Ceſtuique Truſts, and all other Perſons claiming or to claim, by, from, under, or in Truſt for him, her, or them reſpectively, or in Remainder, Reverſion, or Expectancy as aforeſaid; and the ſame ſhall be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail, and other Eſtates in Poſſeſſion, Reverſion, Remainder, or Expectancy, and the Iſſue and Iſſues of ſuch Perſon and Perſons claiming under them, as effectually as Fines or common Recoveries would do if levied or ſuffered by the proper Parties in due Form of Law; any Law, Statute, Uſage, or Cuſtom to the contrary thereof notwithſtanding.

Governors and Guardians empowered to reſell Land, &c.

XXVIII. And whereas the ſaid Governors and Guardians, under the Proviſoes of this Act, may purchaſe Lands, Tenements, or Hereditaments, Part of which may be found not neceſſary for the Purpoſes thereof; be it therefore enacted, That it ſhall and may be lawful to and for the ſaid Governors and Guardians, or any Seven or more of them acting in the Execution of this Act, to ſell and diſpoſe of, and by Indenture or Indentures under their Hands and Seals, to grant and convey, by Way of abſolute Sale in Fee Simple, for a Conſideration in Money, all or any Part or Parts of the Lands, Tenements, and Hereditaments as may have been ſo purchaſed, as ſhall in the Judgment of the ſaid Governors and Guardians of the ſaid Pariſh, at any of their Meetings to be holden in purſuance of this Act, not be wanted for the Purpoſes of this Act; and upon Payment of the Money which ſhall ariſe by or from the Sale or Sales of ſuch Lands, Tenements, or Hereditaments, or any Part or Parts thereof, it ſhall and may be lawful for the Treaſurer or Treaſurers, Clerk or Clerks for the Time being to the ſaid Governors and Guardians, to ſign and give Receipts for the Monies for which the ſame ſhall be ſold, which Receipts ſhall be ſufficient Diſcharges to any Perſon or Perſons for the Purchaſe Money for which ſuch Lands, Tenements, and Hereditaments ſhall be ſo ſold, or for ſo much thereof as in ſuch Receipts ſhall be expreſſed or acknowledged to be received; and ſuch Perſon or Perſons ſhall not afterwards be anſwerable or accountable for any Loſſes, Miſapplication, or Nonapplication of ſuch Purchaſe Money, or any Part thereof.

XXIX. And

Monies received for Sale of Lands to be applied for Purpoſes of this Act.

XXIX. And be it further enacted, That the Money ariſing from the Sale of ſuch Lands, Tenements, and Hereditaments, ſhall be applied and diſpoſed of by the ſaid Governors and Guardians, in or towards carrying the ſeveral Purpoſes of this Act into Execution.

Contracts under former Act valid.

XXX. And be it further enacted, That every Contract or Agreement ſtill exiſting and entered into and made by virtue and in purſuance of the ſaid recited Act, ſhall be and be deemed to be as good, valid, and effectual as if the ſaid recited Act had not been repealed; and the Obſervance and Performance thereof may be enforced and compelled by ſuch Ways or Means as the Obſervance and Performance of any Contract or Agreement made by virtue of this Act may be enforced and compelled.

Governors and Guardians empowered to make Contracts for building a Workhouſe, &c.

XXXI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Governors and Guardians, at any of their Meetings, from Time to Time to contract and agree with any Perſon or Perſons, for providing Materials for building or erecting, repairing, finiſhing, and completing the Whole or any Part of any Workhouſe, with requiſite Offices and Outbuildings, for maintaining and employing the Poor of the ſaid Pariſh, and for providing from Time to Time ſuch Furniture, Goods, Chattels, Proviſions, Clothing, Utenſils, and Materials, as may be requiſite and neceſſary for maintaining, clothing, and employing the Poor to be received into the ſaid Workhouſe; and alſo from Time to Time to contract and agree with any Perſon or Perſons for the Soil, Aſhes, Cinders, Rubbiſh, Duſt, and Filth in the ſaid Pariſh; except ſuch Part or Parts of the ſaid Pariſh as is or are already under the Power or Direction of any other Act or Acts of Parliament for that Purpoſe, or for any other the Purpoſes of this Act; and all ſuch Contracts and Agreements, when made and entered into by the ſaid Governors and Guardians, and any other Perſon or Perſons, ſhall be reduced into Writing, at the Expence of the Parties with whom ſuch Contracts or Agreements ſhall be made by the ſaid Governors and Guardians, and ſigned by the Parties thereto, and ſhall be good, valid, and binding, as well upon the ſaid Governors and Guardians, as upon all other Parties, his, her, and their Executors, Adminiſtrators, and Aſſigns; and the ſaid Governors and Guardians ſhall and may pay, or order Payment to be made of the Monies due upon any ſuch Contracts, Agreement or Agreements, to the Perſon or Perſons entitled to receive the ſame.

Notice to be given of Meetings to make Contracts.

XXXII. Provided always, and be it enacted, That before any ſuch Contract or Contracts ſhall be entered into, Twenty-one Days Notice at the leaſt ſhall be given in Two or more of the public Newſpapers circulated in the ſaid County of *Surry*, expreſſing the Purpoſe of every ſuch Contract or 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 Governors and Guardians at a certain Time and Place to be mentioned in ſuch Notice: Provided alſo, that no Contract or Agreement made by the ſaid Governors and Guardians ſhall be valid and binding, or effectual, until the ſame ſhall be approved and confirmed at their next Meeting to be holden in purſuance of this Act; and every ſuch Contract and Agreement ſhall be

Confirmation of Contracts at a ſubſequent Meeting.

ſigned

ſigned by the Chairman preſiding at ſuch Meeting; and Copies of all Contracts made in purſuance of this Act ſhall be entered in a Book or Books to be kept for that Purpoſe, and ſuch Book and Books ſhall from Time to Time, and at all convenient Times, be open to the Inſpection of all and every Perſon or Perſons who ſhall pay to the Rates to be made by virtue of this Act, on Payment of Two Shillings and Sixpence to the Clerk or Perſon in whoſe Cuſtody the ſame ſhall be: Provided always, that no Contract or Contracts to be entered into with the ſaid Governors and Guardians, for any of the Purpoſes of this Act, ſhall be deemed good or valid, if the ſame ſhall have been made or entered into for a longer Space or Term than Twelve Months from the Time of entering into ſuch Contract or Contracts.

Limiting the Period of Contracts.

XXXIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Governors and Guardians, from Time to Time, and all Times hereafter, to compound and agree with any Perſon or Perſons, on account of any Breach or Nonperformance of ſuch Contract or Contracts for ſuch Sum or Sums of Money as they ſhall think proper, ſo as the Sum ſo compounded and agreed for be not leſs than the Injury or Damage ſuſtained by the Breach or Nonperformance of ſuch Contract or Contracts, and all Coſts, Charges, and Expences which ſhall be occaſioned thereby,

Governors and Guardians may compound for Breach of Contracts.

XXXIV. And be it further enacted, That the ſaid Governors and Guardians ſhall and may, and they are hereby required, as ſoon as conveniently may be after they ſhall have hired or ſo purchaſed any Lands, Tenements, or Hereditaments, as aforeſaid, to build, make, and erect, or cauſe to be built, made, and erected in a plain and durable Manner, One or more Houſe or Houſes, with requiſite Offices, Outbuildings, and Fences, for the maintaining and employing of the Poor of the ſaid Pariſh, or for any other Purpoſes of this Act, and the ſaid Governors and Guardians ſhall and they are hereby required to keep ſuch Buildings and other Works and Fences in good and ſufficient Repair, and from Time to Time to alter and enlarge the ſame, or any of them, in ſuch Manner as they ſhall think neceſſary and convenient; and all the Expences of purchaſing ſuch Lands, Tenements and Hereditaments, and of building, making, and erecting ſuch Buildings, Works, Fences, and other Conveniences, and of repairing, altering, enlarging, and keeping the ſame in Repair, and of hiring any Lands, Tenements, or Hereditaments for the Purpoſes of this Act, ſhall be defrayed out of the Monies to be from Time to Time borrowed, collected, or received by virtue of this Act.

Governors and Guardians to erect Workhouſe and neceſſary Buildings.

XXXV. Provided always, and be it enacted, That no Sum or Sums of Money for the Purpoſe of purchaſing Lands or Tenements, or for the making of any material Erections or Buildings in the ſaid Pariſh, ſhall be raiſed or borrowed by the ſaid Churchwardens and Overſeers, Governors and Guardians, or any of them, under the Powers of this Act, nor ſhall any ſuch Purchaſe or Erection be made without the Conſent of a public Veſtry Meeting of the Inhabitants of the ſaid Pariſh, to be ſpecially convened for that Purpoſe.

No Sum to be borrowed or Erections made, without the Conſent of Veſtry.

Governors and Guardians to furniſh the Houſes, &c. when finiſhed.

XXXVI. And be it further enacted, That the ſaid Governors and Guardians ſhall and may, as ſoon as conveniently may be next after the finiſhing or fitting up of ſuch Workhouſe or other Building or Buildings, provide and furniſh the ſame with all neceſſary Furniture, Houſehold Goods and Utenſils, and alſo all ſuch Materials as ſhall be deemed neceſſary for the Employment of the Poor by the ſaid Governors and Guardians; the Coſts and Charges of which ſhall be paid and diſcharged out of the Monies to be borrowed, collected, or received by virtue of this Act.

Power to diſpoſe of the preſent Workhouſe.

XXXVII. And be it further enacted, That when and ſo ſoon as the ſaid Governors and Guardians ſhall have provided a new and proper Workhouſe for the Uſe of the ſaid Pariſh, it ſhall and may be lawful to and for the ſaid Governors and Guardians, or any Nine or more of them, and they are hereby required to let, or ſell, and diſpoſe of the Workhouſe now belonging to the ſaid Pariſh, and the Ground and Buildings adjoining thereto, and occupied therewith, according to the ſeveral Natures or Tenures thereof, for the beſt Price that can be got for the ſame, by Public Auction, and apply the Monies ariſing from ſuch Letting or Sale for any of the Purpoſes of this Act; Provided always, that no Leaſe or Leaſes, Demiſe or Demiſes for any Term or Number of Years of the ſaid preſent Workhouſe, and the Grounds and Buildings adjoining thereto, and occupied therewith, or any Part or Parts thereof, ſhall be made or granted by the ſaid Governors and Guardians for any longer Term or Number of Years than Ninety-nine Years.

Governors and Guardians empowered to repair old Workhouſe, if they ſhall deem it adviſable.

XXXVIII. Provided always, and be it further enacted, That if the ſaid Governors and Guardians ſhall deem it more beneficial for the ſaid Pariſh, that the preſent Workhouſe, with the Offices and Outbuildings thereto belonging, ſhould be rebuilt, repaired, altered, amended, and enlarged, rather than any new Workhouſe erected and built in Manner hereinbefore directed, then and in ſuch Caſe it ſhall and may be lawful to and for the ſaid Governors and Guardians, and they are hereby authorized and empowered, to repair, alter, amend, and enlarge the ſaid preſent Workhouſe, with the Offices and Outbuildings thereto belonging, and to contract and agree with any Perſon or Perſons, for the Purpoſe of providing Materials for making ſuch Repairs, Alterations, Amendments, and Enlargements; any thing hereinbefore contained to the contrary thereof in anywiſe notwithſtanding; and all Coſts and Expences attendant thereon ſhall be paid by the ſaid Governors and Guardians out of the Monies to be borrowed, collected, or received by virtue of this or the ſaid recited Act: Provided nevertheleſs, that every ſuch Contract or Agreement ſhall be made conformable to the Proviſions and Directions hereinbefore contained, concerning any other Contract to be made by virtue of this Act.

Effects veſted in the Governors and Guardians under this Act.

XXXIX. And be it further enacted, That all and every the Wares, Furniture, Materials, Tools, Utenſils, Cloaths, Proviſions, and Things whatſoever, provided to and for the Uſe and Maintenance, and Employment or Cloathing of the Poor of the ſaid Pariſh, either in the Workhouſe which now is or hereafter may be provided for the Reception, Maintenance,

Maintenance, and Employment of the Poor of the Pariſh aforeſaid, and for carrying into Execution the Purpoſes of this Act, and alſo all Monies received or due, or to be received for the Poor's Work or otherwiſe, ſhall, from and immediately after the paſſing of this Act, be veſted in, paid, delivered, and belong unto, and the ſame is and are hereby abſolutely veſted in the ſaid Governors and Guardians and their Succeſſors for the Purpoſes of this Act; and the ſaid Governors and Guardians ſhall and may, and they are hereby authorized and empowered, to bring or cauſe to brought any Action or Actions, or to prefer and proſecute, or order or direct the preferring and proſecuting of any Bill or Bills of Indictment, as the Caſe may require, againſt any Perſon or Perſons who ſhall or may ſteal, take, or carry away, detain, ſpoil, injure, or deſtroy the ſeveral Wares, Furniture, Materials, Tools, Utenſils, Cloaths, Proviſions, and Things hereby veſted in them the ſaid Governors and Guardians as aforeſaid, or any of them, or any Part or Parts thereof; and in all ſuch Actions and Bills of Indictments reſpectively, it ſhall be and be deemed and taken to be ſufficient to ſtate generally that the Article or Articles, Thing or Things, for or on account of which ſuch Action or Actions ſhall be brought, or Bill or Bills of Indictment preferred, is or are "The Property of the Governors and Guardians of the Poor of the Pariſh of *Saint Mary Newington*, in the County of *Surrey*," without particularly ſtating or ſpecifying the Name or Names of all or any of the ſaid Governors and Guardians; and if any Perſon or Perſons ſhall wilfully or maliciouſly break, injure, deſtroy, or otherwiſe damage any of the ſaid ſeveral Wares, Furniture, Materials, Tools, Utenſils, Cloaths, Proviſions, and Things hereby veſted in them the ſaid Governors and Guardians, or any of the Works done by them, every Perſon ſo offending therein, and being thereof convicted upon the Oath of one or more Witneſs or Witneſſes before any Juſtice or Juſtices of the Peace for the ſaid County, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Five Pounds; and ſhall moreover pay ſuch Sum and Sums of Money as ſhall be a full Satisfaction for the Damage ſo by him, her, or them done as aforeſaid; ſuch Damages to be aſcertained by the Juſtice or Juſtices of the Peace before whom ſuch Conviction ſhall take place; and in caſe ſuch Offender ſhall not on Conviction pay ſuch Forfeiture, and alſo ſuch Satisfaction as aforeſaid, the ſaid Juſtice or Juſtices ſhall be and is and are hereby required to commit ſuch Offender to the Houſe of Correction of and for the ſaid County or City, there to be kept to hard Labour for any Space of Time not exceeding Six Calendar Months; and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they ſhall be ſo committed, unleſs ſuch Penalty and Satisfaction ſhall be ſooner given and paid.

Governors and Guardians to have ſame Powers as Overſeers.

XL. And be it further enacted, That, from Twenty-one Days next after the paſſing of this Act, the ſaid Governors and Guardians and their Succeſſors ſhall be and they are hereby declared to be inveſted with all and every the Powers and Authorities which Overſeers of the Poor, by the Laws made or to be made, in all or any Caſes touching or concerning the Relief, or Management, or Employment of the Poor, or the Application of any of the Rates made for their Uſe or Maintenance, are or ſhall be inveſted (ſave and except as may herein be mentioned

or otherwiſe provided); and the ſaid Governors and Guardians for the Time being are hereby declared competent to do and perform all and every Act or Acts, and ſhall be ſubject to the like Pains, Penalties, and Forfeitures, Rules, Regulations, and Reſtrictions, which Overſeers of the Poor are by Law enabled to do and perform and are ſubject and liable to (except as aforeſaid); and they ſhall and may inſtitute or defend any Appeal under any Order of Removal, and iſſue or receive any Notices reſpecting the ſame, in the ſame Manner as Overſeers of the Poor are by any Law in force or effect empowered or required to do; and they ſhall and may take any Securities or Indemnifications in Truſt for the Inhabitants of the ſaid Pariſh, which they ſhall deem neceſſary or prudent to be taken in any Caſe or Caſes whatſoever; any thing herein contained, or any Law or Statute or Statutes to the contrary thereof in anywiſe notwithſtanding.

No Churchwarden, Overſeer, Governor, and Guardian to ſupply the Poor with any Articles, or be concerned directly or indirectly in any Contract.

XLI. Provided always, and be it further enacted That none of the ſaid Governors or Guardians, either in his own Name, or any other Perſon's Name, ſhall provide, furniſh, or ſupply, for his or their own Profit, any Goods, Materials, or Proviſions, for the Uſe of the Workhouſe or Workhouſes, for the Support and Maintenance of the Poor, or be concerned directly or indirectly therein, or in any Contract or Contracts relating thereto, during the Time of his being ſuch Churchwarden, Overſeer, Governor, or Guardian, under the Penalty or Forfeiture of Five hundred Pounds, to be recovered by Action of Debt, or on the Caſe, in any of His Majeſty's Courts of Record at *Weſtminſter* or elſewhere.

Governors may employ the Poor, and purchaſe Materials for that Purpoſe, and apply the Profits to theirSupport;

XLII. And be it further enacted, That the ſaid Governors and Guardians ſhall and they are hereby empowered to keep, maintain, and employ all ſuch Poor of the ſaid Pariſh, in any Workhouſe or Workhouſes as aforeſaid, and to purchaſe Materials for that Purpoſe, and to take the Benefit of the Work, Labour, and Service of every ſuch Perſon or Perſons who ſhall be kept and maintained in ſuch Houſe or Houſes, to be applied towards the Relief and Maintenance of the Poor of the ſaid Pariſh.

or they may contract for Maintenance and Employment of the Poor.

XLIII. And be it further enacted, That the ſaid Governors and Guardians, or any Seven or more them, ſhall and they are hereby empowered to contract and agree from Time to Time, if they ſhall think fit, with any Perſon or Perſons for the lodging, keeping, maintaining, or employing all or any ſuch Poor of the ſame Pariſh, and to pay the Monies due or to become due upon ſuch Contract or Agreement, to the Perſon or Perſons entitled to receive the ſame, out of the Monies to be raiſed and collected by the Authority of this Act.

Encouragement to the Induſtrious Poor.

XLIV. And to the end that all the Poor that now are or hereafter ſhall be in the ſaid Workhouſe or Workhouſes, may be encouraged to apply themſelves to the Labour or Taſks in which they may be employed with Diligence and Attention; be it further enacted, That, out of the Profits ariſing from the Work which ſhall be done by ſuch Poor, ſuch Rewards may be diſtributed to the induſtrious and ſkilful, in proportion to the Quality and Perfection of their Works, as the

ſaid

ſaid Governors and Guardians ſhall from Time to Time deem proper and adviſable.

Power to appoint a Clergyman to viſit the Poor in the Workhouſe.

XLV. And be it further enacted, That the ſaid Governors and Guardians ſhall and they are hereby required if they ſhall find it neceſſary, in caſe of Refuſal or Neglect by the Rector or Curate of the ſaid Pariſh for the Time being, to perform the Duty herein-after mentioned, from Time to Time to find and provide a Miniſter of the Church of *England* (being firſt approved of by the Rector of the ſaid Pariſh for the Time being) with a reaſonable Stipend or Salary, to read Prayers unto and inſtruct the Poor in the Workhouſe of the ſaid Pariſh in the Principles of the Chriſtian Religion; and ſuch Miniſter, on any Neglect of his Duty, or other juſt and reaſonable Cauſe, from Time to Time to diſplace, and another, with ſuch Approbation as aforeſaid, to appoint in his Stead; and ſuch Stipend or Salary to the Clergyman, to be paid by the Churchwardens for the Time being, out of the Church Rate or Rates, Due or Dues, collected and received in the ſaid Pariſh.

Paupers to be removed by Beadles, inſtead of Overſeers.

XLVI. And be it further enacted, That whenever any poor Perſon or Perſons, or any Vagrant or Vagrants, ſhall be ordered to be removed from the ſaid Pariſh of *Saint Mary Newington* to the Place or Pariſh of his, her, or their legal Settlement, it ſhall be lawful for the ſaid Governors and Guardians (if they ſhall think fit) to cauſe ſuch poor Perſon or Perſons, Vagrant or Vagrants, to be reſpectively removed, in the uſual Manner of removing Paupers or Vagrants, by a Beadle, or ſome Perſon or Perſons to be appointed by the ſaid Governors and Guardians, or any Two or more of them, for that Purpoſe by Writing under their Hands; and every Overſeer and other proper Officer of the Pariſh or Place to which ſuch poor Perſon or Perſons, Vagrant or Vagrants, ſhall be ordered to be removed as aforeſaid, is hereby required to receive every ſuch poor Perſon or Perſons, Vagrant or Vagrants, in like Manner as he or they would have been bound to do if ſuch poor Perſon or Perſons, Vagrant or Vagrants, had been delivered to him, her, or them by One of the Overſeers of the Poor of the ſaid Pariſh of *Saint Mary Newington*; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

May take Bonds to indemnify againſt Expences of Baſtard Children.

XLVII. And be it further enacted, That it ſhall and may be lawful for the ſaid Governors and Guardians to take, accept, and receive any Bond or Security from any Perſon or Perſons, for indemnifying the Pariſhioners of the ſaid Pariſh againſt any of the Coſts, Charges, and Expences of the Maintenance previous to and during the Lying-in of any pregnant ſingle Woman in the ſaid Pariſh, and the Maintenance and Support of any Baſtard Child or Children reſpectively born or to be born therein.

Bonds to be delivered to Governors and Guardians.

XLVIII. And be it further enacted, That all Bonds or other Securities already given to any Churchwarden or Churchwardens, Overſeer or Overſeers, or other Officer or Officers of the ſaid Pariſh, for indemnifying ſuch Pariſh from any Charge which may ariſe from Baſtard Children, or any other Documents or Papers whatſoever relating thereto, ſhall be and the ſame are hereby veſted in the ſaid Governors and Guardians, who ſhall and may, and they are hereby authorized and

required to ſue on ſuch Bonds or other Securities, and ſhall recover the Penalties in like Manner as if ſuch Bonds and Securities had been originally made to them; and all Bonds and other Securities hereafter to be given for the ſame or the like Purpoſes, ſhall be made to the ſaid Governors and Guardians only; any Law, Statute, or Cuſtom to the contrary notwithſtanding.

Puniſhment of Perſons for buying or taking Goods into Pawn.

XLIX. And be it further enacted, That if any Perſon or Perſons ſhall knowingly buy or receive into Pawn, or ſecrete any of the Cloaths or Wearing Apparel of any of the Poor, who ſhall be received into and maintained in the Workhouſe or Workhouſes of the ſaid Pariſh, or any of the Goods or Materials carried into the ſaid Workhouſe or Workhouſes to be wrought up, manufactured, or uſed by the Poor there, or any of the Goods or Furniture of the ſaid Workhouſe or Workhouſes or Office or Offices thereunto belonging, or ſhall buy or receive any Articles of Furniture, Materials, or Proviſions allotted to or provided for the Poor in the ſaid Workhouſe or Workhouſes, or ſhall be aiding or aſſiſting therein; any Perſon ſo offending ſhall forfeit for every ſuch Offence any Sum not exceeding Ten Pounds, upon Conviction by the Oath of any credible Witneſs made before one or more Juſtice or Juſtices of the Peace for the ſaid County of *Surrey*; which Penalty, if not immediately paid, ſhall be levied by Warrant under the Hand and Seal or Hands and Seals of the ſaid Juſtice or Juſtices, by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders; one Moiety of the ſaid Penalty to be paid to the Informer or Informers, and the other Moiety to the ſaid Governors and Guardians, to be applied for the Purpoſes of this Act; and if no Goods or Chattels can be found whereon to make ſuch Diſtreſs, or that the ſaid Penalty ſhall not be forthwith paid, then and in ſuch Caſe ſuch Juſtice or Juſtices ſhall and may, by Warrant under his or their Hand and Seal or Hands and Seals, commit ſuch Offender or Offenders to the Common Goal or Houſe of Correction for the ſaid County of *Surrey*, there to be kept to hard Labour for any Term not exceeding Three Calendar Months, unleſs ſuch Penalty and all ſuch Expences ſhall be ſooner paid and ſatisfied.

Penalty on Perſons bringing Spirituous Liquors into the Workhouſe.

L. And be it further enacted, That no Spirituous Liquors ſhall be conveyed into the ſaid Workhouſe or Workhouſes, unleſs with the Permiſſion of the ſaid Governors and Guardians, or by the Order of the Apothecary or other Medical Man appointed to attend ſuch Workhouſe or Workhouſes; and every Perſon who ſhall be convicted of any ſuch Offence, before One or more Juſtice or Juſtices of the Peace for the ſaid County of *Surrey*, ſhall forfeit any Sum not exceeding Five Pounds, one Moiety of which Penalty ſhall be paid to the Informer or Informers, and the other Moiety to the ſaid Governors and Guardians, to be applied for the Purpoſes of this Act.

Penalty on Perſons damaging Church, or Church Yard, &c.

LI. And whereas the ſaid Pariſh hath lately been put to very great Expence, and the Pariſhioners thereof have paid many Rates for and towards the Repair and Amendment of the Church and Church Yard of and belonging to the ſaid Pariſh; be it therefore enacted, That if any Perſon or Perſons ſhall wilfully break, throw down, or otherwiſe damage any Tomb or Monument erected, placed, or ſet up, or to be erected,

placed, or ſet up in the Church or Church Yard of the ſaid Pariſh, or any Rails thereto affixed, or the Rails, Doors, Windows, Gates, Walls, Fences, or any other Thing of or belonging to the ſaid Church or Church Yard, or any Burial Ground belonging to the ſaid Pariſh; or ſhall dig, break up, or remove the Ground or Soil thereof, (not being thereunto properly authorized by the ſaid Governors and Guardians), it ſhall be lawful for any One or more Juſtice or Juſtices of the Peace for the ſaid County of *Surrey*, or for any One or more Magiſtrate or Magiſtrates of the County, City, or Place wherein ſuch Perſon or Perſons ſo offending ſhall reſide or be, and ſuch Juſtice or Juſtices, Magiſtrate or Magiſtrates, is and are hereby required, upon Oath being made by One or more credible Witneſs or Witneſſes, before him or them, of the Commiſſion of any ſuch Offence, to iſſue a Warrant or Warrants for apprehending the Perſon or Perſons accuſed thereof; or it ſhall be lawful for any Perſon or Perſons who ſhall ſee any ſuch Offence committed, to apprehend, and alſo for any other Perſon or Perſons to aſſiſt in apprehending ſuch Offender or Offenders, and by the Authority of this Act, without any other Warrant, to convey him, her, or them before any ſuch Juſtice of the Peace or Magiſtrate for the ſaid County of *Surrey*, or to deliver him, her, or them into the Cuſtody of any Conſtable or other Peace Officer, in order to be ſecured and conveyed before ſuch Juſtice of the Peace, to be dealt with as herein after is directed: And the Perſon or Perſons ſo accuſed, being brought before any ſuch Juſtice or Juſtices, Magiſtrate or Magiſtrates, or who being duly ſummoned to appear, ſhall neglect ſo to do, the ſaid Juſtice or Juſtices, Magiſtrate or Magiſtrates, ſhall and may, either on the Confeſſion of the Perſon or Perſons ſo offending, or on Proof of ſuch Offence by the Oath of One or more credible Witneſs or Witneſſes, convict ſuch Offender or Offenders of the ſaid Offence or Offences, and order or adjudge him, her, or them to forfeit and pay any Sum of Money not exceeding Ten Pounds for each and every ſuch Offence, and alſo the Expences and Charges of repairing and making good the Damages by him, her, or them occaſioned or committed; which Expences and Charges ſhall be aſcertained by the ſaid Juſtice or Magiſtrate, Juſtices or Magiſtrates, in and by the ſaid Conviction; one Moiety of the ſaid Forfeiture to be paid to the Informer or Informers, and the other Moiety, together with the ſaid Expences and Charges, to be paid to the ſaid Governors and Guardians, which laſt Moiety is to be by them applied for the Purpoſes of this Act, and the ſaid Expences and Charges to go to the repairing and making good ſuch Damages as ſhall by ſuch Offender or Offenders have been occaſioned or committed; and in caſe ſuch Offender or Offenders ſhall not upon ſuch Conviction pay ſuch Forfeiture, together with the Expences and Charges ſo adjudged, ſuch Juſtice or Juſtices, Magiſtrate or Magiſtrates, is and are hereby required to commit ſuch Offender or Offenders to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding Three Calendar Months, unleſs ſuch Forfeiture, Expences, and Charges ſhall be ſooner paid and ſatisfied.

Contractors to take away the Dirt, &c.

LII. And be it further enacted, That all and every the Perſon and Perſons with whom the ſaid Governors and Guardians ſhall have entered into any Contract or Contracts, purſuant to the Proviſions of this Act, for the Soil, Aſhes, Cinders, Rubbiſh, Duſt, Dirt, and Filth of the ſaid Pariſh (except for ſuch Part or Parts of the ſaid Pariſh as is or are already

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

Contractors only to remove Dust.

LIII. And be it further enacted, That if any Person or Persons, other than the Person or Persons so employed by or contracting with the said Guardians and Governors for the said Soil, Ashes, Cinders, Rubbish, Dust, Dirt, and Filth, or those employed by and under him or them, shall, on any Pretence whatsoever, go, or hire any other Person or Persons on their Behalf, or for their Use, to go about to collect or gather, or shall ask for, receive, or carry away any Dust, Cinders, Ashes, or Breeze, within any Part of the said Parish (except as aforesaid), it shall and may be lawful for any Justice or Justices of the Peace for the said County of *Surrey*, upon Complaint to him or them made, to grant a Warrant to bring before him or them such Offender or Offenders, or for any Person or Persons who shall see any such Offence committed to seize, and also for any other Person or Persons to assist in seizing the Offender or Offenders, together with the Horses, Asses, Cattle, Carts, Trucks, Wheelbarrows, or other Carriages or Implements, made use of for carrying the same away, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them before such Justice or Justices of the Peace, or any other Justice or Justices of the Peace for the said County; and such Justice or Justices shall, and he and they is and are hereby authorized and required to examine upon Oath the Person or Persons apprehending such Offender or Offenders, and any Witness or Witnesses who shall appear to give Information or Evidence touching

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

Penalties on laying Ashes or other Annoyances in Streets.

LIV. And be it further enacted, That no Person or Persons whomsoever shall throw, cast, or lay, or cause, or permit, or suffer to be thrown, cast, or laid, any Ashes (except in Time of Frost), Dirt, Dust, Rubbish, Soil, or other Filth whatsoever, before any Dwelling House, Shop, Stable, Building, Wall, or other Premises, in any Street, Square, or other public Place in the said Parish of *Saint Mary Newington*, or in any of the Sewers or Drains thereof, but shall keep or cause the same to be kept in their respective Houses or Yards until the Person or Persons so contracted with or employed shall carry the same away, upon pain of forfeiting for the First Offence any Sum not exceeding Five Shillings; for the Second Offence, any Sum not exceeding Ten Shillings; and for the Third and every other Offence, any Sum not exceeding Twenty Shillings: Provided always, that nothing herein contained shall extend, or be deemed or taken to prevent any Manufacturer from taking, carrying, or sending away for his own Use or for Sale any Cinders, Breeze, Ashes, Dust, or other Article or Thing produced in any Manufactory occupied by or belonging to him, her, or them, within the said Parish; nor to prevent any Person or Persons from taking, carrying, or sending away, for his or their own Use only, any Cinders, Breeze, Ashes, Dust, Dirt, or other Article or Thing, from his, her, or their own Dwelling House or Premises within the said Parish.

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

If Contractor neglect to take away the Dust for Seven Days, any other

LV. Provided always, and be it further enacted, That in case such Person or Persons so employed by or contracting with the said Governors and Guardians for the Purposes aforesaid, shall neglect for the Space of Seven Days to give Notice in Manner aforesaid to the Inhabitants of the said Parish of his or their coming for the Purpose of taking away such Soil,

Perſon to be at liberty to take it.

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

Expences thereof to be paid by the Scavenger.

Penalty of Twenty Shillings on driving Wheelbarrows on Footpaths.

LVI. And be it further enacted, That if any Perſon or Perſons ſhall run, drive, or draw, or cauſe to be run, driven, or drawn, on any Part of the Footways or Foot Pavements of the ſeveral Streets, Lanes, or Places within the ſaid Pariſh, except as aforeſaid, any Wheel or Wheels, Sledge, Wheelbarrow, or any Carriage or Thing whatſoever; or ſhall ride, lead, or drive, or cauſe to be rode, led, or driven, any Horſe, Mule, or Aſs, or any other Cattle, in any of the ſaid Footways or Pavements, or ſuffer the ſame to remain thereon; or ſhall ſet or cauſe to be ſet any Goods, Wares, or Merchandizes, or place or put any Stand for the Sale of Fruit on the Footways or Pavements of the ſaid Pariſh; or ſhall cauſe any Projection or Interruption to the Footpaths or Pavements in the ſaid Pariſh; ſuch Perſon or Perſons ſhall forfeit for every ſuch Offence any Sum not exceeding Twenty Shillings.

Manner of appointing Overſeers in future.

LVII. And be it further enacted, That on the *Eaſter Tueſday* next after the paſſing of this Act, and ſo in like Manner on the *Eaſter Tueſday* in each and every ſucceeding Year, the Inhabitants of the ſaid Pariſh of *Saint Mary Newington*, in Veſtry aſſembled, or the major Part of them then preſent, ſhall nominate Eight ſubſtantial Houſeholders to ſerve the Office of Overſeers of the Poor of the ſaid Pariſh, and ſhall cauſe a Liſt of the Names of the ſaid Perſons to be delivered to the Juſtices of the Peace acting in and for the Eaſtern Half Hundred of *Brixton* and Borough of *Southwark*, in the ſaid County of *Surrey*, at the next enſuing Petty Seſſion; and the ſaid Juſtices at their ſaid Petty Seſſion, or any Two or more of them, ſhall and they are hereby authorized and required to nominate and appoint, by Writing under their Hands and Seals, Four of the ſaid Eight Perſons named in ſuch Liſt to be Overſeers of the Poor of the ſaid Pariſh; and ſuch Four Perſons ſo nominated and appointed ſhall continue in their ſaid Office of Overſeers until the *Eaſter Tueſday* following, and until the Petty Seſſion then next following, when Four other Perſons ſhall be appointed in Manner aforeſaid, to act in their Stead; and all ſuch Perſons when ſo nominated and appointed, and having Notice thereof, ſhall from thenceforth, together with the Churchwardens for the Time being of the ſaid Pariſh, be and be deemed Overſeers

ſeers of the Poor of the ſaid Pariſh of *Saint Mary Newington*; and the ſaid Churchwardens and Overſeers, and each of them, ſhall and they are hereby ſeverally required to take upon themſelves the Office and Offices of Governors and Guardians of the Poor of the ſaid Pariſh, and to do, perform, and execute all Matters and Duties of the ſaid Office, as well as all other Matters and Duties incident to the Office of Overſeer or Overſeers of the Poor, which are not in and by this Act veſted in or impoſed in other Officers or Perſons; and they and each of them ſhall, in the Execution of their ſaid Office of Governor, and Guardian, and Overſeer, be ſubject and liable to the like Rules, Regulations, Reſtrictions, Penalties, and Forfeitures, and ſhall have and enjoy the like Privileges, Exemptions, and Immunities, as other Overſeers of the Poor are by the Laws and Statutes of this Realm entitled to.

Old Rates to be deemed good.

LVIII. And be it further enacted, That each and every Rate or Aſſeſſment, now ordered and directed to be levied, aſſeſſed, and allotted by and under the Authority of the ſaid recited Act, ſhall and may be levied, aſſeſſed, and collected by ſuch Ways and Means, and under ſuch Regulations and Reſtrictions, as any Rate or Aſſeſſment ordered and directed to be levied, aſſeſſed, and collected by virtue of this Act, can or may be raiſed, levied, and collected.

Rates to be made.

LIX. And be it further enacted, That it ſhall and may be lawful to and for the Governors and Guardians of the Poor of the ſaid Pariſh of *Saint Mary Newington* for the Time being, or any Seven or more of them, and they are hereby required from Time to Time, and at all Times after the paſſing of this Act, as often as Occaſion ſhall require, to meet at ſuch Time and Place as to them ſhall ſeem proper, for the Purpoſe of making ſuch Rate or Rates as herein-after mentioned, Notice of ſuch Meeting and the Purpoſe thereof having been firſt given on the *Sunday* immediately preceding ſuch Meeting in the Pariſh Church of *Saint Mary Newington* immediately after Morning Service (which Notice the Clerk officiating in the ſaid Pariſh Church is hereby required to read or give), and at ſuch Meeting or Meetings to make one or more ſuch General Rate or Rates, Aſſeſſment or Aſſeſſments, as by the ſeveral Laws in force and effect Churchwardens and Overſeers of the Poor now are, or ſhall, or may, or could, or might be enabled or empowered to make, as they the ſaid Governors and Guardians, or any Seven or more of them, ſhall judge or determine to be neceſſary in and towards the Relief and Maintenance of the Poor of the ſaid Pariſh, and other the ſeveral Purpoſes that are as well in this Act as alſo in the ſeveral Laws in force and effect, touching and concerning the Relief and Maintenance of the Poor, or in anywiſe relating thereto, particularly mentioned, and for paying all ſuch Sums of Money as by any Law in force and effect are directed to be paid out of any Rate or Rates made or to be made for the Relief and Maintenance of the Poor; ſo that all ſuch Rates or Aſſeſſments ſo to be made, when ſigned by the ſaid Governors and Guardians, or any Seven 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 *Surrey*, and Notice thereof given on the *Sunday* next after the ſame ſhall have been ſo allowed and confirmed, in the Pariſh Church of *Saint Mary Newington* aforeſaid, after Morning Prayers, ſhall and may be collected and received by any Perſon or Perſons appointed or to be appointed

pointed to collect and receive the ſame by the ſaid Governors and Guardians; and all and every ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, to be made, allowed, and confirmed, and Notice thereof given as aforeſaid, ſhall be deemed and taken to be good, valid, and effectual, as if the ſame had been aſcertained and made by the Churchwardens and Overſeers of the Poor of the ſaid Pariſh, any Law, Statute, or Uſage to the contrary notwithſtanding; and no Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be made for the Relief of the Poor of the ſaid Pariſh, other than is or are by this Act directed; and all Monies ariſing from ſuch Rates or Aſſeſſments, together with all Arrears due upon former Rates or Aſſeſſments, ſhall be applied and diſpoſed of towards the Relief and Maintenance of the Poor of the ſaid Pariſh, and other the ſeveral Purpoſes of this Act, and other the Purpoſes mentioned and deſcribed in the ſeveral Laws in force and effect, touching or concerning the Relief and Maintenance of the Poor, or in anywiſe relating thereto, and for the Payment of the ſeveral Principal Sums, Annuities, and Intereſt charged or to be charged on ſuch Rate or Aſſeſſment, Rates or Aſſeſſments, by this Act directed to be made; and alſo for paying all ſuch Sums of Money as by any Law in force and effect are directed to be paid out of any Rate or Rates made or to be made for the Relief and Maintenance of the Poor: Provided always, that in caſe any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any ſuch Rate or Aſſeſſment ſo to be made as aforeſaid, he, ſhe, or they ſhall and may appeal therefrom in the Manner herein directed.

Collectors empowered to levy Rates.

LX. And be it further enacted, That the Perſon or Perſons to be appointed in Manner aforeſaid Collector or Collectors of the ſaid Rates or Aſſeſſments directed to be made by this Act, is and are hereby authorized and empowered to receive, collect, and levy the ſame, and that the ſeveral Sums of Money ariſing from ſuch Rates or Aſſeſſments, together with all Arrears due upon former Rates as aforeſaid, ſhall be collected Quarterly or otherwiſe; and for better enabling ſuch Collector or Collectors ſo to do, it ſhall and may be lawful to and for him or them to execute all ſuch Warrants of Diſtreſs as ſhall be granted from Time to Time by any Juſtice or Juſtices of the Peace in the Manner herein-after directed, againſt any Perſon or Perſons neglecting or refuſing to pay the ſaid Rate or Aſſeſſment, in the ſame Manner, and as fully and effectually to all Intents and Purpoſes, as Overſeers of the Poor by any Law or Laws now in being can or may execute the ſame.

How Rates are to be levied on Refuſal.

LXI. And for the better and more effectual raiſing and levying the Rates and Aſſeſſments directed to be made by this Act, be it further enacted, That in caſe any of the Landlords or Occupiers, or any Owner or Owners, Proprietor or Proprietors, Leſſee or Leſſees, of any Land, Ground, Dwelling Houſe, Shop, Warehouſe, Coach Houſe, Stable, Cellar, Vaults, Building, Tenements, or Hereditaments within the ſaid Pariſh of *Saint Mary Newington*, herein made liable to pay any Rate or Aſſeſſment made, laid, and aſſeſſed by virtue of this Act, ſhall refuſe or neglect to pay the Money rated and aſſeſſed upon him, her, or them reſpectively, and all Arrears due thereon or upon any former Rate or Rates, or the Amount of any Compoſition or Compoſitions in regard to the ſame, it ſhall be lawful to and for any one or more of

His

His Majeſty's Juſtices of the Peace acting for the Eaſtern Half Hundred of *Brixton* and Borough of *Southwark*, in the ſaid County of *Surrey*, and he and they is and are hereby authorized and required to ſummon, by Writing under his or their Hand or Hands, all and every Perſon and Perſons who ſhall have refuſed or neglected as aforeſaid (upon Oath being made before him or them, by the Collector or Collectors appointed by the ſaid Governors and Guardians of his or their having attended upon or at the Dwelling Houſe or laſt Place of Abode of all and every Perſon and Perſons then intended to be ſummoned, and having demanded the Rate or Rates, Compoſition or Compoſitions, and of ſuch Perſon or Perſons having refuſed or neglected to pay the ſaid Rate or Rates, Compoſition or Compoſitions,) to appear before ſuch Juſtice or Juſtices at a Time and Place to be mentioned in ſuch Summons, or before ſuch other Juſtice or Juſtices acting in and for the ſaid Eaſtern Half Hundred of *Brixton* and Borough of *Southwark*, as ſhall be ſitting upon the Return of ſuch Summons or Summonſes; and it ſhall and may be lawful to and for the Collector and Collectors appointed or to be appointed by the ſaid Governors and Guardians, or for any of the Conſtables, Headboroughs, or Beadles of the ſaid Pariſh, to ſerve all and every ſuch 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 leaving the ſame at his, her, or their laſt or uſual Place or Places of Abode, or at the Premiſes for which the Rates mentioned in ſuch Summons ſhall remain due and owing; and if any Perſon or Perſons ſo ſummoned ſhall refuſe or neglect to attend at the Time and Place mentioned in ſuch Summons, or if he, ſhe, or they ſhall attend and ſhall not ſhew good and ſufficient Cauſe to ſuch Juſtice or Juſtices that they are not chargeable with ſuch Rate or Rates, Compoſition or Compoſitions, then and in every ſuch Caſe all and every ſuch Perſon and Perſons who ſhall have been ſo ſummoned, ſhall pay the reaſonable Coſts and Charges of ſuch Summons; and in all Caſes where the ſaid Rate or Rates, Compoſition or Compoſitions, or any of them, ſhall not be paid upon the Return of ſuch Summons, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices who ſhall have iſſued ſuch Summons or Summonſes as aforeſaid, or ſome other Juſtice or Juſtices of the Peace acting for the ſaid Eaſtern Half Hundred of *Brixton* and Borough of *Southwark*, and he or they is and are hereby authorized and required, upon Oath made before him or them of the due Service of ſuch Summons or Summonſes, by the Party who ſhall have ſerved the ſame, to grant a Warrant or Warrants under his or their Hand or Hands, Seal or Seals, authorizing or directing the ſaid Collector or Collectors, or any Conſtable, Headborough, or Beadle of the ſaid Pariſh, to collect or levy all and every ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, Compoſition or Compoſitions, and all Arrears thereof, and the Expence of the Summons (if the ſame ſhall not have been before paid) and Warrant, by Diſtreſs of the Goods and Chattels of the Party ſo neglecting or refuſing, which ſhall be found either within the ſaid Pariſh or elſewhere; and if within Five Days next after any ſuch Diſtreſs ſhall be made, the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, Compoſition or Compoſitions, with all Arrears due thereon, ſhall not be paid, together with the reaſonable Charges of the ſaid Summons (if ſuch Summons ſhall not have been before paid for) and Warrant, and

Perſons refuſing to attend when ſummoned.

of making ſuch Diſtreſs, and keeping ſuch Goods and Chattels, the ſaid Collector or Collectors, Conſtable or Conſtables, Headborough or Headboroughs, Beadle or Beadles, ſhall cauſe the ſaid Goods to be appraiſed by One or more Appraiſer or Appraiſers, and to be ſold, or ſuch Part or Parts thereof as ſhall be ſufficient to pay the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, Compoſition or Compoſitions, together with all Arrears due thereon, and the reaſonable Charges aforeſaid, and the Charges of appraiſing and ſelling the ſame, returning the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels reſpectively, upon Demand thereof made by him, her, or them; and if ſufficient Diſtreſs cannot be found within the ſaid County of *Surrey*, then on Oath made thereof by any of the Perſons to whom the Warrant or Diſtreſs hereafter ſet forth ſhall be directed, before ſome Juſtice of any other County or Precinct (which Oath ſhall be certified under the Hand of ſuch Juſtice on the ſaid Warrant) ſuch Goods may be diſtrained in ſuch other County or Precinct by virtue of ſuch Warrant or Certificate, in like Manner, and ſubject to the like Regulations and Conditions as are provided in and by an Act paſſed in the Seventeenth Year of the Reign of His late Majeſty King *George* the Second, intituled *An Act for remedying ſome Defects in the Act made in the Forty-third Year of the Reign of Queen* Elizabeth, *intituled 'An Act for the Relief of the Poor.'*

Form of Warrant of Diſtreſs.

LXII. And be it further enacted, That every Warrant of Diſtreſs for Nonpayment of any Rate or Aſſeſſment to be made by virtue of this Act, ſhall be in the Words or to the Effect following:

Surrey, to wit. } 'TO the Churchwardens, Overſeers, Governors, Guardians, 'and Collectors of the Poor or other Rates of the Pariſh 'of *St. Mary Newington*, in the County of *Surrey*, and 'to all Conſtables and other Peace Officers for the ſame 'Pariſh:

'WHEREAS the undermentioned Perſons, now or late Inhabitants, 'Holders, Landlords, Tenants, Occupiers, or Enjoyers of Lands, 'Houſes, Shops, Warehouſes, Coach-houſes, Stables, Cellars, Vaults, 'or other Buildings, Tenements, or Hereditaments, or Part of ſome 'Building or Tenement within the ſaid Pariſh of *St. Mary Newington*, 'were and are truly rated and aſſeſſed, or liable to pay the Rate and Rates 'duly made for the Purpoſe of an Act made in the Fifty-fourth Year of 'the Reign of King *George* the Third, intituled *An Act* [*here ſet forth 'the Title of this Act*]: And whereas the ſaid Perſons have refuſed or 'neglected to pay the ſeveral Sums of Money at and againſt their Names 'hereunder reſpectively ſet down, for Money due from them for or towards the Purpoſes in the Act mentioned, and the ſaid ſeveral Sum 'and Sums are ſtill remaining due in arrear, and unpaid, as appeared 'upon Oath to one [*or* more] of His Majeſty's 'Juſtices of the Peace for the ſaid County; and the ſaid ſeveral Perſons having been ſummoned to appear before to anſwer the Premiſes, as alſo appeareth to 'the ſaid Juſtice or Juſtices, upon Oath [*or* Affirmation, if a Quaker] 'and no ſufficient Cauſe having been ſhewn by any of them why ſuch 'Sum or Sums of Money ſhould not be paid; theſe are therefore in His 'Majeſty's Name to will and require you or either of you forthwith to 'levy the ſaid ſeveral Sums due from the ſaid Perſons, and hereunder

'joined

'joined to or ſet againſt their Names reſpectively, by Diſtreſs and Sale 'of their reſpective Goods and Chattels (ſuch Goods and Chattels being 'kept for the Space of Five Days before the ſame are ſold), rendering 'to them reſpectively the Overplus (if any be), the reaſonable Charges 'of ſuch Diſtreſs and Sale, and Keeping, being firſt deducted; and if no 'ſufficient Diſtreſs can be had or taken, that then you certify the ſame 'to me [*or* us,] to the End ſuch further Proceedings may be had 'therein as the Law doth appertain; and I [*or* we] do hereby ſtrictly 'charge and command all and ſingular the Conſtables and other His 'Majeſty's Peace Officers for the ſaid County, to be aiding and aſſiſting 'in all Things relating to the Premiſes. Given under my [*or* our] Hand 'or Hands, and Seal or Seals, this Day of 'in the Year of our Lord

	£	s.	d.
'A. B.			
'C. D.			
'E. F. the Landlord for divided Premiſes			
'G. H. the Landlord, for Houſes, &c. in 'Street, compounded for			
'K. L. Landlord, a Receiver [*as the Caſe may be*]			
'M. N. Tenant			

Perſons receiving Rents, to be deemed the Owners.

LXIII. Provided always, and to prevent Diſputes touching the Deſignation of the Landlord or Owner, Leſſee or Leſſees, intended to be made liable by this Act; be it enacted, That the Perſon or Perſons receiving or claiming to be entitled to the Rents of every ſuch Houſe or Houſes, Tenement or Tenements, Hereditaments or Premiſes, immediately payable by the Tenants or Occupiers thereof reſpectively, ſhall be deemed and taken to be the Landlord or Owner, Leſſee or Leſſees of the ſame for the Purpoſes of this Act, and ſhall continue to be rated to and liable to the Payment of all and every ſuch Rates as aforeſaid, until ſome other Perſon or Perſons ſhall be rated to or pay the ſame, unleſs the real Landlord, Owner, or Leſſee is known to or voluntarily compounds for the ſame with the ſaid Governors and Guardians.

For levying Rates on Perſons quitting or removing out of the Pariſh.

LXIV. And whereas it may happen that many Perſons liable to, and who may be rated and aſſeſſed by virtue of this Act, may, before the Payment of the Sum which may be rated on them reſpectively, quit and leave their Grounds, Dwelling Houſes, Shops, Warehouſes, Coach Houſes, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, and remove out of the ſaid Pariſh; be it therefore further enacted, That when any Perſon or Perſons who hath or have been ſo rated and aſſeſſed, ſhall quit or be about to quit his or their Lands, Grounds, Houſes, Shops, Warehouſes, Coach Houſes, Stables, Cellars, Vaults, Buildings, Tenements, or Hereditaments, before he, ſhe, or they ſhall have paid the ſaid Rate or Aſſeſſment, and ſhall afterwards refuſe to pay the ſame when due and demanded by the Collector or Collectors authorized and appointed to receive the ſame as aforeſaid, then and in every ſuch Caſe it ſhall and may be lawful to and for the ſaid Collector or Collectors, or one of them, Oath being made by him or them that he or they hath or have Cauſe to ſuſpect that ſuch Perſon or Perſons is or are removing, or hath or have removed his, her, or their Goods and Chattels,

Chattels, by Warrant under the Hand and Seal or Hands and Seals of One or more of His Majeſty's Juſtices of the Peace for the ſaid County of *Surrey*, (which Warrant ſuch Juſtice or Juſtices is or are hereby authorized and required to grant,) and ſuch Warrant being firſt backed and counterſigned by ſome Magiſtrate of the County, City, or Liberty to which ſuch Perſon or Perſons ſhall have removed, (which Warrant ſuch Magiſtrate is hereby required to back or counterſign,) to diſtrain the Goods and Chattels of ſuch Perſon or Perſons ſo refuſing or neglecting to pay the ſaid Rates or Aſſeſſments, and to ſell the ſame, rendering the Overplus (if any) after having deducted the reaſonable Charges and Expences attending ſuch Diſtreſs and Sale, to the Owner or Owners of ſuch Goods and Chattels reſpectively, upon Demand thereof made.

Expence of making Diſtreſs, to be paid with the Rates.

LXV. And be it further enacted, That when and as often as any Diſtreſs ſhall be made for Nonpayment of any ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, or any Part thereof, it ſhall and may be lawful to and for the Perſon or Perſons making ſuch Diſtreſs, to raiſe and levy the reaſonable Charges of the Summons or Summonſes, Warrant or Warrants, and making ſuch Diſtreſs, and ſelling and diſpoſing of the ſame, upon the Goods and Chattels, over and above the Sum of Money due upon the Rate or Rates, Aſſeſſment or Aſſeſſments, for which ſuch Diſtreſs ſhall be taken.

May remit Rates overcharged, or for Poverty.

LXVI. And be it further enacted, That it ſhall be lawful to and for the ſaid Governors and Guardians, or any Five or more of them, and they are hereby empowered, upon the Complaint or Requeſt of any Perſon or Perſons liable to the Payment of any ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, who ſhall think himſelf, herſelf, or themſelves aggrieved hereby, to mitigate or reduce the ſame as they in their Diſcretion ſhall think juſt and reaſonable; and alſo for any Two or more of the ſaid Governors and Guardians, being Juſtices of the Peace acting in and for the County of *Surrey*, or for any Two Juſtices of the Peace for the ſaid County to remit or excuſe the Payment thereof, on account of the Poverty of any Perſon or Perſons liable to pay the ſame, and ſo complaining or requeſting the Remiſſion or Reduction of ſuch Rates or Aſſeſſments, or any Part thereof.

Omiſſion in Rates may be rectified.

LXVII. And be it further enacted, That if it ſhall appear to the ſaid Governors and Guardians, at any Time after making of any ſuch Rate or Aſſeſſment as is directed to be made by this Act, that the Name or Names of any Perſon or Perſons liable to be included in ſuch Rate or Aſſeſſment, hath or have been omitted therein, or the Sum which he, ſhe, or they ought to have been aſſeſſed to, hath or have been omitted to be carried out, it ſhall be lawful for the ſaid Governors and Guardians to add or cauſe to be added to ſuch Rate or Aſſeſſment the Name or Names of the Perſon or Perſons, together with the Sum or Sums for which he, ſhe, or they ought to be rated, and the Sum or Sums ſo omitted to be carried out; and every ſuch Addition made to any of the ſaid Rates ſhall be as valid and effectual in Law, to all Intents and Purpoſes, as if the ſame had been inſerted in the Rate at the Time the ſame was firſt made and ſigned, or allowed.

LXVIII. And

Money exceeding 20l. to be paid into the Hands of a Banker, to be appointed by the said Governors and Guardians.

LXVIII. And be it further enacted, That such Collector or Collectors shall, and they are hereby ordered and directed, when thereunto required by the said Governors and Guardians, from Time to Time to pay all such Sum and Sums of Money as such Collector or Collectors as aforesaid shall from Time to Time collect and receive by virtue of their Office of Collector as aforesaid, and which shall amount to the Sum of Twenty Pounds or upwards, into the Hands of such Banker or Bankers, or other Person or Persons, as the said Governors and Guardians shall direct and appoint to receive the same; good and sufficient Security having been obtained from such Banker or Bankers, or other Person or Persons for the same.

Declaring that the Persons letting Houses in separate Apartments, &c. shall be deemed the Occupiers for the Purposes of this Act, and compellable to pay the Rates.

LXIX. And be it further enacted, That the Landlord or Landlords, Owner or Owners of all and every House, Tenement, or other Premises within the said Parish, which is, are, or shall be let in Parcels or separate Apartments, or in Lodgings furnished or unfurnished, shall be rated to, and shall pay the several Rates and Assessments directed to be levied and raised by virtue of this Act.

For the better recovering Rates on Houses let at small Rents.

LXX. And be it further enacted, That when the yearly Rent or Value of any House, Tenement, or Hereditament within the said Parish shall not exceed Twenty Pounds, or where any House, Tenement, or Hereditament shall be let to any weekly or monthly Tenants, or in separate Apartments furnished or unfurnished, and the Rents thereof shall become payable and be collected at any shorter Period than Quarterly, then and in every such Case it shall and may be lawful to and for the said Governors and Guardians to compound with the Landlord or Landlords, Owner or Owners, Lessee or Lessees of all and every or any such House or Houses, Tenement or Tenements, Hereditament or Hereditaments in the said Parish, for the Payment of the Rate or Rates, Assessment or Assessments to be charged on their respective Premises by virtue of this Act, at such a reduced yearly Rental as the said Governors and Guardians shall think reasonable; so that no such House or Houses, Tenement or Tenements, Hereditament or Hereditaments, be rated at less than One Half or more than Three Fourths of the Rack Rent at which the same respectively shall then be let, or of the annual Value of the said Premises respectively; and the Landlord or Landlords, Owner or Owners, Lessee or Lessees of all such Houses, Tenements, or Hereditaments as shall not exceed the yearly Rent of Twenty Pounds, or as shall be let to any weekly or monthly Tenants, or in separate Apartments furnished or unfurnished, and from whence the several Rents thereof shall become due and be collected at any shorter Period than Quarterly, is and are hereby required to enter into such Composition with the said Governors and Guardians; and in case such Landlord or Landlords, Owner or Owners, Lessee or Lessees shall refuse to enter into such Composition, he, she, or they shall from thenceforth be deemed and taken to be the Occupier or Occupiers of such Premises, and shall thereupon be rated to, and from Time to Time shall pay, or cause to be paid, the Rate or Rates, Assessment or Assessments, charged upon their respective Premises by virtue of this Act, and upon Nonpayment thereof, the said Governors and Guardians, or any of them, or other Persons lawfully authorized so to do, are hereby authorized to levy the same by Distress and Sale of the Goods and Chattels of the Landlord or Landlords, Owner

Owner or Owners, Leſſee or Leſſees of the reſpective Premiſes aforeſaid, whereſoever they may be found, or of the Perſon or Perſons inhabiting the ſame reſpectively: Provided always, that no ſuch Landlord, or Owner, or Leſſee, ſhall be charged with or liable to pay for any increaſed Rent reſerved or made payable to him, for or on account of ſuch Landlord, or Owner, or Leſſee having agreed to pay the Rates heretofore chargeable upon the ſeveral Occupiers of ſuch Premiſes: And provided alſo, that the Goods and Chattels of all and every ſuch Perſon or Perſons renting or occupying any ſuch Houſe, Tenement, or Hereditament, or any Part or Parts thereof, the Rate or Rates, Aſſeſſment or Aſſeſſments whereof the Landlord or Landlords, Owner or Owners, Leſſee or Leſſees, is and are hereby made liable and ſubject to as aforeſaid, ſhall be liable at all Times to be diſtrained and ſold for Payment of ſo much of the ſaid Rates or Aſſeſſments, and of all Arrears thereof, as became due upon the ſame Premiſes during the Time of his, her, or their Occupancy only; but no ſuch Occupier or Occupiers ſhall at any Time be required to pay, or be ſubject or liable to pay any greater Sum for or towards the Diſcharge of the ſaid Rates or Aſſeſſments, or any of them, and the Arrears thereof, than the Amount of the Rent actually due and payable by ſuch Occupier or Occupiers to the Landlord or Landlords, Owner or Owners, Leſſee or Leſſees of the Premiſes ſo occupied by him, her, or them: Provided alſo, that each and every Occupier who ſhall pay any ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, or any Arrears thereof, or upon whom the ſame ſhall be levied, ſhall and may from Time to Time deduct the ſame from the Rent due and payable from him, her, or them to the reſpective Landlords or Owners, or Leſſees of the Premiſes, (unleſs there ſhall be ſome Agreement to the contrary between the Landlord and Tenant), and the Receipt for ſuch Payment ſhall be a ſufficient Diſcharge to ſuch Occupier or Occupiers, and to his, her, or their Landlord or Landlords, for ſo much Money as he, ſhe, or they ſhall pay in the Manner directed by this Act.

Landlords not to be rated for reſerved Rent.

How Rates may be collected from Parties removing.

LXXI. And be it further enacted, That in caſe any Perſon or Perſons ſhall remove out of or from, or quit the Poſſeſſion of any Houſe or Shop, Building, Tenement, or other Premiſes, before the Rate or Rates, Aſſeſſment or Aſſeſſments charged thereon reſpectively by virtue of this Act, ſhall be paid and diſcharged; or if any Perſon or Perſons ſhall enter into the Occupation of any Houſe, Shop, Building, Tenement, or other Premiſes in the ſaid Pariſh, out of or from which any other Perſon or Perſons ſhall have ſo removed, before ſuch Rate or Rates, Aſſeſſment or Aſſeſſments ſhall have been paid and diſcharged, then and in every ſuch Caſe the Perſon or Perſons ſo removing out of or from, or quitting the Poſſeſſion of, and the Perſon or Perſons entering into the Occupation of any ſuch Houſe, Shop, Building, Tenement, or other Premiſes, ſhall be reſpectively ſubject and liable to the Payment of all ſuch Rates and Aſſeſſments, in proportion to the Time that ſuch Perſon or Perſons reſpectively poſſeſſed or occupied the ſame, in the ſame Manner as if the Perſon or Perſons ſo removing or quitting as aforeſaid had remained in the Poſſeſſion or Occupation of ſuch Houſe, Shop, Building, Tenement, or other Premiſes, or the Perſon or Perſons ſo entering into the Poſſeſſion or Occupation thereof reſpectively had been originally rated and aſſeſſed to ſuch Rates or Aſſeſſments, or any of them, and ſuch Proportion ſhall be aſcertained by the ſaid Governors and Guardians; and in caſe of

any Diſpute reſpecting the Amount or Proportion thereof, the ſame ſhall be ſettled by any One or more of His Majeſty's Juſtices of the Peace for the ſaid County of *Surrey*.

Power to borrow Money.

LXXII. And in order to enable the ſaid Governors and Guardians to carry the ſeveral Purpoſes of this Act into immediate Execution, be it further enacted, That it ſhall and may be lawful to and for the ſaid Governors and Guardians from Time to Time to borrow and take up at Intereſt ſuch Sum or Sums of Money, not exceeding in the whole the Sum of One thouſand Pounds at any one Time, as they ſhall judge neceſſary for the ſeveral Purpoſes of this Act, on the Credit of the Rates or Aſſeſſments to be made, levied, and collected by virtue thereof, and by Writing under their Hands and Seals, or of any Nine or more of them, to aſſign all or any Part of the ſaid Rates or Aſſeſſments to ſuch Perſon or Perſons as ſhall lend or advance any Money thereon, or to his, her, or their Truſtee or Truſtees, as a Security for the principal Money to be advanced, with lawful Intereſt for the ſame; and the Charges and Expences of ſuch Aſſignment (to be made as herein-after mentioned) ſhall be from Time to Time defrayed by the ſaid Governors and Guardians out of the Money ſo borrowed; and every ſuch Aſſignment ſhall be in the Words or to the Effect following; (that is to ſay),

Form of Aſſignment.

'WE, being of the Governors and Guardians acting in purſuance of an Act made in the Fifty-fourth Year of the Reign of King *George* the Third, intituled [*here ſet forth the Title of this Act*] in conſideration of the Sum of Pounds, advanced and lent by of in the County of upon the Credit and for the Purpoſes of the ſaid Act, Do hereby grant and aſſign unto the ſaid [*or*, to his Truſtee or Truſtees, *as the Caſe may be*] his [*or* her] Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Rates or Aſſeſſments to be raiſed, levied, and collected by virtue of the ſame Act, as the ſaid Sum of doth or ſhall bear to the whole Sum which may at any Time be borrowed or become due and owing, or be charged upon the Credit of the ſaid Rates or Aſſeſſments; to be had and holden from this Day of until the ſaid Sum of with Intereſt after the Rate of *per Centum per Annum* for the ſame ſhall be fully paid and ſatisfied. In witneſs whereof, We the ſaid Governors and Guardians have hereunto ſet our Hands and Seals the Day of in the Year of our Lord.'

And all ſuch Aſſignments ſhall be numbered, commencing with Number One, and ſo proceeding in an Arithmetical Progreſſion, aſcending, where the common Exceſs or Difference ſhall always be One in reſpect of every One hundred Pounds ſo advanced as aforeſaid; and every ſuch Security ſhall be good, valid, and effectual in the Law, and ſhall entitle the Perſon or Perſons to whom the ſame ſhall be made, his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Payment thereof, and to all Profit and Advantage thereof, according to the true Intent and Meaning of this Act.

LXXIII. And

Power for Governors and Guardians to raiſe Money.

LXXIII. And be it further enacted, That in caſe the ſaid Governors and Guardians ſhall think it adviſable to raiſe all or any Part of the Money for the Purpoſes of this Act, by granting Annuities for Lives inſtead of Aſſignments as aforeſaid, then, and in ſuch Caſe, it ſhall be lawful to and for the ſaid Governors and Guardians, and they are hereby authorized and empowered ſo to do, and by Writing under their Hands and Seals, or any Nine or more of them, to grant an Annuity or Annuities to any Perſon or Perſons who ſhall contribute, advance, and pay into the Hands of the Treaſurer or Treaſurers of the ſaid Governors and Guardians, any Sum or Sums of Money for the abſolute Purchaſe of an Annuity or Annuities, to be paid and payable during the natural Life of every ſuch Contributor, or during the natural Lives of any Two ſuch Contributors; and the Life of the Survivor, or the natural Life of ſuch Perſon, or the natural Lives of Two ſuch Perſons, and the Life of the Survivor, as ſhall be nominated by or on the Behalf of ſuch Contributor, at the Time of the Payment of his or her Contribution or Purchaſe Money; and the Expence of every ſuch Annuity ſhall be paid by the ſaid Governors and Guardians out of the Monies ſo contributed; and the Grant of every ſuch Annuity ſhall be in the Words or to the Effect following:

Form of Grant of Annuities.

'WE, being of the Governors and Guardians acting in purſuance of an Act made in the Fifty-fourth Year of the Reign of King *George* the Third, intituled [*here ſet forth the Title of this Act*] in Conſideration of the Sum of paid by to the Treaſurer appointed in purſuance of the ſaid Act, Do hereby grant unto the ſaid an Annuity or Yearly Sum of to be paid out of the Rates or Aſſeſſments to be raiſed, levied, and collected by virtue of the ſaid Act; which Annuity or Yearly Sum of ſhall be paid to the ſaid or his or her Aſſigns, during the Term of his or her natural Life [*or as the Caſe may be*, to the ſaid his or her Executors, Adminiſtrators, or Aſſigns, during the natural Life of *or*, during the natural Lives of and and the Life of the Survivor,] upon the Day of the Day of the Day of and the Day of in every Year during the natural Life or Lives of him, her, or them, the ſaid at the ; the Firſt Quarterly Payment thereof to be made upon the Day of next enſuing the Date hereof. In witneſs whereof, We the ſaid Governors and Guardians have hereunto ſet our Hands and Seals the Day of in the Year .'

And every ſuch Grant ſhall be good, valid, and effectual in the Law, without any Enrolment or Regiſtry of the Memorial thereof in the High Court of Chancery or elſewhere, except as hereinafter mentioned, any Law or Statute to the contrary thereof in anywiſe notwithſtanding; and every Annuity ſo to be granted as aforeſaid, ſhall be and is hereby charged upon, and ſhall be payable and paid by the Treaſurer to the ſaid Governors and Guardians, out of the ſaid Rates or Aſſeſſments reſpectively,

tively, according to the Grant of such Annuity; any Law, Statute, or Usage to the contrary notwithstanding.

Power of transferring Assignments and Annuities, in a prescribed Form.

LXXIV. And be it further enacted, That it shall and may be lawful to and for the Persons entitled to any of the Securities for the Money to be borrowed on legal Interest as aforesaid, or to be raised by granting of Annuities as aforesaid, and their respective Executors, Administrators, and Assigns (as the Case may be) at any Time by Writing under their Hands and Seals to transfer such Securities to any Person or Persons whomsoever; and every such Transfer may be in the Words or to the Effect following:

'I *A. B.* being entitled to the Sum of or an Annuity of secured to and his 'Assigns, [*or*, his or her Executors, Administrators, and Assigns, *as the* '*Case may be*] by virtue of an Assignment or Grant of an Annuity, bearing 'Date the Day of under the Hands and Seals 'of of the Governors and Guardians acting in the Execution of 'an Act made in the Fifty-fourth Year of the Reign of King *George* the 'Third, intituled [*here set forth the Title of this Act*] upon the Credit of 'the Rates or Assessments granted or payable by the said Act, do hereby 'transfer all my Right and Interest in and to the same Sum [*or*, An-'nuity] and all Interest and other Money now due and arising thereon, 'unto his or her Executors, Anmministrators, 'and Assigns. Dated the Day of

A. B.'

And a Copy of any such Security or Assignment, and of every Grant of Annuity, which shall be made in pursuance of this Act, and an Extract or Memorial of every Transfer thereof respectively, shall be entered in a Book to be kept for that Purpose by the Clerk to the said Governors and Guardians, which Extract or Memorial shall specify and contain the Dates, Names of the Parties, and Sums of Money thereby transferred; to which Book any Person interested shall, at all seasonable Times, have access, and shall have free Liberty to inspect the same without Fee or Reward; and for the entering of every such Transfer the Clerk shall be paid by the Person to whom such Transfer shall be made, the Sum of Thirteen Shillings and Four-pence, and no more; and every such Transfer, after Entry thereof as aforesaid, shall entitle the Person to whom the Transfer shall be made, and his or her Executors, Administrators, and Assigns, to the Benefit of the Security thereby transferred, without any Registry or Enrolment thereof.

Provision for Payment of the Creditors by Ballot.

LXXV. And in order that no Preference may be given to any of the Persons who shall have advanced and lent Money upon the Credit of the said Rates or Assessments, be it further enacted, That the said Governors and Guardians (if there shall be more Creditors than One) shall cause the Number or Numbers of all Assignments or Securities granted, in case more than the Sum of One hundred Pounds shall be lent and advanced upon any such Assignment or Security as aforesaid, and then in force, for securing the Principal Monies lent and advanced upon the Credit of the said Rates or Assessments, of which Part shall be then intended to be paid off, to be written upon distinct Pieces of Paper, of an equal Size, each Piece of Paper to contain only One Number in respect

of every One hundred Pounds ſo borrowed as aforeſaid; and all ſuch Papers ſhall be rolled up in the ſame Form as near as may be, and be put into a Box or Wheel, and the Number or Numbers of the ſaid Aſſignments or Securities ſhall be drawn ſeparately out of the ſaid Box or Wheel, by the Clerk to the ſaid Governors and Guardians; and after every ſuch Ballot the ſaid Governors and Guardians ſhall cauſe Notice ſigned by their Clerk to be given or left at the laſt or uſual Place of Abode of the Perſon or Perſons who ſhall be entitled to the Money, to be paid off either in full or Part-payment of their reſpective Aſſignments or Securities as aforeſaid, purſuant to ſuch Ballot; and where there is only One Creditor, to give Six Calendar Months Notice to ſuch Creditor of the Intention of the ſaid Governors and Guardians to pay him or her as aforeſaid; and every ſuch Notice ſhall expreſs the Sum to be paid off, together with the Intereſt due thereon; and that the ſame ſhall be paid on a Day and at a Place to be ſpecified in ſuch Notice, ſuch Day not being ſooner than Six Calendar Months after the Day of giving or leaving ſuch Notice as aforeſaid; and the Intereſt of the Principal Money to be ſo paid off ſhall from and after the Day ſo ſpecified ceaſe, and be no longer paid or payable, unleſs ſuch Money ſhall be demanded purſuant to ſuch Notice and not paid; but the Principal Money in reſpect whereof ſuch Notice ſhall be given, and alſo the Intereſt thereof to the Day ſo ſpecified, ſhall nevertheleſs be payable on Demand; but nothing herein contained ſhall extend, or be conſtrued to extend, ſo as to require the ſaid Governors and Guardians to pay off and diſcharge any Monies lent on the Credit of the ſaid Rates or Aſſeſſments by way of Annuity, until all other the Creditors on the ſaid Rates or Aſſeſſments ſhall be paid off and diſcharged, and the ſeveral Parties ſo lending Money by way of Annuity ſhall agree to accept the Sum or Sums of Money offered by the ſaid Governors and Guardians for the Repurchaſe of ſuch his, her, or their Annuity or Annuities.

Power to borrow Money at lower Intereſt, to diſcharge Securities at a higher Rate.

LXXVI. Provided always, and be it enacted, That in caſe the ſaid Governors and Guardians can at any Time borrow or take up any Sum or Sums of Money at a lower Rate of Intereſt than the Aſſignments or Securities which ſhall be then in force ſhall bear, it ſhall and may be lawful to and for the ſaid Governors and Guardians from Time to Time to charge the ſaid Rates or Aſſeſſments in Manner aforeſaid, with ſuch Sum or Sums of Money as they ſhall think proper, and the Intereſt thereof at ſuch lower Rate as aforeſaid, and to pay off and diſcharge the Aſſignments or Securities bearing a higher Rate of Intereſt, according to the Directions and Regulations herein preſcribed for paying off Aſſignments or Securities.

Application of the Monies ariſing from Rates.

LXXVII. And be it further enacted, That all Monies which ſhall have ariſen under the ſaid recited Act, or ſhall ariſe by or from the ſaid Rates or Aſſeſſments hereby granted, or to be levied or received from Time to Time by virtue of this Act, (except as herein otherwiſe directed to be diſpoſed of,) and all the Money which may be borrowed on the Credit thereof, or Advances for Annuities as herein mentioned, ſhall be paid to the ſaid Governors and Guardians, or their Treaſurer, or to ſuch Perſon or Perſons as they the ſaid Governors or Guardians ſhall appoint to receive the ſame, and ſhall be applied and diſpoſed of, in the firſt Place, in paying and defraying the Coſts, Charges, and Expences which ſhall

have been incurred in, or ſhall be incident to and attending the obtaining and paſſing of this Act; and in the next Place, from Time to Time, the Coſts, Charges, and Expences of carrying the ſeveral Purpoſes of this Act into Execution, and in paying and defraying all Coſts, Charges, and Expences which the ſaid Guardians and Governors, or any of their Officers, may ſuſtain or be put unto in carrying this Act into Execution, or in proſecuting any Proſecutions, Actions, or Suits, or concerning any of the Monies granted or ariſing by virtue of this Act, or in any Manner relating to the Execution thereof, and for ſuch other Uſes and Purpoſes as are herein expreſſed, and for no other Uſe, Intent, or Purpoſe whatſoever.

Juſtices of the Peace may act as Juſtices, notwithſtanding their being Governors and Guardians, and adminiſter Oaths, &c.

LXXVIII. And be it further enacted, That all Juſtices of the Peace for the ſaid County of *Surrey*, reſident in the ſaid Pariſh, may act as Juſtices in any Cauſe or Matter concerning this Act, notwithſtanding their being Governors and Guardians, except where they ſhall be perſonally intereſted; and that in all Caſes where any Juſtice or Juſtices of the Peace is or are authorized by this Act to examine any Perſon or Perſons on Oath or Affirmation, it ſhall be lawful for ſuch Juſtice or Juſtices, and he and they is and are hereby required to adminiſter ſuch Oath, or to take ſuch Affirmation; and that in all Caſes where any Parties, Witneſſes, or other Perſons are to be heard or examined, by or in the Preſence of ſuch Governors and Guardians, in any Cauſe, Matter, or Thing relating to this Act, it ſhall be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath to or to take the Affirmation of ſuch Parties, Witneſſes, or Perſons.

Governors and Guardians to pay their own Expences.

LXXIX. And be it further enacted, That at all Meetings of the ſaid Governors and Guardians, and Inhabitants of the ſaid Pariſh, under this Act, the ſaid Governors and Guardians, and Inhabitants reſpectively preſent at ſuch Meetings, ſhall pay and defray their own Expences.

Parties making Diſtreſs not to be deemed Treſpaſſers ab initio.

LXXX. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Default 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 in an Action on the Caſe: Provided always, that no Plaintiff or Plaintiffs ſhall recover in an Action for any Irregularity, Treſpaſs, or other Proceeding, unleſs Notice in Writing ſhall have been given to the Defendant or Defendants, or to his, her, or their Attorney or Attornies, or left at his, her, or their laſt or uſual Place of Abode, Twenty-one Days before ſuch Action ſhall be commenced, ſigned by the Attorney for the Plaintiff or Plaintiffs, ſpecifying the Cauſe of ſuch Action; nor ſhall the Plaintiff or Plaintiffs recover in ſuch Action if Tender of ſufficient Amends ſhall be made by or on the Behalf of the Party or Parties who ſhall have commited, or cauſe to be committed every or any ſuch Irregularity, Treſpaſs, or wrongful Proceeding before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful for the Defendant or Defend-

Parties not to recover, unleſs Notice of Action ſhall have been given.

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ants in any such Action, by Leave of the Court where such Action shall depend, to pay into the Court such Sum of Money as he 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.

Punishment for giving false Evidence.

LXXXI. And be it further enacted, That if any Person or Persons shall wilfully and corruptly give false Evidence, in any Execution, Trial, Inquiry or other Matter or Thing to be heard or determined by virtue of this Act, or where in pursuance of this Act any Oath or Affirmation is required to be taken, each and every such Person and Persons so offending, and being thereof duly convicted, shall be, and he, she, and they is and are hereby declared to be subject and liable to such Pains and Penalties as Persons convicted of wilful and corrupt Perjury are by Law subject or liable to.

If dissatisfied, may appeal to the Quarter Sessions.

LXXXII. Provided always, and be it enacted, That if any Person or Persons shall think himself, herself, or themselves aggrieved by any such Rate or Rates, Assessment or Assessments, or by reason of any of the Bye Laws, Rules, Orders, Regulations, Judgments, and Determinations of the said Governors and Guardians, or by reason of any Order, Judgment, or Determination of any Justice or Justices of the Peace, acting in Execution of this Act, or by any Matter or Thing done in pursuance thereof, then and in every such Case he, she, or they may appeal to the next General or Quarter Sessions of the Peace to be holden for the said County of *Surrey*, which shall happen next after the Expiration of Fourteen Day after the Cause of Complaint shall have arisen, such Appellant or Appellants first giving or causing to be given Ten Days' Notice at least of such Appeal and of the Matter thereof, to the Party or Parties appealed against, and within Two Days next after such Notice, entering into a Recognizance in the Sum of Twenty Pounds before some Justice of the Peace for the said County, with Two sufficient Securities, conditioned for prosecuting such Appeal, and to abide the Order thereon, and to pay such Costs as shall be awarded by the Justices at such General or Quarter Sessions; and the said Justices assembled at such General or Quarter Sessions, upon due Proof of such Notice being given, and of entering into such Recognizance, shall hear and determine the Matter of such Appeal in a summary Way, and award such Satisfaction and Costs to the Party appealing or appealed against, as they the said Justices shall think proper; and the said Justices may, if they see cause, mitigate any Fine, Penalty, or Forfeiture, and may order any Money to be returned which shall have been levied in pursuance of any such Bye Law, Rule, Order, Regulation, Judgment, or Determination; and may also order and award such further Satisfaction to be made to the Party injured as they shall think reasonable; and the Determination of such Justices, at such General or Quarter Sessions, shall be final and conclusive.

Justices may relieve on Appeal against Rates, without quashing the whole Assessment,

LXXXIII. Provided always, and be it enacted, That on Appeal from such Rates or Assessments, or any of them, the Justices at such General or Quarter Sessions shall and may amend the same, in such Manner as may be necessary for giving Relief, without quashing or altering such Rates or Assessments with respect to other Persons mentioned in the same; but if upon Appeal from the whole Rate or Assessment, it shall

ſhall be found neceſſary to ſet aſide the ſame, then, and in ſuch Caſe, the ſaid Juſtices ſhall and may order a new Rate or Aſſeſſment to be made.

Inhabitants allowed to give Evidence.

LXXXIV. And be it further enacted, That in all Actions, Proſecutions, Informations, Appeals, Cauſes, and Proceedings whatſoever relating to or concerning the Execution of this Act, or in which the ſaid Pariſh, or the Inhabitants thereof, ſhall be a Party or Parties, no Inhabitant of the ſaid Pariſh ſhall be deemed an incompetent Witneſs on account of his, her, or their being charged with or liable to pay any Rate or Aſſeſſment made for the Relief of the Poor of the ſaid Pariſh, or in any Manner under or by virtue of this Act.

Form of Conviction.

LXXXV. And be it further enacted, That in all Caſes when any Perſon or Perſons ſhall be convicted of any Offence committed againſt this Act, or any Matter in purſuance thereof, the Conviction ſhall be in the Words or to the Effect following:

'Surrey to wit.} BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me, [*or* us] one [*or* two] of His Majeſty's Juſtices of the Peace for the County of by virtue of an Act paſſed in the Fifty-fourth Year of the Reign of King *George* the Third, intituled *An Act* [*here ſet forth the Title of this Act*] for that he the ſaid *A. B.* did on the Day of in the Year of our Lord [*here ſtate the Offence*] By reaſon whereof, I [*or* we] do hereby adjudge the ſaid *A. B.* to have forfeited [*if the Offender is to be fined*] the Sum of [*inſert the Penalty*] together with the Sum of for Coſts and Charges [*if any given*] or [*if to be impriſoned, then*] do adjudge the ſaid *A. B.* to be committed to the [*naming Gaol*] for the Space of [*inſert the Time; and if the Commitment be for Non-payment of a Penalty, then add*] unleſs the ſaid Sum of ſhall be ſooner paid. Given under my [*or* our] Hand and Seal [*or* Hands and Seals] the Day and Year firſt above written.'

Proceedings not to be quaſhed for Want of Form.

LXXXVI. And be it further enacted, That no Order, Judgment, Conviction, or other Proceeding, touching or concerning any of the Matters aforeſaid, or touching or concerning the Conviction of any Offender or Offenders againſt this Act, or any Order made, or any other Matter or Thing to be done or tranſacted in or relating to the Execution of this Act, ſhall be vacated or quaſhed for Want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*; any Law or Statute to the contrary in anywiſe notwithſtanding.

Recovery and Application of Penalties.

LXXXVII. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed, or by any Bye Law, Rule, Order, or Regulation made in purſuance thereof, the Mode of Recovery and Application whereof is not herein otherwiſe particularly directed, ſhall, upon Conviction of the Party or Parties offending before any Juſtice or Juſtices of the Peace for the ſaid County of *Surrey*, either by the Confeſſion of the Party or Parties, or by the Oath of any credible Witneſs or Witneſſes (which Oath the ſaid Juſtice or Juſtices is and are hereby empowered to adminiſter) be levied

levied by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal, or Hands and Seals of the Juſtice or Juſtices before whom ſuch Conviction ſhall be had, which Warrant ſuch Juſtice or Juſtices is and are hereby required to iſſue; and the Overplus (if any) ariſing from ſuch Diſtreſs and Sale, after deducting the Penalty and Forfeiture, and all reaſonable Expences attending ſuch Warrant, Diſtreſs, and Sale, ſhall upon Demand be returned to the Perſon or Perſons whoſe Goods and Chattels ſhall have been ſo diſtrained and ſold; and in caſe ſufficient Diſtreſs ſhall not be found, then and in ſuch caſe it ſhall be lawful for the ſaid Juſtice or Juſtices to commit ſuch Offender or Offenders to the Common Gaol or Houſe of Correction for the ſaid County, there to be kept to hard Labour for any Space of Time not exceeding Three Months, unleſs ſuch Penalty and Forfeiture, and all Coſts and Charges attending the ſame, ſhall be ſooner paid and ſatisfied; and all ſuch Penalties and Forfeitures, when recovered, ſhall be paid to the ſaid Governors and Guardians, and be by them applied in executing the ſeveral Purpoſes of this Act.

Limitation of Actions.

LXXXVIII. And be it further enacted, That no Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons, for any thing done in purſuance of this Act, after Three Months after the Fact committed, or the Cauſe of ſuch Action ſhall have ariſen; and before ſuch Action ſhall be brought or commenced, Twenty-one Days Notice thereof ſhall be given in Writing to ſuch Perſon or Perſons, and to the Clerk to the ſaid Governors and Guardians; and every ſuch Action ſhall be laid and brought in the ſaid County of *Surrey*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Actions to be brought, may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by Authority of this Act; and if upon the Trial of ſuch Action or Suit it ſhall appear to be ſo done, or that ſuch Action or Suit ſhall have been brought before the Expiration of Twenty-one Days next after ſuch Notice ſhall have been given as aforeſaid, or after a ſufficient Satisfaction made or tendered, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought or laid in any other County than as aforeſaid, then and in ſuch Caſe the Jury ſhall find for the Defendant or Defendants; and if ſuch Verdict ſhall be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, then and in every ſuch Caſe the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

Saving Rights of Kent Street Lighting, &c. Commiſſioners.

LXXXIX. And be it further enacted, That nothing in this Act contained ſhall extend, or be deemed, conſtrued, or taken to extend, to give to, authorize, or inveſt the ſaid Governors and Guardians for putting this Act into Execution, or any other Perſon or Perſons whomſoever, with any Right, Power, or Authority whatſoever, which can, ſhall, or may at all interfere with, leſſen, prejudice, or affect the Rights, Intereſts, Powers, Authorities, or Proviſions granted and given in and by an Act paſſed in the Fifty-ſecond Year of the Reign of His preſent Majeſty, intituled

intituled *An Act for paving the Footpaths, and for lighting and watching that Part of the* Kent-Street *Road which leads from* Kent-Street End *unto the Bridge next immediately below the* Green Man *Turnpike, ſituated within the Pariſh of* Saint George the Martyr, Southwark, *in the County of* Surrey, *and certain public Streets, Squares, Lanes, Paſſages, and Places communicating therewith, reſpectively ſituated within the ſaid Pariſh, or within the Pariſhes of* Saint Mary Magdalen, Bermondſey, *and* Saint Mary, Newington, *adjoining thereto, and for removing and preventing Encroachments and Annoyances therein:* And that all and every the Clauſes, Proviſions, Authorities, Powers, Intereſts, Rights and Remedies, Regulations and Directions therein contained, and thereby granted and given, within the Diſtrict deſcribed in the ſaid recited Act, ſhall remain, continue, and be as full, ample, and effectual to all Intents and Purpoſes whatſoever, as if this Act had not been paſſed.

Act to be deemed a Public Act.

XC. 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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